ISSA Proceedings 1998 – Arguments From Perfections

1. Introductory remarks

This paper is not a direct discussion of the concept of perfection. Rather it raises a problem of arguing and drawing conclusions from the concept of perfection in inter-religious discourse.

The way we argue depends, of course, on the mode of reference we are using. In religious discourse we often do not argue and draw conclusions from the concept of God, but from the singular perfections like ultimate goodness, absolute love, greatest wisdom, etc. These descriptions are referring under certain conditions to God, despite the fact that "God" does not have the same meaning as "ultimate goodness".

This form of discourse has become normal in inter-religious debates, where a rigid concept of God (whatever is meant by this) is often replaced by its more flexible referential descriptions. Some philosophical theologians too, see good reasons for the flexible talk about God: "Conceptual frameworks come and go. This does not mean that we should not try to understand the very meaning of the God of Israel and the God of Jesus, but that we have to look for another conceptuality, one that will take into account all that know about the world in which we live." (Van der Vekken 1992: 163).

The strategy ables to overcome cultural differences and build up the models of inter-religious discourse in which the univocal use of "God" has been substituted by equivocal and analogous uses of the concepts of good, love and wisdom.

There are however problematic cases, if we have to presuppose, that some particular culture or religious group is lacking the concept of certain perfection or even several of them. Semantic investigations have established a provisional set of human concepts, expressed as identifiable words in all languages. This set, which includes close to sixty elements, provides a trans-cultural framework for analysing meanings across languages and cultures in the form of trans-cultural metalanguage. According to the linguistical investigations, certain tribes of Papuas do not have the concept of love (Wierzbika 1995: 210).

This fact, stated by linguists as an empirical one, creates a theoretical problem: Which forms of argumentative discourse are effective, when speaking with

Papuas about God as ultimate love? The concept of "God" itself is of course not universal, but can inter-religious argumentation be construed in trans-cultural metalanguage if there is no place for the concepts of divine perfections like love, wisdom etc?

2. The concept of perfections and conceptual framework

Good arguments usually convince. At least, they convince those of us, who can understand how the argument works. It is also widely assumed that if the logic of the arguments is the same, the argument which uses commonly understandable and univocal concepts is more convincing than the one which uses non-understandable and equivocal concepts. For instance, the missionaries who work with primitives know well, that preaching in the name of ultimate love is normally much more effective than giving arguments from the concepts of primal cause or first mover. For, to provide effective arguments they need to have rely on suitable conceptual framework.

Now, what are the common concepts for all mankind? According to linguistic semantics, in particular to the so-called Goddard's and Wierzbicka's "NSM" school of semantics (Goddard & Wierzbicka 1994) there exists pretty clear answer to this question, namely, in the form of the set of universal human concepts. The set of universal human concepts has been established on the basis of cross-linguistic investigations and contains several substantives (I, you, someone/person, something/thing, people, body), determines (this, the same, other), quantifiers (one two, many, all, some) mental predicates (think, know, feel want, see, hear) etc. As to the attributes: "Good", "bad", "big", "small" are universal, but for instance "love", "wisdom" are not universal concepts for the mankind. According to the Wierzbicka, there are some tribes, where arguments from "love" are non-understandable. Just because they do not have corresponding concept in their tribal language.

How, then, the missionary could tell something about Jesus as a Perfect Love? Non telling about the love would badly harm the very understanding what Christian God is? In the Biblical parables love is the most central and highly important topic. It is also true that the most effective inter-religious arguments will take their start from "love".

3. Prof. Wierzbicka's parable explication project

Prof. Wierzbicka's project offers the solution in the use of universal human concepts. For the Biblical parable of the Lost Sheep (Lost Son, Lost coin) in which

the idea of love is the central, she proposes following explanations in the set of universal human concepts:

God wants to do good things for all people
all people can line with God
God wants this
God does many things because of this
sometimes a person doesn't want to live with God
because this person wants to do bad things
this is bad for this person
if you don't want to live with God
because you want to do bad things
this is bad for you
God wants you to think something like this:
"I don't want to do bad things any more2
"I want to live with God"
God does many thing because of this... (Wierzbicka 1997: 18)

Wierzbicka seems to think, that her explanation of the Lost Sheep in the terms of universal human concepts refers to God of Love in principle in the same way as the original parable does. (Wierzbicka 1997: 18). She rejects the view that metaphorical expressions could not be paraphrased and her own project is aiming to provide Christian missionaries with many other universalised parables, which, however, turn out to be strikingly sketchy and similar to each other. Let us ask: Can good inter-religious arguments be construed by such highly artificial explanations of the parables? Could any better understanding of what God of Love really mean be achieved by the tribesmen by using them? I really doubt on this. Moreover, I feel that there is something very odd in Wierzbicka's idea of the set of universal human concepts. The practising missionaries will probably tell more, why Wierzbika's arguments do not work in practice.

I will limit my criticism with philosophical objections. In what wollows I hope to show why I would prefer to call Wierzbicka's project rather Frankenstanian Project: Despite the good intentions it has, it lacks to recognise the essential way humans are having their life. In the rest of my paper I will express my criticism in detail and draw an alternalive approach for arguments from perfections.

4. Methodological background
Why, it can be asked, is Wierzbicka so certain that the concept "love" is not the

universal concept? Of course, linguistical investigation have proved that certain cultures are lacking this concept, what simply means the empirically stated fact, that particular culture X does not have the corresponding expression as identifiable word in their vocabulary. But does this empirically stated fact means the same as that the culture X is lacking the very idea of love? And in order to explain tribesmen what God means by love, one has to use Wierzbicka's translations? I really doubt on this.

Moreover, what would be the point to recognise this strange tribesmen as the humans and not human-like robots or human-like lions? Just think on different forms, love is manifesting itself and how trhese manifestations are related to the human's everyday life. Imagine the relations between mother and her child, the feelings between young man and woman; and the mixture of love and pain you feel when someone, very close friend of yours is suddenly dead? Could you say that nothing like this never happens in culture X. Could you imagine that the members of X culture never will have same sort of feelings we call "love"? Or that they have feelings, thoughts and ideas, but are never conscious about them. If so, how do you know that this culture X is human culture?

What I mean by this question, of course, is not, that the tribesmen are not always kind or friendly, or that they never prefer wise acts to silly deeds. Certainly, there exist some unfriendly cultures, where love is out of everyday life. I like'd to stress only, that it is very odd indeed to imagine the human race who does not posess the *slightest idea* what love and wisdom are. Because the manifestations of love are so widely universal for humans, and because their form of life is so different from ours, we would be quite uncertain about how to interpret their social practices. Even if a tribesman is turning to us by using plain English expressions, we would not be able to decide whether he is intending the same thing as we normally intend by using these expressions or not. George Pitcher has a nice comment on Wittgensteins' "If the lion could speak, we would not understand him". He explains:

"Suppose a lion says: "It is now three o'clock" but without at a clock his wrist-watch-and we may imagine that it would be merely a stroke of luck if he should say this when it actually is three o'clock. Or suppose he says: "Goodness, it is three o'clock; I must hurry to make that appointment", but that he continues to lie there, yawing, making no effort to move, as lions are wont to do. In these circumstances – assuming that the lions general behaviour is in every respect exactly like that of an ordinary lion, save for his amazing ability to utter English

sentences – we could not say that he has asserted or stated that it is three o'clock, even though he uttered suitable words. We could not tell what, if anything, he has asserted, for the modes of behaviour into which his use of words is woven are too radically different from our own. We could not understand him, since he does not share the relevant forms of life with us" (Pitcher 1965: 243).

In which sense, then, are the members of the culture X more humans than just human like lions or marionettes? If they do not posses the slightest idea that love is, could we not say that their life is too different from ours? (Raukas 1996: 39).

5. An Augustinian model

Why should we not admit that culture X has indeed the concepts of love and wisdom? It is more realistic to admit that form of live manifest these things and at least sometimes they express love in their everyday practices. This is precisely what Wierzbicka's investigation *indirectly denies*. Of course, she is probably admitting that the absent of the certain concepts in vocabulary does not make Papuas non-humans. But she is denying (at least indirectly) their conceptual consciousness about love.

Why are some linguists so reluctant to embrace these conclusions? They fear, I believe, that if the concepts and ideas are not equated with easily identifiable linguistical expressions, they can discover by empirical methods, then they will loose any possibility to see how these concepts and ideas work in human mind. As a philosophical background knowledge about language-world connection, such linguists are having an old fashioned Augustinian idea. They tend to think, as Wittgenstein puts it in his *Philosophical Investigations*, that "the individual expression in language name objects – sentences are combinations of such names. In this picture of language we find the roots of the following idea: Every word has a meaning. This meaning is correlated with the word. It is the object for which the word stands." (Wittgenstein 1953: 1.)

Let us consider for the moment that there are some other concepts the human culture X does not have in their vocabulary. What about the ideas of "nonsense" or "criticism"? The linguist who follows her augustinian based empirical methods is probably telling us that the culture X does not have the slightest idea that "nonsense" and "criticism" are. Just because the culture X is lacking certain easily identifiable words in their vocabulary. Therefore, all our argumentative attempts which are based on the understanding of nonsense, should be explicated *via* the set of universal human concepts, similar to Wierzbicka's Biblical parable explications.

But is this really way out of difficulty? If the life of those members of culture X is like our life in many ways, then we are admitting not only that they are human beings, but also that in their natural behaviour they express their desires, feelings and thoughts just as we do. Wierzbicka ignores the diverse ways in which the language of the tribe does enter the lives of people.

6. An alternative approach to the problem
In *Philosophical Investigations* Wittgenstein describes two men working with building stones. One of them shouts orders, the other reacts to the orders. Wittgenstein says this might be not only the language but the entire language of the tribe.
To understand what Wittgenstein means by "entire language" I turn to fine example, given by Malcolm in his "Language Game" (Malcolm 1995: 179). I hope that this example explicates my claim that "love", "nonsense" and "criticism" can be seen in the language of culture X, just because they are humans and their natural behaviour is similar to ours. Not because linguistical investigations have proved that there are (or are not) linguistical expressions in the vocabulary of their tribe.
"Let us suppose that a worker is building a wall. Only slabs are used in walls: beams are used only in roofs. We may even suppose that beams physically *cannot* be used in walls because of their shape. Now this builder, at work on a wall, calls out to his helper "Beam". The helper looks at him in astonishment – then bursts into laughter. The startled builder looks at the helper, then at the wall, then back at helper with grin of embarrassment. He slaps himself on the head, and then calls out "Slab". The chuckling helper brings him a slab. Cannot we say that the builder's original call, "Beam", was, in that situation, *nonsense*, and that first the helper and then the builder perceived that it was nonsense?" (Malcolm1995: 179). Likewise with love. It is true, that the tribesmen do not have in their vocabulary explicit words for love. However, only blind and dumb cannot see and hear the natural way love is manifested in their everyday life.

7. Concluding remarks
In conclusion I will sum up main points of my criticism. I discussed two different approaches to the inter-religious (inter-cultural) discourse. First, I tackled Prof. Wierzbicka's highly optimistic project to translate Biblical parables into the trans-cultural language which contains only universal concepts. Most of what I said in my paper about this project was critical and challenges Wierzbicka's basic idea. I

claim that Wierzbicka's inter-religious discourse lacks (beside its theological and philosophical point) its argumentative force. Firstly, because her model interprets the empirical facts of linguistic by too simplified philosophical (Augustinian) theory of language and how the words could have their meanings in language. Secondly, the phrasal equivalents to "God", "love" and "wisdom" in the set of universal human concepts are greatly equivocal. An alternative (I believe – more natural) approach takes its start from the wittgensteinian idea according to which speaking a language is participating in a very complicated rule covered social activity. I will argue that referential practice do not necessarily presuppose the use of universal concepts, but necessarily assumes certain common practices. If we have good reasons to presuppose that different cultures are not too far from ours – in the sense that in their natural behaviour they express their desires, feelings and thoughts just as we do – arguing from perfections, like love, do not necessarily imply equivocation, which would undermine our normal argumentative models.

I had originally intended that I would be able to say more about wittgensteinian-type arguments from perfections. However in the process of working out the paper I changed my mind and merely called to your attention the way how good arguments could not be stated.

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ISSA Proceedings 1998 – Criteria For Winning And Losing A Political Debate

1. Introduction

I am concerned about the quality of the public political debate. I am concerned about reducing it to a game, where opposing political parties play their roles, obey the game's rules and confirm the genre.

In this paper the aim is to answer the following questions: What are the relevant criteria for the analysis of winning and losing a political debate? What are the theoretical and methodological implications of applying a normative argumentation theory (pragma-dialectics) and a descriptive interaction theory (conversation analysis) to the same data?

To give an answer to these questions I have first tried to investigate the general and specific character of the modern political debate and from these I have drawn the relevant evaluation criteria. To justify why these are relevant, I have decided to look at the debate genre in a broad diacrone perspective. By doing this I believe that a cearnel of genre constituting features can be revealed besides a set of more context-sensitive ones. In other words I try to describe the genre in terms of constant and relative/flexible elements. Thereafter, I will argue that a winning and losing enterprise forces the investigator to build a normative framework.

My claim throughout this paper is that there is a close relationship between genre development and the development of evaluation criteria. Consequently I will also claim that while genres change and develop over time, also evaluation criteria will have to change.

2. The development of the political debate genre

Broadly speaking "genre" can be understood as either relative or stable, or as a combination (Ventola 1989). In this perspective I will understand the pragma-dialectical ideal context as a predefined, idealized and stable genre. However, I will argue that a context description has to consider both stable and variable

features in order to provide relevant evaluation criteria.

My point is not to give an outline of the ancient roots of the political debate, but rather to point at the fact that electronic debates, and especially televised debates, represent a shift in debate style from a more discussion-like format to a more quarrelsome one. This shift has implications for what kind of criteria that create the winner and the loser of a public political debate.

My claim is that the debate tradition experiences an important shift with "The Great Debates" between Nixon and Kennedy in the 1960 campaign. At this time the political debate genre as we know it today was in its infacy. Five specific elements of debate can be isolated as it has developed in the American tradition, a debate is:

1. a confrontation,
2. in equal and adequate time,
3. of matched contestants,
4. on a stated proposition,
5. to gain an audience decision (Auer 1962).

My point of departure for the analysis of winning and losing is the genre "political debate", more precicely "election debate interview by radio". By asking what is *quality* in this context, I have established a set of evaluation criteria to decide the winner and the loser. While analysing interactional political argumentation my general claim is that both a theory of argumentation and a theory of interaction is required (Sandvik 1997). This claim can be supported by pointing at important features of interactional argumentation like the repetition of arguments, the manipulation of topics, interruptions and competition for the floor, which all are relevant information in the analysis of quality. In order to select a winner and a loser of political debate, this two-sided character of the communicative activity must be considered.

Ideally the debate is an arena for the open discussion of ideas and opinions about the course the nation should take, and apparently the ideal pragma-dialectical context "critical discussion" is a possible candidate. However, the modern electronic debate is far from this ideal, a fact that needs no further elaboration. The political debate aims at persuade a third party, it is conducted in a public sphere, and it is competitive in character (Sandvik 1998). From these descriptions of the debate I have drawn the following four criteria to establish the winner: non-fallacious moves, speech amount, interruptions and topic manipulation. Hence the

winner is selected from both argumentative and interactional criteria, and here we are at the normative and descriptive character of this genre description.

For the sake of the debate genre, I will suggest that the stable elements of the genre are related to the quality of the arguments and can be described in terms of a normative theory, while flexible elements yield the interactional process and can be described in terms of a descriptive theory. Debates always entail argumentation, and argument assessment is central to any approach to argumentation. Debating is a verbal activity, and dependent upon contextual arrangement, like degree of formality, the interviewer's role and intention, number of participants and physical organization, it is more or less interactional. Anyhow, a theory of spoken interaction is required.

The argumentative winner is established on the basis of non-fallacious moves, and consequently a normative theory of fallacies is required (van Eemeren and Grootendorst 1984, 1992). The interactional winner is established from *how* the debaters interact and compete, and insight from Conversation Analysis creates the theoretical basis (Sacks, Schegloff and Jefferson 1974). However, Conversation Analysis, or a more eclectic theory of interaction are descriptive in character, but at the moment this original descriptive theory is exploited to select a winner and a loser, the whole enterprise of establishing a winner is turned into a normative project.

Public debate has developed over time, and the question is whether the criteria for good and bad argumentation and good and bad conduct can be viewed as stable or flexible due to contextual changes. If a normative and even ""epistemic account of argumentation is linked to stability, this can create the stable element of the genre, while flexible elements can be drawn from its changes. My project is to search for 1) something stable from which good and bad argumentation is evaluated, and this "stability" can be epistemplogically based, and 2) to search for context-sensitive and thereby flexible elements which vary over time, and this "flexibility" is interactionally based.

3. Winning and losing a debate

Winning a debate and winning any other organized competitive activity share some important common characteristics. Dependent upon the game you are playing, some specific winning-qualities are implied and drawn from premises inherent in the game. But winning a game is not always equivalent to a positive conception of quality. "Quality" is generally a positive term, and a debate, a film and a student text may be described in lines of "quality", but a winner of a verbal

or a literal duel may not neccessarily possess positive qualities, but both of them display "qualities" which enable them to kill the opponent. So, "winning" must be described in relation to a specific activity, and may involve negative behaviour and characteristics. Winning a modern political debate, then, rests upon a set of winning-qualities or winning criteria which have their basis in a normative fundament and may be perceived as negative. As mentioned above non-fallacious moves, speech amount, interruptions and topic manipulation establish the winner. These will now be further commented.

Non-fallacious moves: The pragma-dialectical argumentation theory is fundamented in a theory of rationality and regards fallacies as violations of one of the ten rules for a critical discussion (van Eemeren 1986, 1987:202, van Eemeren and Grootendorst 1984:18). This point of departure has one important implication: unlike other approaches to fallacies, it can provide a set of norms that applies to all the recognized fallacies, and it does not give each individual fallacy a specific theoretical framework, as is the case in particular logical approaches**[i]**. Nor does it regard only the formal fallacies as interesting and worth treatment within a theory of fallacies**[ii]**, but also regards informal fallacies as equally important, since they occur in natural language use. By regarding fallacies as violations of the discussion rules, pragma-dialectics links the fallacious moves to the speechs acts that, in every stage of the critical discussion, contribute to the resolution of a dispute. Therefore the pragma-dialectical concept of fallacies is not related to one norm, as a logical approach is with validity/invalidity as the only norm, but relates to ten norms, the ten rules of a critical discussion. This implies that there are different criteria involved for deciding whether a move is fallacious or not.**[iii]**

As underlined above the modern electronic debate represents a shift in the public debate style. The new debate format opens for quick and entertaining exchange of moves, and the interviewer and administrator of the floor introduces confrontational topics and cuts the debaters off in order to heat the debate atmosphere. My point is that the debaters are framed to act according to this standard, and this creates the basis for the interactional criteria, which I now will continue to justify.

Speech amount: It is a frequently held opinion that there is a close relationship between dominance and control over the floor: To be dominant in a dialogue is to control a major part of the territory which is to be shared by the parties, i.e. the interactional space, the discourse ratified and jointly attended to by the actors (what is normally called the 'floor'). (Adelswärd et al. 1987: 314)

Speech amount in a situation of competition is a means which can tell us something about who is the most dominant politician. In other settings where the turns, topics and amount of time is pre-allocated, this is not a relevant area of investigations. But it would be wrong automatically to assume that the party with the highest amount of speech is dominant or that she has won the debate, although the winner is partly defined in terms of getting and holding the floor. There is no automatic correlation between speech amount and dominance. Some people can be highly dominant without uttering more than a few pivotal remarks. With this in mind, my point of departure is nevertheless that the party with the highest amount of speech – in this particular situation of an election radio debate interview – will be regarded as dominant and successful in getting the floor and holding it.

Speech amount is a purely quantitative value and can be measured in different ways. Amount of time is one way, but not reliable, since the speaker's speed will influence how much talk produced. I have therefore chosen to count the words produced, something which is in line with most of the research done within spoken language**[iv]**. Thereafter a comparison between the two politicians is undertaken, on the basis that the situational context is symmetric.

Interruptions: As mentioned above the communicative activity "election radio debate interview" represents a highly competitive speech situation. In political debates there are reasons for doubting that the interactants willingly leave the floor and select the co-debater as the next speaker unlesss they have made a strategic move, to which response they look forward to. In interactional political argumentation self selection and speaker continuation is more likely to be the turn allocational principle at work. In political debates and debate interviews where the chairman or the interviewer plays a withdrawn role, simultaneous speech is very common and in most cases represents attempts at taking the floor from the other party.

In a competitive, conflictual and disagreement-oriented context like the election radio debate interview, the parties compete for the floor and try to *take* it from the other party. In my opinion, this fundamental characteristic qualifies for regarding interruptions as an adequate reflexive means to further one's own political message, and consequently successful interruptions are a plausible indicator of "winning-behaviour". If successful interruptions display interactional strength and "winning potential", it is necessary to make a distinction between successful and unsuccessful interruptions, on the basis of speaker shift or not

(James and Clarke 1993:245)**[v]**. In this work I will separate unsuccessful attempts at taking over the floor (by some investigators called 'simultaneous speech') from interruptions – which are successful moves, and relate them to "winning and losing".

The view on speech organization, overlapping speech and interruptions has met strong criticism from contemporary investigators of conversation (Edelsky 1981, Beattie 1989, Tannen 1983, McLaughlin 1985, Coates 1986, Goldberg 1990, Talbot 1992, and James and Clarke 1993, among others). The criticism concerns a perspective on conversation as smoothly organized with one speaker talking at a time and with syntactically and objectively defined transition places for turn allocation, and the fact that overlapping speech, and interruptions, are seen as disturbances and clearly disruptive in nature. Opposed to this, recent investigations have shown the multifunctional nature of interruptions, or simultaneous talk, pointing out that they can fulfill highly positive socioemotional functions unrelated to dominance. A more nuanced understanding of interruptions with a more consistent methodology is called for and has already been initiated. Common for this new trend is the perspective that conversation is mutually negotiated, and that broad contextual information has to be included in the interpretation of simultaneous talk, often with an analysis of the actual speech event as the starting point. As Tannen says: […] in order to understand this pattern, it is necessary to ask what the speakers are *doing* when they talk over other speakers (1996:232).

So then, what is clear is that the analyst cannot automatically start from the simultaneous speech marked in the transcript, and thereafter be satisfied with distinguishing interruptions from overlaps on the basis of syntactic criteria alone**[vi]**. Rather he has to regard both functional and sequential criteria to decide whether an instance of overlapping speech can be said to represent interruptions. Consequently, every instance of simultaneous talk is regarded both in its local discursive context and from the broader context, including type of speech event and the speakers' aim. Thereafter two types of winning and losing the floor are described: winning and losing by interruptions, and winning and losing as the result of talk starting at the same point. Interruptions in this context are related to competition and dominance, and are violative and power-oriented in character, and occur during the talk of the other speaker(s), and therefore all kinds of simultaneous speech representing backchanneling signals are excluded, including those representing involvement and rapport, often found in female

conversational style (Tannen 1983)[vii]. The sequential criteria then, are related to *where* in the local context the overlapping speech occurs, at a possible transition point or not. This creates the basis for successful interruptions, so-called "winning-interruptions" and unsuccessful interruptions, so-called "losing-interruptions", which are not interruptions at all – only attempts not leading to speaker shift. Winning and losing the next turn, as a result of simultaneous talk starting at the same point, can be seen if the foregoing turn is terminated and the speech has thus reached a transition point, and the speakers start at the same point with the result that one of them takes over the floor, and is thus regarded as the winner because the others stop talking. My data reveal several instances where the speakers (also including the interviewer) start at the same point, and compete for the floor for some time, resulting in a winner and one or two losers. And we should bear in mind that only interruptions representing competition for the floor are registered.

Topic manipulation: In interactional competitive discourse topic manipulation plays a crucial role. Generally speaking, controlling the topic, either by introducing, shifting, reintroducing, or setting the perspective of the current topic, is an activity neatly interrelated to the status, power and interactional skills of the interactants involved. In debate interviews the interviewer has the institutionalized right to introduce new topics and to change old ones. Still, the politicians are clever at introducing their "own" topics. In the election debate interview object to this study, the politicians are more or less equal in status and strength, so they fight to control the floor – and the topic development – on equal terms. An analysis of topic and topic change provide the analyst with information in his investigation of floor management. The politician who is best at manipulating the topic development, will be considered the winner, since this skill is seen as an important part of election media competence. In addition, it has implications on another dimension of this competence, namely speech amount, which is the effect of having got your topic on the agenda.

Deborah Tannen stresses that topic control and development is a joint product; therefore the analyst always has to ask what else could have happened (1987:8). This analytical procedure is meant to prevent the impression that the discourse, as it shows itself from the transcripts, should be interpreted as fixed and one-way-governed, and not negotiated in co-operation. Controlling the topic is closely interwoven with controlling the interaction. It is important to be aware of the fact that the introduction of a topic has to be seen in relation to the attention given to

it. The one who raises the topic is not automatically in possession of power; the fact that the topic has to be responded to in one way or another, reflects its co-operative character. In this perspective the attention-giver can also be seen to display power, i.e. by asking several questions concerning the topic, by merely commenting upon it and thus giving attention to its importance – or by ignoring it totally.

The crucial questions are: What is a *topic*? How can it be identified and limited? We can all intuitively tell what a conversation is about, and that the conversation sequentially can be separated into different topics, and in this activity we draw upon both referential, sequential, contextual and formal insight. Still, the definition of topic represents an immense difficulty. This can be explained by the fact that topic is a context-unit, not a formal one. In order to gain the status as a topic, it is dependent upon an interpreting individual and a context. As Bublitz has underlined, topic is not an inherent quality or unit of the discourse, and consequently it cannot be given an objective and formalized definition, rather topic has to be interpreted, comprehended and ascribed to the discourse (Bublitz 1988:18, 26). Topic is negotiated, and so is the meaning. Therefore, the fact that topic is part of a social situation to which the interactionalists contribute, has to be realized and thereby become part of the analysis.

The pragma-dialectical approach gives no satfisfactory account of topic. Although van Eemeren and Grootendorst talk about "the propositional content" in their publications, they do not define the concept of 'topic' or 'content'. Still, there is evidence in their literature for choosing a propositional approach to topic, instead of a sequential one, which is the tradition in Conversation Analysis and ethnomethodology.

Topics develop and change throughout a conversation, and may shift both abruptly and gradually. Topic change are ideally brought about by the interviewer, so his turns should involve topical shifts. This is a conventional feature of the interview, – and a general characteristics of human behaviour:

Activity framed in a particular way – especially collectively organized social activity – is often marked off from the ongoing flow of surrounding events by a special set of boundary markers or brackets of conventionalized kind (Goffman 1974: 251).

But as Button and Casey have pointed out "topics flow from one to another, and this means that a distinct beginning of a topic may not be readily apparent" (1985: 3). Nevertheless, I will make an attempt to define where a topic starts and

where it ends, and the procedure applied is both formal, referential and sequential. The questions asked as the interaction procedes are: What are they talking about now? *How* did they come to talk about it here? What are the political reasons for *why* they are talking about it, and *why* are they talking about it *here*?

I will suggest a concept of topic that satisfies my immediate need to
1. decide the topics at stake in the debate and classifying them,
2. decide whether one of the politicians shifts the current topic or the perspective on the current topic, and
3. decide who is in charge of election media competence by being skilled in topic manipulation.

My point of departure is a concept of topic which focusses on topic shifts and topic boundaries (Maynard 1980, Brown and Yule 1983:95, Crow 1983:137, 155, Button and Casey 1984, 1985, 1988, McLaughlin 1984:57-59, Adelswärd 1988:44, 53-60, Fredin 1993: 117-127, Jefferson 1993 and Marttala 1995). The reason for this is mainly that a concept of topic that rests upon shifts is easier to operationalise than finding a plain definition and thereafter a suitable analytical unit. This assertion can be empirically supported by Planalp and Tracy's experiment showing that interactants can segment a conversation into topical shifts (1980).

Three criteria are applied in the analysis of topical shifts: formal markers, referential markers, and sequential markers. *Formal markers* are metastatements and appeals to the interviewer. *Referential markers* are drawn from the discursive coherence and cohesion. Finally, *sequential markers* are taken from the conversational activities performed by the interactants.

Topics in politics can be divided into preferred and dispreferred on the basis of contextual information. Background knowledge from the current political situation together with general knowledge about party political differences provide the analyst with contextual information sufficient to divide the topics into preferred and dispreferred[viii]. No topics are labelled neutral, since political parties are expected to take a position to nearly any topic, and topics of no immediate electional interest are hardly introduced in an election debate. The speakers have a strong desire to debate *preferred topics*, since they enable politicians to create positive pictures of themselves, and consequently these topics are evaded by the antagonist. The speaker tries to aviod *dispreferred topics*

whilst the antagonist tries to introduce them. The protagonist succeeds if he is able to bring about preferred topics, but he fails – or the antagonist has succeeded – if a dispreferred topic is introduced. In my opinion, these mechanisms are inherent in political argumentation and create the basis for claiming that topics "belong" to someone, because of the politicians' knowledge about the opponent's weak points and their opportunities to parade their own qualities. As mentioned before, an analysis of topic and topic-manipulation creates the basis for deciding the winner and the loser, in other words the one who has *succeeded* in getting her topic debated by introducing topics which display either preference for themselves or dispreference for the other party.

To sum up, the analysis of winning and losing in the topic analysis draws upon a predefined distinction of preferred and dispreferred topics. Preferred and dispreferred topics are listed against a background of contextual information, more precisely the analyst's knowledge of the current political situation. Preferred and dispreferred topics are also arrived at by studying the ongoing interaction; how the politicians eagerly seem to introduce or avoid a topic or a perspective.

4. Conclusion

In this paper I have claimed that non-fallacious arguments, speech amount, interruptions and topic manipulation are relevant criteria for establisihing the winner of a political debate. These four criteria have their basis in a normative theory of argumentation and a descriptive theory of spoken language. In spite of conflicting theoretical orientation, I have argued that the selection of a winner and a loser of a political debate, intrinsically is a normative project.

Political debate has also been investigated from a genre theoretical perpspective, and I will suggest a description of genre which involves both stable and flexible elements. The stable elements of the debate is first and foremost grounded in a normative and rational, and perhaps even epistemic account of argumentation. The flexible elements are due to shifting circumstances in the way argumentation is processed, and consequently a descriptive approach is best suited to account for the interactional changes in the debate genre.

NOTES

i. Woods and Walton, with their background in both formal and informal logic, have impressively set out to give all the fallacies their own logical treatment, without excluding the socalled informal fallacies, and without forgetting that

fallacies occur in a natural dialogue situation. See Woods and Walton (1982a), (1989), Walton (1987b), (1989a), (1992a, b, c) and Woods and Hudak (1991). The drawbacks of such an approach are mainly of practical and applicable kind, according to van Eemeren and Grootendorst (1992:103).

ii. See Copi and Cohen (1990:103).

iii. See Biro and Siegel (1992:90) for a detailed criticism of the pragma-dialectical concept of normativity. They argue that rationality is the norm argumentation has to be measured against and also the norm fallacies has to be seen against. According to them discussion rules are not relevant.

iv. Adelswärd (1988: 117) points out that speech amount, or to say that people speak a lot, can mean different things: that the utterances/the turns are long, that the proportion of the total interactional space is large, and that the talk is pragmatically insignificant in relation to what is relevant.

v. In the competitive context of an election radio debate interview subject to analysis, there is no link between successful interruptions and dominance, a relation much investigated and cited in the literature, see James and Clarke for further references (1993:246).

vi. Following James and Clarke (1993:237) I will use the term 'interruption' also without simultaneous speech actually occuring, for example immediately after the completion of the uttering of a word while still being in midturn.

vii. From the analyses I will also exclude the type of simultaneous utterance commonly referred to as back channel responses (Yngve 1970) consisting of one-word utterances like 'yes', 'aha', 'mm'. Further, the term 'mistiming error' is disregarded on the background that it rests upon a smooth and well-defined speaker organization, perhaps not existing in very many contexts.

viii. In the study of competitive political argumentation I consider 'face-work' to be of minor relevance. Therefore aspects of 'face' are not considered while defining preferred and dispreferred topics (Goffman 1967).

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ISSA Proceedings 1998 – Duties Beyond Borders? Appeals To Moral Necessity In Statecraft

Speaking at the dedication of the U.S. Holocaust Memorial Museum a few years ago, Nobel Laureate Elie Wiesel called for the Clinton Administration to take action to stop the carnage in Bosnia. "Something, anything, must be done," he implored (*Time*, May 3, 1993: 48). Shocked by atrocities, the horror of systematic rape, and waves of panic-stricken refugees fleeing in the wake of "ethnic cleansing," many other people joined Wiesel in urging the nations of the world to intervene for humanitarian reasons. "All humanity should be outraged," asserted Thomas Buergenthal, former president of the Inter-American Court of Human Rights and a survivor of Auschwitz (cited in Lillich 1993: 574). "We cannot just let things go on like this," insisted former British Prime Minister Margaret Thatcher. "It is evil" (*Time*, April 26, 1993: 35).

Whether prompted by genocide in the former Yugoslavia or political mass murder in such places as Cambodia or Rwanda, the issue of what should be done about human rights violations in other countries highlights an old debate over whether ethical considerations ought to influence foreign policy. Do political leaders have a moral obligation to alleviate human suffering no matter where it is located? Must they protect foreign nationals even at the expense of their countrymen? If so, should it be done through a quick rescue operation? Or should it include an effort to eradicate the underlying cause of the suffering? These questions have received renewed attention with the establishment of a United Nations' War Crimes Tribunal in The Hague, charged with conducting the first international war crimes trials since those undertaken in Nuremberg and Tokyo at the end of Second World War.

The purpose of this essay is to analyze appeals to moral necessity in persuasive dialogue on foreign policy issues. I begin by differentiating between two types of appeal: one based on duty; the other, on right. After comparing the deontological assumptions of duty-based appeals with the consequentialism of rights-based appeals, I discuss how metaphors are sometimes used in the latter to conflate legal right with moral obligation. Next, using a series of speeches that attempted to justify the 1989 intervention by the United States into Panama, I illustrate the rhetorical strategy employed by statesmen who mask legal permissibility as moral obligation. Finally, I conclude with a discussion of the problems inherent in moral appeals that blur the distinction between the permissible and the obligatory.

1. Arguments From Moral Necessity

Throughout the ages, political leaders have justified the use of military force against neighboring states with a form of argument that stresses how foreign policy is driven by unavoidable necessities. In general, these necessities are portrayed in strategic terms; they are actions that supposedly must be carried out to advance national security interests regardless of whether they contravene prevailing ethical standards (Raymond 1995).

Recently a different conception of necessity has entered into debates about the use of military force. Rather than defending the resort to arms on the grounds of strategic necessity, it is often justified nowadays as a "categorical moral imperative" to stop a brutal government from violating the human rights of its citizens (Reisman 1973: 168; Schermers 1991: 592; Rodley 1992: 35). As one advocate of this view has put it, the military defeat of rulers who initiate massacres "is morally necessary" (Walzer 1977: 105). It is an absolute duty, one that holds at all times and in all places, and regardless of whether it advances the strategic interests of the intervening state.

Allowing the use of coercion by one state to modify the authority structure in another state would significantly transformation world affairs. Ever since the Peace of Westphalia ended the Thirty Years' War in 1648, the twin principles of sovereignty and nonintervention have underpinned international relations. The only widely accepted exception to the prohibition against interfering in the domestic affairs of other nation-states is military intervention to liberate one's own nationals when they are being held hostage, such as the 1976 Israeli mission to rescue its citizens from a hijacked airplane in Entebbe, Uganda. What is noteworthy about recent appeals to moral necessity is they do not focus on whether those who are suffering are the intervening state's own citizens. Sovereignty, according to those who hold this view, is no longer sacrosanct (Scheffer 1996: 37). As self-proclaimed global citizens in an interdependent world, they do not recognize human rights issues as being a purely domestic matter. An example of this attitude can be seen in a letter written to the editor of the *New York Times* (October 4, 1968, p. 46) by Arthur Leff, a professor at Yale Law School. Reacting to wrenching scenes of malnutrition during the Nigerian Civil War he demanded: "Forget all the blather about international law, sovereignty and self-determination, all that abstract garbage," he demanded. "Babies [in Biafra] are starving to death." As expressed in Article 7 of the Universal Declaration of Human Responsibilities, proposed by the InterAction Council of twenty-four former heads of state from five different continents, "Every

person is infinitely precious and must be protected unconditionally."

2. Duty-Based Versus Rights-Based Appeals to Moral Necessity in Foreign Policy
In contrast to appeals to moral necessity that are grounded in deontological assumptions about categorical duty, a second type of appeal stresses the bad consequences that occur when legal rights are not observed (Eisner 1993: 224-225; Neff 1993: 185; Plant 1993: 110). The warrant licensing the claim that it is permissible to intervene with armed force in order to stop egregious violations of human rights rests on the backing of four propositions. The first proposition asserts that human rights are an international entitlement (D'Amato 1995: 148). Article 55(c) of the United Nations Charter requires member states to promote "universal respect for, and observance of, human rights" Over the past fifty years, the UN has developed a detailed list of inherent, inalienable rights of all human beings. The most significant legal formulation of these rights is in the so-called International Bill of Human Rights, the informal name given to The Universal Declaration of Human Rights (which was passed by a vote of the UN General Assembly in 1948), the International Covenant on Civil and Political Rights, and the International Covenant on Economic, Social, and Cultural Rights (which were both opened for signature in 1966 and entered into force a decade later). The legal rules governing these rights are regarded as *jus cogens* – peremptory norms from which no derogation is permitted.

The second proposition maintains that governments committing grave violations of human rights forfeit their legitimacy. Although Article 2 (7) of the UN Charter prevents member states from interfering in the "domestic matters" of one another, the Charter's legal protection does not extend to genocide, torture, and other horrific acts shocking to the human conscience. Governments involved in egregious human rights abuses betray the most basic obligations they have to their citizens. By not providing citizens with security they fail recognized standards of civilization and lose their political legitimacy. The domestic jurisdiction of illegitimate governments is not protected by international law (Tesón 1988: 15; Ellerman 1993: 348). Efforts by foreign states to defend the innocent against the actions of illegitimate governments is legally permissible (Luban 1980: 164).

The third proposition declares that the international community has a legal responsibility to stop serious human rights violations. According to the International Court of Justice, there are some obligations that a state has "towards the international community as a whole" and all members of that

community "have a legal interest in their protection" (*Case Concerning the Barcelona Traction, Light and Power Company, Ltd.* [Belgium v. Spain], I.C.J. Reports, 1970, para. 33). Advocates of humanitarian intervention maintain that the entitlement for protection against genocide, slavery, and the like give rise to legal obligations *erga omnes*. Any member of the international community has legal standing to call for a state to observe these obligations and to impose sanctions if wrongful acts continue. As the publicist Emeriche de Vattel put it, "any foreign power may rightfully give assistance to an oppressed people who asked for aid" (cited in Schweigman 1993: 95).

Finally, the fourth proposition submits that punitive sanctions by members of the international community against illegitimate governments are legally permissible if they meet certain performance criteria. Among the criteria typically mentioned are:
1. a serious violation of human rights;
2. the lack of any other alternative to stopping the violation;
3. international endorsement of the military intervention;
4. multilateral conduct of the intervention;
5. use of the minimum level of force needed to stop the violation; and
6. a limited duration for the intervention (Benjamin 1992-1993).

3. The Use of Metaphors in Rights-Based Appeals
What is problematic about rights-based appeals in statecraft the shift from the assertion that certain actions are legally permissible to the contention that they are morally obligatory. To make this shift the rhetor relies upon metaphorical reasoning. Although metaphors often are thought of as poetic devices used to enliven dull prose, they also shape the way we conceive of complex phenomena. "The essence of a metaphor is understanding and experiencing one kind of thing in terms of another" (Lakoff & Johnson 1980: 5). Unlike analogies which compare things from the same domain of experience (e.g., "A war with Iraq will result in another Vietnam"), Vosniadou & Ortony (1989: 7) point out that metaphors involve "across-domain" rather than "within-domain" comparisons (e.g., "War is like a disease"). By crossing categorical boundaries when depicting the unfamiliar (Kittay 1987: 19), metaphors highlight certain aspects of a phenomenon under investigation while concealing or misrepresenting other aspects.
The shift from a legal right to an inescapable moral duty to intervene against abhorrent acts of violence is attempted by using various hydraulic and organic

metaphors. Like a raging flood or a wild fire, international humanitarian norms are said to be spreading across the political landscape, overwhelming everything in their path. National leaders have no choice but to accommodate these powerful forces which make the triumph of human rights a "*genuine historical inevitability*" (Brzezinski 1996: 166, emphasis in original).

Metaphors provide cognitive shortcuts that allow one to go beyond the information that is given (Shimko 1994: 662). As a rhetorical strategy, rights-based appeals to moral necessity begin by establishing that the horrible consequences of not stopping human rights abuses makes military intervention legally permissible. By playing upon metaphors of inescapable physical forces, the argument then shifts from the permissible to the obligatory. Intervention is required, not because of a categorical duty derived from features of the act that make it right independent of its consequences, but due to the need for national leaders to get in step the inexorable march of moral history.

To illustrate the problematic nature of this type of appeal to moral necessity, let us turn to the case of the 1989 United States intervention into Panama.

4. The Rhetorical Strategy of Rights-Based Appeals

At 1:00 A.M. on December 20, 1989, 22,000 U.S. troops supported by F-117A stealth attack aircraft invaded Panama in what President George Bush called Operation Just Cause. The purpose of the operation was to capture General Manuel Antonio Noriega, a military dictator who had gained control over Panama six years earlier. During his time in power, Noriega repressed opposition movements, manipulated elections, and ordered the murder of dissident political leaders. His ruthless behavior was overlooked by political leaders in the United States because he had worked for the Central Intelligence Agency and assisted Washington in its fight against communism in Central America. Between 1986 and 1987, however, Noriega's human rights abuses and his involvement in narcotics trafficking and money laundering with the Colombian Medellín drug cartel were brought to light by a series of Congressional inquiries, reports published in the *New York Times*, and independent criminal investigations presented to grand juries in Miami and Tampa, Florida. On April 8, 1988, President Ronald Reagan issued Executive Order No. 12635, which imposed economic sanctions on Panama because Noriega's actions now were seen as an "extraordinary threat to the nation security, foreign policy, and economy of the United States."

Although the sanctions damaged the Panamanian economy, they did not weaken

Noriega's grip on political power. As a result, Reagan's successor, George Bush, began providing covert support for Noriega's political opponents. But the support was equally ineffective. Neither the May 1989 elections in Panama nor an attempted coup five months later ended the dictatorship.

On Friday, December 15, Noriega announced that henceforth he would serve as Panama's "maximum leader" with enhanced power to crush domestic dissent. The next day, following the murder of an unarmed U.S. marine lieutenant by members of the Panama Defense Forces, the wounding of another American serviceman, and arrest and brutal interrogation of a U.S. naval officer and his wife, Bush decided to invade. When justifying his decision in an address to the nation on December 20, Bush asserted that "General Noriega's reckless threats and attacks on Americans in Panama created an imminent danger to the 35,000 American citizens in Panama." As president of the United States, he continued, "I have no higher obligation than to safeguard the lives of American citizens." While Bush's address to the American public was couched in the traditional language of protecting citizens abroad, speeches delivered by Ambassador Thomas R. Pickering to the United Nations Security Council on December 20, 1989 and by Luigi R. Einaudi to the Organization of American States (OAS) on December 22, 1989 extended the justification to include the moral necessity of protecting foreign nationals.**[i]**

Following the line of reasoning voiced by the president, Pickering began his speech by citing the "inherent right of self-defense under international law . . . in response to armed attacks by forces under the direction of Manuel Noriega." But after underscoring the importance of safeguarding American lives, he introduced another rationale for the intervention: Noriega and his "ruthless cabal repeatedly obstructed the will of the Panamanian people." Panamanians, he insisted, "have a right to be free." Referring to Noriega and his minions as "thugs" and "monsters," Pickering noted that the "whole world" has "denounced the violation of human rights" in Panama. For the United States, the issue was not merely guarding national security interests; the "sovereign will of the Panamanian people is what we are here defending." Pointing to a series of conditions that made the intervention legally permissible, he concluded by stressing that the invasion occurred "only after exhausting the full range of available alternatives." Moreover, it was undertaken "in a manner designed to minimize casualties and damage," and designed with the goal of withdrawing "as quickly as possible."

With the intervention framed by Pickering in terms of a legally permissible response by the United States to a moral outrage, Ambassador Einaudi proceeded to explain why Washington faced a moral necessity that obliged it to act. He began his explanation by suggesting that "There are times in the life of men and of nations when history seems to take charge of events as to sweep all obstacles from its chosen path." At such times, he continued, "history appears to incarnate some great and irresistible principle." The world community was "once again living in historic times, a time when a great principle . . . [was] spreading across the world like wild fire." The principle articulated "the revolutionary idea that the people, not governments, are sovereign." Drawing a parallel to the fall of Erich Honecker in the German Democratic Republic, Gustav Husak in Czechoslovakia, and Todor Zhivkov in Bulgaria, he claimed it is a principle that has "acquired the force of historical necessity." If the OAS invoked the nonintervention rule in the case of Noriega, it would "find itself cast on the side of the dictators and the tyrants of this world," oppressors "en route to extinction."

Would this organization, he asked, be willing to forfeit the "moral authority which it enjoys throughout this hemisphere by challenging the just verdict that history had decreed upon Manuel Noriega?" Expressing the maxim that the only language that dictators understand is force, he asserted "You cannot reason with a dictator, and you cannot, alas, ask him to relinquish peacefully that which he has obtained through bloody and unspeakable means."

The "United States was forced to a path not of our choosing, but a path dictated by our national rights and responsibilities." Our action has been "welcomed overwhelmingly by the people of Panama," who along with others in the Western Hemisphere were "sick of stolen elections, sick of military dictatorships, sick of narco-strongmen, and sick of the likes of Manuel Noriega." By supporting the United States, Einaudi proclaimed the OAS would "put itself on the right side of history."

5. Conclusion

Throughout the history of the modern state system, appeals to moral necessity have been used by many political leaders to justify military interventions. Great Britain, France, and Russia employed such appeals at various times during the nineteenth century. More recently, they were used by India when intervening in East Pakistan (1971), by Vietnam when moving against the Khmer Rouge (1978), and by Tanzania when removing Idi Amin from Uganda (1979). Moral appeals can be an effective tactic in foreign policy argumentation, swinging the weight of

presumption in favor of military intervention. Of the various factors that influence the strength of an argument, many are concerned with emotions and highly-placed values. Not only do they evoke a visceral reaction in the hearer, they address the hearer's desire for certainty by being structurally simple and unambiguous (Sillince & Minors 1991).

As the U.S. intervention into Panama in 1989 suggests, appeals to moral necessity can also mask foreign policies driven by considerations of expediency rather than by a genuine sense of moral duty. Whereas Bush explained the intervention to his domestic constituency in the traditional vocabulary of power politics, Pickering and Einaudi defended it to external audiences in moral terms. Pickering presented the course of action as legally permissible given the human rights violations committed by Noriega. Einaudi then described it as necessitated given the relentless march of humanitarian law over the centuries. What began as a plea to the UN Security Council regarding the legality of the intervention evolved before the Organization of American States into a moral imperative.

In retrospect, the moral necessity conjured up by the Bush administration was an instrumental means for promoting realpolitik ends. The welfare of Panamanians under Noriega was not a motive for intervention independent of the effect that the intervention was thought to have in advancing U.S. security interests. The use of legal rights-based appeals to moral necessity in this case illuminates a larger issue in contemporary international relations. With the end of the Cold War, numerous calls have been issued for members of the international community to intercede where outrageous conduct shocks the conscience of humankind. But not everyone who heeds these calls will do so for noble motives. Some states will use the mask of moral necessity to hide egoistic security interests. While there may be a legal right to intervene in cases of egregious human rights violations, international law does not spell out a duty to intervene. Although the use of force may be permissible, it is also permissible to forego the use of force. Indeed, there may be times when it is morally right to forego military intervention even when it is legally permissible. As Molière reminds us, we are responsible not only for our actions, but also our inactions.

NOTES

i. All quotations from President Bush are from the Weekly Compilation of Presidential Documents, December 25, 1989. All quotations from Ambassadors Pickering and Einaudi are from Panama: A Just Cause. United States Department of State, Bureau of Public Affairs, Current Policy No. 120.

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ISSA Proceedings 1998 – Problematizing Standards Of Argumentation To Students

1. The Problem

I teach undergraduate courses in Speech Communication in the United States in which I'm presumed to be able to grade students on their papers and on their classroom presentations based on how well they argue rather than what they argue. Yet I also live in a so-called postmodern

age in which virtually all standards of rational argumentation have been called into question, particularly those emanating from white, heterosexual, Eurocentric males like myself.

Moreover, I've discovered that even those among my colleagues who've been trained as I have in principles of argumentation, informal logic, critical thinking and the like tend to apply those principles unevenly, inconsistently, particularly as regards the sorts of highly sensitive, highly controversial topics my students find most interesting. One potential source of inconsistency is bias. There is little reason to believe that we teachers of controversial subject matter are immune from the well documented influences of prejudices and wish-fulfillment beliefs on judgments of the validity of arguments (e.g., Hample, D., 1979; McGuire, 1960).

But another likely culprit is the principles themselves. What exactly is a false dichotomy or an inappropriate appeal to authority? When do circumstances mitigate what might otherwise be considered illogical? Does the press of time ever justify my decision to follow the crowd or be swayed by an *ad hominem*?

Designed as they are to apply to an array of context-sensitive situations, the various informal fallacies are inherently imprecise. These problems in judging the quality of students' arguments bear also on what we as teachers say and do in the classroom. At a recent conference on faculty advocacy in the classroom, a number of academics used the occasion to defend against charges that they had been using the classroom to promote one or another version of political correctness. To the contrary, said one Women's Studies professor, ... some, perhaps much, of what my students take to be advocacy in the classroom in fact consists of critical questions about the empirical foundations of their political and social beliefs, or critical evaluation of the logical structure of their beliefs.... As evidence for my 'advocacy', students point out that most of the corrections I make as to fact or logic tend to be in a more liberal or 'politically correct' direction. [H]owever, it is not at all surprising that I might encounter more poorly founded opinions of the conservative sort. When the opportunity arises, I do try to point out similar errors made by the 'politically (not quite) correct', but they tend to be fewer in number...." (Holland, 1996).

But are what Holland calls "errors" in the logic of her conservative students really a reflection of her own biases, thus providing unwitting evidence of the limits of objectivity?

2. A Proposal

The problems herein identified should not be news to the sophisticated readership

of these ISSR proceedings. Yet I suspect that many of us (most of us?) continue to assure our students that we will be judging their essays and class presentation on how well they support a position, not on what position they take. Similarly, we frequently assure students that, on matters of a controversial nature, we will will teach them how to think, not what to think. These assurances may well be scandalous: a violation of "truth-in-advertising" principles which we who teach argumentation, informal logic, and the like, insist that others adhere to.

Of course, one could still maintain (as I do with my classes) that it is still possible for students and teacher to arrive together at reasoned and reasonable contextual judgments of better and worse arguments. (BH Smith, Ch. 1) But even this qualified claim implicitly problematizes the blanket assurance that we teachers will be judging students' work based on how they argue rather than what they argue. Why "contextual" judgments? In what sense "reasonable"? Why only judgments of "better" and "worse"? With these questions I am led to the central proposition of this paper.

I propose that we problematize our evaluations of the quality of students' argumentation with our students. I suggest this, not out of fear that we may be hauled into court for truth-in-advertising violations, but because it is an excellent way to provoke engaged thought by students about argumentation.

3. The Context

The foregoing is part of a larger project on what I call "Teaching the Pedagogies." (Simons) For some years now I've been encouraging my students to subject my use of a video in the classroom to rhetorical scrutiny. Then, in recent years, I've assigned them the task of systematically analyzing faculty rhetoric in one of their classes, raising with them a wide range of issues having to do with faculty advocacy in the classroom. I've also engaged them in dialogue with respect to issues specific to my own teaching, attempting thereby to illustrate the sense in which one might be able to arrive communally at prudential judgments of better or worse in the absence of formulaic rules of argumentation.

The project I call "Teaching the Pedagogies" began for me at a conference on political communication for academics like myself back in 1984. Shown at the conference was *Life and Liberty for Those Who Obey*, a hard-hitting critique of the religious right at the time, complete with damning footage of leading ministers, indoctrination campaigns, censorship campaigns, a book-burning ceremony, and a behind-the-scenes look at the workings of political operatives

trying to promote conservative candidates. I was much moved by the video, and I resolved immediately to get a copy and show it to my undergraduate classes in persuasion. But how should I teach the video? Should I let my students know that the video had reinforced my disdain for the religious right or should I conceal my own opinions? I decided to take up these matters with my fellow conferees.

The question of how to teach the video evoked a torrent of controversy. "A professor's job is to educate, not advocate," shouted one professor. "A professor's job is to profess," shouted another. Opinions in the group also differed as to what my profession of belief should be. "Use the video to expose the immoral rhetoric of the religious right," said a liberal professor. "Criticize the video, not the religious right," said a conservative. "While you're at it," he said, "do a hatchet job on the video's producer for putting out such a propagandistic film."

The conferees' response to my question left me in a state of initial confusion. It appeared that equally good (and bad) arguments good be made for such promotive strategies as outright advocacy and guided discussion and for such seemingly neutral but potentially deceptive strategies as conducting an evenhanded discussion and presenting in lecture form the arguments for viewing the religious right as immoral and the arguments for viewing the video's depiction of the religious right as immoral.

One thing seemed clear, however: that each of these pedagogical alternatives had ideological implications. Each, then, could be usefully understood as a rhetorical strategy. With this as a guiding insight, yet another pedagogical alternative suggested itself to me: ask the students how they, given my biases, would teach the film were they in my place. Then use the question as the springboard for a discussion of pedagogical alternatives as rhetorical strategies. This is what I mean by teaching the pedagogies.

Over the course of many years I've engaged in this kind of pedagogical talk about pedagogical talk with a great many students. Typically they come up with a list of promotive and neutralizing strategies similar to those proposed at the conferences of faculty members, and for much the same set of reasons. Yet, the discussion is anything but routine. It moves among multiple levels of abstraction. In the process I both "profess" and lead a class discussion, occasionally playing devil's advocate to stimulate further controversy, and occasionally pausing to analyze the premises students have brought to bear upon the controversy. I generally conclude by answering my own question, proposing that the best answer to the question is the question itself. This inevitably prompts students to

raise still other questions:

Isn't this solution also a compromise of sorts, a compromise between telling it like you think it is and discussing competing viewpoints?

Yes, I answer, but it also invites your reflection on these alternatives, and that changes them and you. That is, they are no longer simply natural ways of teaching and learning. And you have to think about what you want from this class.

But aren't you biasing the discussion by letting us know your viewpoint? Mightn't students who take a different position be intimidated by you, particularly since you also give the grades in the course?

Yes, I admit, that's a continuing problem, but can you think of a better alternative? If not, perhaps we have here an example of the possibility for reasoned and reasonable judgments of better and worse, in the absence of formulaic rules of argument. The discussion continues....

This concludes the formal part of my paper. In what follows, I append a number of handouts to my persuasion classes covering issues of advocacy in the classroom generally as well as issues specifically germane to my own classroom. These illustrate the approach I have been proposing in this paper.

Appendix A: *The Written Assignment in "Persuasion" Persuasion in the Classroom*
Do your instructors persuade or do they merely inform or educate? Can professors promote a viewpoint on a controversial issue even when they are presenting an informative lecture or conducting an even-handed discussion? Is such "propagandizing" always unethical or is it sometimes legitimate? How should professors deal with controversial subject matter in class?

Analyze the way one of your instructors handled controversial material in class this semester. Perhaps identify patterns of persuasion (or non-persuasion) that recurred over the course of the semester. Or do a detailed case study of one particularly interesting episode in class. Feel free to focus on my own classroom.

Appendix B: *Issues of Persuasion in the University Classroom*
Should educators take and defend positions on controversial issues in their university classrooms? If so, when, how, under what conditions, etc.? Are professors obligated to be up front about their advocacy? Are they obligated to prepare the ground for their advocacy by contextualizing it historically and dialectically (Brand)? Must their advocacy be relevant to the announced subject matter of their classroom? Are they obligated to represent opposing positions

fairly and to engage the strongest arguments of the opposition, not just the weakest arguments? Is there a difference between advocating in the classroom (okay) and proselytizing in the classroom (not okay)?

In advocating, are professors more justified in defending minority voices over majority voices (J.S. Mill)? Voices of the marginalized or the oppressed (e.g., women, African-Americans, Eastern cultures, socialism) over historically dominant voices (e.g., white males, Western culture, capitalism)? Is such advocacy justified as a kind of academic "affirmative action" (Brod): to compensate for the advantages accruing to the dominant voices outside the university classroom? If so, are all marginalized or oppressed voices equally worthy of being defended in the university classroom? If not, what should be the bases for inclusion and exclusion?

On the other hand, is advocacy in the university classroom potentially dangerous? Given that it is coupled with the professor's right to dispense grades (and other rewards and punishments), is it potentially coercive? When used to "liberate" students from their biases, is it unduly patronizing? And does it really achieve its goals?

Thus, should university professors refrain from taking and defending positions in the classroom? Should they educate and not advocate? Should they inform and not persuade? Should they teach students how to think but not tell them what to think? Should it be enough for professors to contextualize controversies, present all sides in balanced fashion, and conduct evenhanded discussions of the issues with their class?

But is academic neutrality possible, let alone desirable? Aren't most university classrooms either "political" or "already politicized" (Moglen)? Don't the very concepts of imparting information and teaching how to think presuppose a model of objectivity that is itself highly controversial? Isn't it possible to do a lot of persuading (and even proselytizing) in the guise of objectivity? In teaching "rules" of reasoning and "rules" of evidence, for example, can professors be ideology-free? Moreover, on controversial issues, isn't the stance of neutrality itself a position (a position of no position) and potentially an unethical position?

Don't students pay their professors (indirectly) to do more than ask questions and impart information? Shouldn't they provide models of reasoned advocacy and responsible activism?

Given the problems that even the most well-meaning instructors are likely to confront in handling controversial issues within their single-instructor

classrooms, should universities do more to expose students to conflicts among faculty, perhaps in co-taught classes (Graff). In addition to "teaching the conflicts" (Graff), should instructors be "teaching the pedagogies": i.e., increasing student awareness of pedagogical issues in treatments of controversy (Simons)?

Appendix C: *Problems of Faculty Advocacy in my Own Classroom*
As you prepare for your assignment on advocacy in the college classroom, you might wish to ponder the ethics or appropriateness of some of the things I've said and done as a classroom instructor.
A. In my classes I generally tell students that I will grade them on how they support a position, not on what position they take. Yet this claim is in many ways problematic.
1. The sorts of "rules" of argument and evidence found in our text are highly imprecise. For example, the text instructs you to avoid inappropriate appeals to authority, but is unclear as to when such appeals are inappropriate.
2. What is inappropriate in one context may be appropriate in another. For example, scientists claim to reject all arguments from authority. What "counts" is what the research reveals about a phenomenon, not what some alleged expert says about it. But in the courtroom, expert opinion is often invoked by both sides in a case. And, although textbooks on argumentation generally treat appeals to "what most people think" as fallacious, in a message-dense society, we often have little choice but to rely on evidence of this kind.
3. Personal narratives are often quite persuasive; yet stories of this kind often overwhelm reason by appeals to emotion. Oftentimes, the story is about an extreme case, not a typical case. And the story gives us information about just one case, even though the generalization it purports to support is intended to apply to a wide range of cases. Yet I confess that I am often moved in my grading of speeches or essays by well told narratives.
4. Such "rules" of argument and evidence as are found in argumentation textbooks were developed over the centuries by philosophers, rhetoricians, and legal scholars, nearly all of whom were white males. Now many feminists are challenging these principles, claiming for example that women think differently from men, and that their ways of thinking (e.g., based on personal experience more than abstract logic) deserve at least equal respect. Similarly Afrocentrists frequently claim that African cultures promulgated a kind of nonlinear reasoning that is preferable to Western linear reasoning. Multiculturalists often extend this line of argument to suggest that rules of argument and evidence are culture-

specific, and that white, male Eurocentric thinking shouldn't be imposed on other cultures. I continue to grade students based on the principles of argumentation found in argumentation textbooks, and I urge them on my students. Is this an unfair imposition of authority on my part?

5. It's fashionable these days for scholars to claim that all so-called knowledge is mere belief; that there is no objective way to evaluate an argument; that all an argument does is reveal a particular angle of view, or perspective, of the arguer. I sometimes tell my students that such arguments are self-refuting and hence self-defeating, but they could as well use these same arguments on me. Still, I insist that we as a class can often agree on what constitutes a worse or a better argument. I try to demonstrate this in my classes.

6. A particularly vexing form of controversy involves problems of incommensurability. This occurs when each side argues from premises that the other rejects; neither side in the "feminist logic" controversy, for example, is able to engage the other on neutral ground. Am I as a teacher in a position to evaluate their arguments?

7. In my "Race and Racism" classes, I've sometimes admitted to difficulties in grading quality of argumentation. I hereby confess that I often have similar difficulties in our Persuasion class.

B. Classroom Practices

1. In our discussion of the video about the religious right in America, I pointed out some of the issues I faced in handling controversial issues of this kind in the classroom. E.g., Should I focus our discussion on the film as a form of propagandistic rhetoric or on the religious right's propagandistic rhetoric? Or both? On whatever the class wishes to discuss? On the least popular position? Or my own concerns? With a film such as this, can (and should) there be such a thing as an evenhanded discussion?

2. Questions of this kind present themselves to me in a variety of ways. I'm aware that I can influence your thinking (a) by the books I assign, (b) by the tasks I assign, (c) by what I say in lectures and what I talk about, etc.

a. In S.C. 082 I've spent much more time on material glorifying Martin Luther King than on material glorifying Malcolm X.

b. In S.C. 082, students read a book on race and racism issues by Dinesh D'Souza, a conservative scholar whom even other conservatives (e.g., G. Loury) have charged with promoting racist beliefs.

c. In S.C. 082, I assigned an essay on "The Power Tactics of Jesus Christ." The

author, psychologist Jay Haley, presented Christ as a revolutionary who was not above using deception to gain his ends.

Two students strongly objected to the essay.

3. The course on Campaigns and Movements (SC 082) that I teach is officially designated as a Race and Racism course. One of its purposes is help overcome racism. Does Temple University's decision to require such courses of all undergraduates constitute an implicit endorsement of at least some advocacy (and even proselytizing) in the classroom?

Appendix D: *Letter on "Appeals to God and Patriotism in Political Campaign Films; Followup Discussion*

"The campaign films are designed for people who place their vote according to matters of heart over matters of mind."

Student:

"He [Reagan] showed so many things in his campaign ad that represented freedom. For example, he must have shown the flag 29+ times. This allowed me to just remember what America is all about."

Student:

The following is a response to criticisms of my advocacy in the persuasion classroom. What do you think?

In the "Classroom Advocacy" papers, a few of you took me to task for my remarks on the Reagan film's use of appeals to God and patriotism as reasons for voting for Reagan. One student commented that I'd unfairly put down religion on other occasions in class. Another said, "Educators do not have the right to chastise their students on their beliefs in God or their country."

My thanks to these students for their critical comments. God and country are indeed sensitive topics. If I've crossed the line in comments on the Reagan film or in other treatments of religion in class, I'm sorry.

That having been said, I want to defend my remarks on the appeals to God and patriotism in the Reagan film.

Earlier this semester I referenced Petty and Cacioppo's distinction between central and peripheral processing of persuasive messages. The peripheral route is the knee-jerk route; in a message-dense society, we frequently respond unthinkingly to persuasive appeals like those of God and country. As some theorists put it, we use "cognitive shorthands." Thus, we don't ask many questions about what we've seen or heard (as in central processing).

There's a lot of evidence that politicians often get elected on the basis of voters' peripheral processing. I think that's a shame. Whom we elect to high office is too important for Americans to choose based on cognitive shorthands – on hearts rather than minds.

Re the Reagan film's repeated appeals to God and pride in country, I used an analogy to Pavlov's dogs, learning to salivate to a bell rather than to the food powder with which it had been previously been associated. My point was (and remains) that symbols like the American flag and references to God come to evoke conditioned responses. Then, when Reagan is linked to these positive stimuli, their positive associations rub off. Some of you will say that the foregoing comments are further evidence that I'm unrepentant in chastizing my students for their beliefs in God and country. On this issue, I want to respond carefully. I believe one of my jobs is to help you to think critically. But that doesn't mean that I have a right in a persuasion classroom to put down all beliefs in God and patriotism. That's not in my job specifications.

Nor would I want to put down beliefs in God and country. I've seen three ministers through to a Ph.D. degree and am supervising a fourth. These people have well thought ideas about God and religion. They have also interpreted their calling and their faith into missions of healing. When these (and many other) people speak of their belief in God as the inspiration for their service to others, I have nothing but admiration for them and respect for their beliefs.

My criticism of Persuasion students for peripheral processing of God appeals in the Reagan film was by no means intended as a general put-down of beliefs in God or in religion more generally. Campaign films in general are not a message form in which one can easily determine the sincerity or authenticity of a political candidate's religious beliefs. Still less are viewers in a position to evaluate their contents.

As for appeals to patriotism, I would again urge critical thinking. What kind of America do you want to be proud of? Earlier this semester I observed that Americans have historically been influenced by competing ideologies: one emphasizing individualism and the pursuit of economic self-interest; the other emphasizing equality and communal interests. Some critics of patriotism argue that it causes people to be unconcerned about problems elsewhere in the world. Others interpret American patriotism as a call for precisely this kind of worldly concern. Yet another way of expressing what America is all about is to point to the First Amendment, which makes possible, through its guarantees of free

speech and free assembly, such substantive debates as I outlined above. Ironically, even the burning of the American flag has been interpreted by the U.S. Supreme Court as a kind of "speech" protected by the First Amendment. Of course many Americans believe flag-burning to be unpatriotic.

In my comments on the Reagan film, I believe I also drew a comparison with Nazi Germany's appeals to God and country, including the Nazi's use of the "Sig Heil" salute. Was this comparison invalid? Was it an instance of the very sort of knee-jerk rhetoric I was complaining about in class? Possibly. There are huge differences between the propaganda apparatus used in Nazi Germany to compel allegiance to Hitler and the techniques of persuasion used by American politicians to get elected. Still, there are some underlying similarities that deserve our attention.

One thing I regret is that I was a lot harder on the Reagan film than on the Clinton film. I did this because so many of you seemed to have been taken in by the Reagan film's superbly crafted appeals to God and patriotism.

But the Clinton film deserved critical scrutiny as well. Some of you said in your papers that you especially liked Clinton's kind remarks about Republican Bob Dole, as well as Clinton's expressed wish that the campaign would focus on issues and not stoop to personal attack. A more critical reading of these remarks, given what we know about Clinton's image problems, is that he was trying to frame the upcoming contest to his own advantage by taking the high road.

Others of you said that you were moved by what Hillary and her mother had to say about Bill. Interestingly, Clinton has expressed his admiration for Reagan's campaign tactics. Clinton's warm and fuzzy displays of family togetherness and family values were right out of Ronald Reagan's campaign book. We should no more have voted for Clinton based on these emotional appeals than we might have for Reagan on the basis of his appeals to God and patriotism.

Finally, there's the question of whether I've been overly critical of religion or of religious rhetoric at other times during the semester. One student cited my showing of the film, "Life and Liberty for Those Who Obey," put out by People for the American Way. Recall that I used the film to introduce the final paper assignment on advocacy by teachers in the classroom. How, I asked, should I have "taught" this film? Use it to criticize the rhetoric of the religious right? Use it to expose the rhetoric of the film? Conduct an evenhanded discussion? etc.

Here's my secret: I decided after pondering this question with my colleagues that the best answer to this question was the question itself. That is, I now think that the best solution to the dilemmas associated with how to teach the film is to ask

my students how I should teach the film, and then encourage further thought about the rhetoric of the teacher in the classroom. I've tried to do that in this class. See my essay on this (on Reserve).

Well, there you have it: Herb Simons not only advocating in the classroom, but committing himself in writing.

I'd encourage you to respond to this essay, either in writing or in a visit to my office. The same holds true for other issues we discussed towards the end of the semester. For example, is my essay evidence of a white, male, or Eurocentric way of thinking? If so, should you think any the less of it for that? Is my advocacy in this essay to you appropriate or inappropriate? Can you "grade" my essay based on how I think, independent of what I think? Keep in touch; otherwise I'll miss you. You've been a wonderful class!

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ISSA Proceedings 1998 – Reasons To Buy: Teaching Reasoning

Through Television

Ads purport to give us reasons to buy. What sorts of reasons are they? When Nike asked us to '*Just do it*', they were not – or not simply – with a sort of primitive practical syllogism, telling us to just buy. The phrase has layers of meaning. It could mean do what you were going to do, or what you were not going to. It has overtones of the coach, or the irritated mother, of the inner voice urging you on. It is a cryptic and ambiguous phrase, accompanied by a stylish logo, and it is universally known. What is more, people buy Nikes. But their purchase is not simply falling in with the order to buy: it is a complex and highly social event.

To think of ads as practical syllogisms is to think of them as arguments from the content of the ad to an act of buying, or an intention to buy. But it is too simple to claim that an ad is properly taken only if the appropriate action issues. Ads are complex and highly sophisticated components of modern life, embedded deeply in a variety of cultural practices, but at the same time, communicating across the global village with almost unprecedented effectiveness My project is to look more closely at the reasoning structure of advertisements.

George Steiner's claim that advertising is the poetry of the modern age is correct in the sense that the pure condensation of meaning which was once the province of purely poetic or religious discourse is now found in the ad industry. Highly intelligent (and well paid) executives spend hours searching for the one pithy phrase, a phrase that will capture the imaginations and heart, which will resonate and be sung, whispered or held – often for life. The jingles of my childhood seem inexpugnable. One, of very limited poetic worth, went

'Menz makes biscuits a treat

Because Menz makes biscuits that are good to eat'

It will, I am sure, remain with me when all else has gone. In the days of music videos and startlingly high production values of visual television, the qualities of ads are legion. The sheer effectiveness of ads as memorable images, as semiotic signifiers, as music videos or film clips is itself a matter of academic study. We are familiar with the intertextuality of ads, both in the sense that the one theme will appear in print, television and billboards, but also in the sense that ads refer to the genres, particularly of television, with enormous subtlety. Puns proliferate,

both visual and verbal and across the media. I do not attempt here to cover all aspects of advertising paper seeks out the structures of argumentation in ads. I concentrate on the verbal messages of ads as the central focus of argumentation. This is not to deny the importance of the visual and musical components of the force of advertisements, but rather to focus on one element of ads which has received relatively little attention.

I begin with an example of a print advertisement, to indicate the possibilities of argumentation, but also to sharpen issue of differences between print and other media. In this context, I explain my general project of analysing the reasoning on the media as a way of both teaching kids philosophy and of teaching them about the impact of the media. Kids are all too familiar with denunciations of the capitalist forces behind advertising -yet they adore ads. If we wish to have kids react critically to ads, the best method is to have them draw out their own understanding of advertisements as a starting point.

The second section draws on materials I have developed for talking about reasoning in television ads, and their billboard counterparts. The final section deals with the obvious problem with ads – are they true?

Section 1. A print advertisement

In the *New York Times* of November, 1996, my former compatriot, Rupert Murdoch, now a US citizen, placed a full page ad. He, as owner of the Fox network, was fighting a battle to gain access to the New York market, controlled , through its ownership of the cable company, by another media giant, the Time Warner company. Murdoch wanted Time Warner to offer Fox news on the cable.

Time Warner refused, citing that most archetypal of all US institutions, the First Amendment, which protects freedom of speech. Already the situation is complex, in a fashion not unfamiliar to European media watchers. The ad, far from reducing the complexity of the situation, exploits it and presents what is by most counts a fairly elaborate argument.

"I'm about to dust some cops off.

Die pig, die pig, die."

Time Warner used the First Amendment's protection of free speech in its unwavering support for these lyrics, from "Cop Killer", by Time Warner Recording Artist Ice-T. After all, profits were at stake.

Now, Time Warner believe the FOX news Channel poses a threat to the Profits of its CNN.

And this time, Time Warner cites the First Amendment to deny New Yorkers the

right to see the Fox News Channel.

The First Amendment protects free speech, *not* Time Warner profits.

Support, don't distort the First Amendment

Don't block the FOX News Channel

I was struck by this advertisement, not just because of the vagaries of capitalisation – and of capital – it exploited. The sheer effrontery of using Time Warner's support of tendentious lyrics to grab attention for a competing company has style. So does the irony of Fox accusing other companies of protecting profits by excluding competition. But what was striking about the ad for me was its use of a complex logical structure to make a rhetorical point.

The ad accuses Time Warner of inconsistency in its use of the First Amendment - the law which protects free speech in the United States. The first sub argument claims that

(1) Time Warner claimed the support of the first amendment to allow playing of the Ice-T lyrics

There is an implicature we cam draw from 'After all profits were at stake':

(2) Time Warner's action were caused by the need to maximise profits,

This in turn leads,, by a weak inductive argument, to:

(3) Time Warner's actions are now caused by the need to maximise profits

The second subargument takes 3 and 4

(4) Time Warner claimed the support of the first amendment to prevent playing Fox news on New York cable.

to reach a conclusion that

(5) The First Amendment has been used to protect Time Warner profits.

So far , of course, there is no evident inconsistency: Even if Time Warner's actions were caused by the need to maximise profits, their behaviour appears to be consistent in both cases. The moral force of the argument depends on two enthymematic premises:

(6) The need to maximise profits is (in itself) not a good reason for acting.

This, ironically given Fox's behaviour, is taken for granted.

The second enthymeme, attributing inconsistency to Time Warner, could be

(7) It is improper, in some sense, to appeal to the First Amendment both to allow and to prevent material to reach the airwaves.

This is a crucial and debatable premise. Since the appeals to the First Amendment were successful, Time Warner was operating within the letter of the law, so their

action was not legally improper, nor inconsistent with the law. Thus the ad must be suggesting that Time Warner is morally inconsistent and has effectively distorted the law. Clearly it is not inconsistent tout court to use a law which protects free speech under reasonable constraints, as the first amendment does to prevent playing of one type of material (eg incitement to treachery in time of war, or racist jibes) and allow playing of another type of material.

The two final claims of the advertisement make it clear that Time Warner is being accused of moral inconsistency and of ill faith in the use of the law

(8) The First Amendment protects free speech, *not* Time Warner profits.

This premise draws on the first of the elliptical premises, suggesting that the First Amendment has been misused in pursuit of profits. In the final call to action,

(9) Support, don't distort the First Amendment. is then read

(10) Don't block the FOX News Channel

Supporting Fox news, the ad says, is tantamount to supporting the real intention of the First Amendment.

The advertisement is clearly designed for the *New York Times*. The complexity of the argument structure, whatever its fallacies, leaves room for relatively sophisticated readers to fill in the gaps as they choose. Its political force survives the evident inconsistency of one media giant accusing another of greed, through the immensely powerful emotional appeal to the First Amendment.

Note moreover, that in terms of argumentation, this example uses a direct argument structure the conclusion of which is an appeal to action: supporting Fox. This is indeed a case of practical reasoning. It is rare to find the argument structure of an advertisement so explicit: I will suggest that the form is often implicit in advertisements. Just as it is often necessary to supplement explicit argument structures in ordinary language disputes, in order to reveal the implicit argument structure (van Eemeren, Jackson & Groodendorst, 1993), so it is often necessary to supplement the implicit argument structure of advertisements.

My first reaction to this advertisement when I saw it eighteen months ago, was to argue that this was a characteristically print media ad. I argued that the very complexity of form identified here is unlikely to appear in television or radio advertising, since it required a level of logical and linguistic reflectiveness, let alone the time to reflect, which television viewers lack. This view is expressed, for instance, by Postman (1993), who suggests that the linear patterns of thinking may be undermined by the immediacy and impact of television, and that hot links

on the internet also fail to encourage the development of logical thinking skills. Eisenstein's (1983) finely worked analyses of the impact of print have been developed by some to suggest that television, with its plethora of clues, limits the imagination, and the demands made on the viewer. Print, on the other hand is both 'linear' and demanding – the imagination is working double time to think through images given in language, while at the same time interpreting the logical links explicit in written language.

This is a conclusion I now reject, both at the level of the possibilities of argumentation, and at the level of the sophistication of audience reaction. What is at the heart of this ad is an accusation of inconsistency. Just such inconsistency is often attributed to opponents in political advertising on television. Inconsistency in itself is bad enough, but usually there is a further twist – your inconsistency is self serving. Quite generally, it is an error to identify print alone as suitable for reasoning skills. Being reasonable is fundamentally a feature of discourse and action, not of written linear texts. It is only a contingent feature of our culture that extended patterns of reasoning do normally appear in print. The fact that visual media evoke immediate and emotional reactions does not imply that television – and certainly television ads – are not as cognitively complex as print.

What is more, kids, especially, are highly sophisticated viewers of television. They are a highly televisually literate generation, whose skills include the ability to deconstruct the medium itself. As the media guru Rushkoff puts it: 'Most kids are doing media deconstruction while watching television' (Gabriel, 1996). He goes on 'Their favourite shows come "pre-deconstructed" that is with built in distancing devices ...such shows earn the ultimate youthful phrase "cool". By cool, I mean seeing things from a distance'. (Gabriel, 1996). Rushkoff goes on to talk of the sort of deconstruction that kids seek in watching television 'What screenagers seek from television, multi media and other entertainment is the "aha" experience of making connections across their storehouse of media images' (Gabriel, 1996).

The level and philosophical complexity of ads and the arguments they contain should never be underestimated. A good, cool ad is making a range of complex moves which are worth deconstructing, both for the argument structure and for the training in reasoning it provides.

Looking at the reasoning implicit in television ads is part of a broader project, which is designed to teach reasoning through television product, some of the materials of which have been trialled in the US and Australia. Advertising agencies, who specialise in persuasion, are adroit at exploiting underlying

philosophical uncertainty, as well as pushing blatantly fallacious claims. This project aims instead to uncover and analyse those philosophical issues while teaching reasoning skills**[i]**.

Traditionally reasoning skills have been taught through written examples, some of which are highly anachronistic or artificial. However critical reasoning skills are required in order to filter and interpret the rapidly changing circumstances of the world around us – and those skills need to be relevant. Many students use television as their major source of information about the world and as the source of basic understanding of the world. Yet we rarely provide students with the skills directly to criticise and analyse television's world view. It is an obvious step to use the medium of television itself as a means of analysing television product critically and thereby of teaching viewers to reason. Reasoning skills as conceived above do appear on television; and can be refined using debate about television. Ads are a particularly fertile field, both at the level of reasoning strategies, and at the meta level of philosophical debate about the issues in ads.

It will not do, however, to take a simplistic line of denying the force of ads, and labelling them as immoral, stupid, or ill intentioned. However true such claims may be, they fail to capture the cleverness and attraction of ads. Far wiser to begin with the questions: "What does this ad argue? Is it valid? Why does it work?" and get kids to learn the process of reasoning about and through ads, than to denigrate what is obviously a powerful product. In recent months, I have been working on a homepage (Slade, 1998) designed to help teachers – and students – work through the philosophical and argumentation strategies of television product. This paper provides a background for the section on advertisements.

Section 2. Fallacies and television ads

Television advertisements are a rich field of examples of all of the so called classical fallacies: from 'appeal to authority' to begging the question, from equivocation to affirming the consequent. The most obvious television fallacies offer real possibilities, both of argumentation structure and of philosophical debate, for teaching and examining reasoning skills. Each of the so called fallacies, however, must be seen in a context: a context which suggests that while formally fallacious, the ad might provide a moderately good reason to buy.

This is a consequence of what is a very general truth about television ads – they are enthymematic. Spelling out the suppressed premises is often a tedious and unrewarding affair, like spelling out the meaning of a metaphor. Nevertheless, I think it is worth remembering that much of the force of ads derives from the

ambiguities and possibilities of elaboration they contain. The general model of elaboration I adopt draws on principles of charity of interpretation of behaviour to make sense of utterances (Davidson, 1967, 1984 *passim*) together with Gricean principles (eg Grice 1975). My assumption is that where an advertisement appears to be inexplicable or meaningless, we should search for the best fit of meanings, given our knowledge of the world and of linguistic practice. My procedure is thus similar to that outlined in van Eemeren *et al* (1993), in so far as it elaborates arguments according to contextual knowledge.

Consider a Mexican example, an ad for a beer called in Spanish 'Dos X lager'[ii]. It shows an image of a refrigerator, opening to show it filled with beer, again with less, then again with more beer.
The punch line:
'Ahora entenderás la evolución de las especias' (Now you understand the evolution of species) is open to a range of interpretations. It may mean that Dos X has proven, by its ability to survive, that it is the best – it has achieved natural selection. From the point of view of the ad agency intentional ambiguity such as this grabs the attention and ensures impact. In part such ads are driven by the washback validity of ad companies' evaluative methods. It is normal to test ads for 'cut-through', or the extent to which they are remembered by focus groups of viewers. Ads which are difficult to understand and thus tantalising may be more memorable than others.

From the point of view of the consumer however, the sheer fact of being familiar with the Dos X ad cannot even remotely guarantee that we buy that beer rather than another. Thus we need to draw again on our principle of charity to make sense of the Dos X ad. Why would the ad give us reason to buy? One version might be
If people drink a lot of Dos X, it must be a good beer to drink
But the ad shows lots of beer passing through the fridge
So I too will buy Dos X (if I want beer)

This is not compelling, but it alerts us to a possible structure of argumentation. Ads can indirectly suggest how to behave by making indirect claims about others' behaviour.

Some ads have fairly simple arguments: the classical appeal to authority, for instance, with breakfast cereal being advertised using a sporting star, suggests

that if you eat the same breakfast cereal you too might improve your sporting ability. This is not always merely a fallacy – appeals to authority are quite reasonable in their place. Indeed, a cereal recommended by one who is an expert in sporting health might provide a better recommendation than the sheer suggestion that it is great. The reasons are not as baldly bad as they might at first seem.

Another example of an apparent fallacy is again Australian:
'Sugar, a natural part of life'
The enthymematic step relies on a premise
Natural parts of life are good for you
to reach the conclusion
Sugar is good for you (or eat sugar!)
We might point out that
Cancer, a natural part of life
is also true. The argument looks absurdly fallacious. In fact, a careful examination of the subtext of the argument might uncover a slightly better argument: say
You have a choice of natural and artificial sweeteners
All else being equal, natural is better
So buy sugar.
Appeal to a principle of charity makes better sense of the ad than sheer harping on invalidity.

Consider another example, of what are often known as life style ads. The new Apple ad, 'Think Different' is designed to remind consumers that although PCs dominate the market, a different product might have advantages. The ad is both elliptical and ungrammatical. Its impact derives in part from its open endedness. What does it mean to 'think different'? Is it the same as thinking differently, or not? With Apple positioning itself to be the minor player in the personal computing domain, how is it locating its market? In a sense this is a paradigm lifestyle ad – with blatantly fallacious arguments, even if we accept the untrue premise
People who think different, the Dalai Lama, Einstein and so on are associated with Apple computers
So, if you are associated with Apple, you will be different
So you will be like the Dalai Lama, Einstein and others.
Even if it were true that you would be different if you were to be associated with

Apple, it certainly does not follow that you will be relevantly like the extraordinary people shown.

The fallacy is shared by all life style ads, of which Coke has been the leading exponent. Coke ads associate a particular life style with those drinking Coke, with the implicit suggestion that if you drink Coke you will also be young elegant and lively. But even if it were the case that:

All the young and lively and beautiful people drink Coke,

which is the best that could be claimed on the basis of the lifestyle ad it would be affirming the consequent to claim that

If you drink Coke, you are young and lively and beautiful.

Even worse is the claim that drinking Coke will make you young and lively and beautiful. But kids certainly recognise this fallacy.

The Sprite ads in Australia drew on kids' scepticism, saying:

Drinking Sprite will not make you a good basketball player. But it will refresh you.

The very existence of the debunking form of ads, of which there are many, shows how aware we are of the logical weakness of ads.

How then are we to make sense of such ads providing us a reason to buy? If we as viewers are well aware of the fallacies, why do we like the Coke ads, the Nike and the Sprite ads, and why do we keep on buying? Partly, the answer is elliptical phrase to draw attention, to avoid the obvious. The Nike campaign, 'Just Do it' exploits ambiguity to draw attention. It does not simply tell us to buy the shoes. There is a perfectly justifiable argument which might go:

When we buy training shoes, we want to buy the same sort as everyone else – we will try to buy what others buy..

In the absence of other good reasons to pick one brand over the other, what reasons are there to pick a brand? I pick the brand I think others will pick, and assume that they do the same.

We all know we all watch television and the Nike ad

So we all know we all know the Nike brand

So the best strategy is to buy Nike.

Such chains of reasoning are rarely made explicit; but they do provide a rational reason for acting as the ad suggest, and buying Nike. Any criticism of the impact of ads in the lives of kids must allow for this level of complexity, rather than debunking ads. This does not mean we have to accept a pattern of consumption

dictated by ads. The next step is to develop the ability to question, philosophically, the patterns of justification themselves. In effect, once we have found the best possible argument, we examine the truth of the premises. In the case of this version of the argumentation, we would want to ask why kids *should* use the same trainers as others, why they want to be like others. We might ask what the costs to those who produce the goods are. Indeed, the recent difficulties of Nike about their use of cheap labour suggest that just such questions have been asked by consumers.

The issues are often complex ethical problems. Such problems are worth discussing outside the context of the ad and raise fundamental philosophical issues.That I wish to finish with is the notion of truth in ads itself.

3. Truth and Ads

Are ads ever true? In so far as an advertisement is a call to action, it is either complied with or not, rather than either true or false. But the premises of ads are certainly either true or false, and the notion of truth plays a major role in talk about advertising, as well as in ads themselves.

But first a word of caution. The truth of premises is neither sufficient for a good ad, nor necessary. Consider first those familiar soap powder ads in which mothers of a family of five kids vouch for Omo. True they may be, but the ads lacked cool. Even more striking is the case where truth in an ad was seen as negative, so that truth of the premises was definitely not necessary for a good ad. I quote the following story about Coke ads in Mexico:

Mexicans had such an inbuilt scepticism that they regarded the very concept of "truth" with great suspicions the Coca Cola company… found in their marketing studies..

Coke had conducted extensive marketing studies in Mexico as it was introducing the company's world wide slogan "It's the real thing", which had worked wonders throughout the world, advertising industry sources recall. In line with Coca-Cola's international advertising campaign , it had translated the slogan in Mexico almost literally to "Esta es la verdad" or " This is the truth". But it didn't work. Several focus groups assembled in Mexico City reacted coldly to it.

"We found that the word *truth* had a negative connotation in Mexico," I was told by Jorge Matte Langlois, the Chilean born psychologist, sociologist and theologian who had conducted the confidential polls for the Zedillo campaign, and who had conducted the focus groups for Coca-Cola years earlier. "People's reaction was, if

it's the truth, it must be bad".

Coca-Cola's Mexico division soon changed its slogan to "La chispa de la vida"-"the spark of life". (Oppenheimer, A, 1996: 269-270)

Coke has gone through a myriad of ads in Mexico since then: now we have 'Disfrute Coke' and a much debated campaign, which thankfully never reached the air, trying to link Coke with the Easter spirit. One cringes at the thought of Coke reviving Jesus or Jesus turning water to Coke, but the proposed campaign was not far off. Last year, an ad for local spring water featured a priest standing over a bottled of imported purified water and saying 'Well if it had to be purified, how many sins had it committed?'

Thus far the point may be merely that truth or – at the very least, the desirability of truth – is culturally influenced. For many, the function of ads is precisely to transform truth, to alter meanings. Barthes' (1972) work on soap powders showed how ads about what are really harsh chemical substances could transform them into gentle products: products which manifested the mother's loving care for her family. Mark Morris transformed the thesis into a ballet, transforming the product again into a signifier of the US commercial culture. Such transformations, we are reminded by those who create and those who criticise advertisements, are essential to the advertising culture.

The study of such transformations have long been a staple of the media criticism industry. What I mean by philosophical debate about ads, however, is something different. Ads are a potent site for philosophical questioning, in part because of the enormous energy that is involved in locating where an ad will have an impact. The ad is often a clue to a real philosophical dilemma. Television commercials characteristically aim to be unsettling, to cut at the margins of issues which are exercising a community. The best ads play on the issues which are exercising a community, drawing out the concerns and materialising them. The very content of ads contain issues about truth which need discussing.

Toby Miller[iii] notes the following statistic: while in 1993, six hundred ads in the US mentioned truth, by 1994 two thousand did (Fitzgerald, 1994). The mention of 'truth' here calls out for investigation. Understanding what is going on in appeals to 'truth' requires hard philosophical leg work. It is truth, as it is used in the ads, that we need to begin to address when we talk of television. Kids and adults have been told that television is a capitalist plot. They don't want to talk about that. What they want to do is talk about what interests them – what 'true' means in an ad. Kids are not interested in the meta-level debate about whose interests are

served by television; but they are interested in issues like fairness, truth, reality. Consider the Cannon ad, for a laser printer – 'Its only competition is reality'. What is real and what unreal about a photocopy, colour or not? Surely photocopies are real photocopies?

Truth as a concept used in ads has burgeoned as the disquiet about the role of truth on television, in the news, and in the advertising industry itself has risen. My project is to allow this debate to go back to its philosophical beginnings, to the theories of truth which sustain lay talk about truth. I will not rehearse my account here, since I aim merely to encourage debate about truth and television, although I do think we can do better than a wholesale post modern rejection of truth.

I finish with another New York gleaning, this time from a department store called Barney's. I was wandering in the store when I saw a huge sign 'Philosophy'. It was a trade mark for a range of cosmetic products. I quote the booklet the naked truth:

… the naked truth is a revolutionary new product that takes the notion of tinted moisturisers to the next generation… so we're stretching the truth a little. after all perception is reality.
(philosophy sales booklet, Barneys, 1996, p30.)

Truth has become an issue which advertisers have latched on to: After all, the ad says that 'perception is reality'. Surely that claim needs debating?

NOTES

i. 'Reasoning' as it is used here has a broad application, to skills which range from analysis through inference to evaluation. Reasoning thus conceived is far broader than the set of logical skills often caricatured by non logicians: it is rather, logical skills as conceived by many logicians and most informal logicians, as skills of interpreting and evaluating arguments, with all due contextual sensitivity. They are skills used by all from the youngest toddler when guessing at causal connections to the most theoretical of physicists or post modernists, drawing out implications of statements.

ii. This is a Mexican beer. Four X is the Australian beer noted for the ad 'I can feel a Four X coming on', which I will not attempt to analyse.

iii. in conversation, and in Miller (1998)

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ISSA Proceedings 1998 – Reasonableness Rather Than Rationality

The idea that logic alone can determine the distinction between good and bad arguments is rapidly being replaced by a broader dialectical theory of argumentation. Yet, to preserve a suitable notion of normativity, dialecticians appeal to a notion of rationality that shows much the same features as the disreputed logic is sought to replace. In this contribution, I will diagnose the problem and present an alternative: dialogical rhetoric.

The idea that bad arguments are logically interesting is rather young. For ages, logic was primarily interested in good arguments. Bad ones were negatively defined as not-good, and, as distinguishing instrument, logic could be limited to answering the question what accounts for the goodness of arguments. Modern formal logic, in this fashion, sought after *sound* arguments that yield conclusions by necessity. Starting with true premises, a truth-preserving method of valid inference warrants conclusions that cannot be wrong. The truth of the premises, although essential for soundness, is left to the relevant fields of investigation. Logic proper concerns the method of inference and deals only with validity. Logically speaking, a good argument is a valid one, and a bad argument is invalid. This type of logic observes what we may call the deductive demand. A good argument is one of which the conclusion follows necessarily, under the condition that its premises are true.

Hamblin's *Fallacies* (1970) cracked the ice. He showed that the notion of invalidity was not adequate in accounting for bad arguments, and that consequently the deductive demand did not serve the distinction between good and bad arguments. In a nutshell: invalidity was neither a sufficient nor a necessary condition for fallaciousness. Some fallacies are not invalid at all (e.g. the notorious begging the question), and many arguments are invalid but not

fallacious (all inductive arguments are deductively invalid). Many thinkers have followed Hamblin, and added doubts on the suitability of the deductive demand. I will mention three problems in particular.

1. The deductive demand is an all-or-nothing matter: only necessary conclusions are allowed and anything less is rejected. To every problem there is only one solution: the best one. Curiously enough, however, no account can be given for a notion of `better'. This makes argumentation, in any substantial sense, impossible. Argumentation, after all, consists of arguments pro and arguments contra, and the balance of those two factors constitute the strength of an argument. The deductive account cannot acknowledge positive and negative forces in this way because a deductive argument `knocks down' either way.

2. The deductive demand cannot acknowledge alternatives, and is in that sense *monological*. The point is that as a truth-preserving method it should yield necessary conclusions and it cannot allow a different logic arriving somewhere else. But if so, any deviation of the monologic is impossible, including unlogicality. Indeed, as the early Wittgenstein said: `we can think nothing unlogical, since if we could, we would have to think unlogically'(*Tractatus*: 3.03). The idea is that thinking as such presupposes logic. This feature gives monologic a transcendental flavor: it provides for the very condition of the possiblity for thinking and cannot be questioned, nor sustained by argumentation. Monologic must be `seen', and can only be `shown'. The problem, obviously, is that bad arguments do exist and that we must presume that the persons who advance them in fact thought badly.

3. Perhaps the most serious problem for the deductive demand is that it is not hard at all to meet it. Many arguments are sloppy in the sense that not all premises are explicitly mentioned. This is not a problem, because most people will tacitly add the missing premise. To determine the deductive validity, however, we must add the hidden premise. This can do no harm because it cannot make a valid argument invalid, but it can do much good by explicitizing an implicit premise. The problem, however, is that *any* argument can be made valid by adding the right premise. The associated conditional, or even the conclusion itself, and perhaps even the negation of one of the other premises**[i]**, will do. This simply means that either an argument is valid, or can be made valid. Deductively, no bad arguments exist. Deductive logic, far from providing a suitable instrument, has no powers to perform its distinguishing task.

Dialectical Shift

Increasing numbers of logicians have dropped the deductive demand over the last three decades, in favour of a *dialectical* approach. Dialectics differs from deductive logic by applying *acceptable* instead of *true* premises, and by acknowledging different systems of logic between which a *choice* must be made. Dialectics does not yield necessity but is satisfied with probable conclusions**[ii]**. Dialectical logic is much more modest than deductive logic, and `may or may not be a good one in the full alethic sense', as Hamblin says, `but it is certainly a good one in some other sense which is much more germane to the practical application of logical principles'(Hamblin 1970: 241).

If logic is to perform its normative task in the practice of argumentation, it should comply to the nature of argumentation better than formal deductive logic does. A first observation is that argumentation is always a *dialogical* matter involving, basically, two participants: a proponent, defending a thesis, and an opponent, resisting the thesis. Monologic concentrated on the support of the conlusion only, but dialectical logic emphasizes the generic role of the opponent: only when disputed it makes sense to defend a thesis. Supporting an undisputed thesis is a waste of time at best; irrelevant babbling at worst; or an *ignoratio elenchi* in between. Dialectical logic, thus, takes disagreement as a condition for the possibility of discussions, but this calls for a suitable form of regimentation. Or else, the participants may `simply bash each other until bashing served no further purpose'(Freeman 1991: 18).

There are many different ways to deal with disagreements. We may try to solve the conflict, or stick to investigating where exactly the difference lies. We may want to settle the issue by means of force, or try to tackle the opponent by ridiculizing her position. Different ways of dealing with conflicts yield different types of discussion. And different types allow for different moves. What is suitable in a quarrel is not always acceptable in a critical discussion, and vice versa**[iii]**. Whether or not a move is acceptable depends upon the type of discussion that is going on. Dialectical logic presumes that it is up to the participants to decide upon how they want to deal with their disagreement. But when they have agreed upon a specific type of discussion, they should observe its particular regulative rules. The goodness of an argumentative move is determined by the rules that are in force: compliance with the rules makes an argument good whereas violation of the rules disqualifies it.

Clearly, the participants must voluntarily submit to the rules and their compliance to some type of discussion must be of their own accord. Only when someone has

accepted the authority of a set of rules, she can be held committed to them. Dialectical rules are only in force if they are *conventionally* accepted by all participants involved. The rules can change only when the conventional demands are being observed: suspend the discussion in progress, discuss the necessity of accepting new or modified rules, authorize them conventionally, and recommence the discussion proper again. The conventional authorisation of the rules implies that dialectical system is always local in scope; only when conventionally authorized, influences from other discussions *can* be acknowledged. Very often, the conventional aspect remains implicit: many rules of discussion go without explicitly mentioning them and it would be even very tedious to issue a `dated and signed written declaration' every time an argument were about to begin**[iv]**. Nevertheless, as Douglas Walton says, `the rules can be explicitly stated, and agreed to by the participants, where it is useful and necessary, at the opening stage'(Walton, 1989, 10, italics whs). In other words, the participants *would* accept the rules if they were explicitly asked to. Conventional normativity may be called `*would*-normativity'.

The normative force of rules provides for a possibility to determine win or loss of a discussion in an *objective* way. If the rules are clear, anybody can see whether they are being followed or not. In particualr, it allows the *logician* to put a decisive verdict on discussions. She is supposed to be able to determine exactly what type of discussion is going on, and she is supposed to be able to apply the suitable standard to the discussion and determine who has the best arguments. Because the participants have committed themselves to the rules, and she is only applying these standards, her verdict is normative for the participants involved. Obviously, the external observer must be neutral regarding the positions of the participants. His verdict should be unbiased and only the arguments as advanced should count. An external observer can control the agreed-upon regimentation of the discussion, and by application of that standard determine win and loss in an unbiased way. Barth and Krabbe define rationality in these terms: `it is not irrational to lose a discussion'. But it is – we suggest – irrational not to admit that one has lost'(Barth and Krabbe 1982: 71).

Would-normativity is not satisfactory, because, shortly, it allows for *would-not*. In face of losing a discussion, a participants may simply withdraw his commitment, or demand modification, or simply deny that he made the commitment at all**[v]**. The external observer can note this, but has nothing to go on to condemn it. The

evil-doer can simply claim not to accept the move in question. The local character of dialectical normativity, demanding specific agreement, allows for very limited, even opportunistic exceptions. Would-normativity is not what we expect from normativity; it lacks normative force precisely where it is needed most: when somebody would not accept something she *should* accept. To account for should-normativity, we must rule out arbitrary or strategical one-sided withdrawals. Dialectically, this is only possible if the agreements are controlled in some way. Not only the observance of agreed-upon rules, but also the agreement as such must be secured to safeguard normativity. If this were not regimented conventional normativity were a farce, because participants could change their commitments at will.

Control of agreements as such is needed for another reason as well. How are the conventional agreements arrived at? Presumably by discussion. But in what way is such a meta-discussion regulated? If a conventional set of rules were normative here as well, an infinite progress would have started. Dialectical logicians, if they address the problem at all, appeal to a notion of `logical intuition' or `natural rules' of normal argumentative behavior**[vi]**. The idea is that participants want to cooperate because they agree on the purpose of the discussion. If so, it is rational to follow rules that promote cooperation, for example: do not abuse the adversary; acknowledge loss if forced to; do not mislead the other; etc. Although the rules that make up for dialectical rationality are innocent enough, they are *substantial.* They do not only demand that one must be reasonable, they also say what *counts* as reasonable. Rationality, thus, provides for a substantial higher-order standard, which stops higher-order discussions in a notion of rational *acceptability.* We may see, incidentally, that a *reason* is given to be rational: it promotes the purpose of the discussion.

Still, if conventional acceptance is to be taken serious we must acknowledge that someone may reject rationality in terms of normal argumentative behavior. For example, what if compliance to the `normal' rules would result in loss of the discussion, and the stakes are just too high for that? We need not necessarily think of people seeking advantage to find examples. Gandhi should be called irrational if `normal' argumentative behavior defined the substance of rationality. But if there can be reasons for being irrational, can those reasons be good? And what standards are conceivable to determine this? Ever higher-order systems of rules lead to the infinite progress. Only an indisputable rationality can call such progress to a halt.

The Rational Observer

It may seem, and it is often claimed, that the dialectical shift in logic followed Hamblin's proposal to leave `the control of each discussion' in the hands of the participants themselves'(Hamblin 1970, 283). But the foregoing suggests a third crucial role: the external observer who controls the rationality of the discussion. Dialectical logic is not dialogical, but in fact trialogical, and the logician typically is in the position to play the third role. The dialectical understanding of normativity as being dependent upon agreement is responsible for this proliferation of logical roles. To account for agreement we must account for commensurablity: the standards of assessment must be the same for everyone involved. If normativity is a matter of agreement, it should transcend the particular preferences and provide for a standard that commensurates the idiosyncratic "standards" of the respective participants**[vii]**. The rational observer is the embodiment of this standard**[viii].** This means, however, that the control of the discussion is in the hands of the participants themselves only in so far as they represent the verdict of the rational observer.

It may not surprise us, considering the role of the rationality, that dialecticians generally make a qualitative distinction between two different ways of dealing with conflicts; they distinguish between *settling* and *resolving* a dispute. Settling simply indicates that the problem at issue is set aside by whatever means: tossing; refereeing; fighting or intimidation. `To really resolve a dispute', however, `the points that are being disputed have to be made the issue of a *critical discussion* that is aimed at reaching agreement '(Van Eemeren and Grootendorst 1992: 34). Although people are granted the freedom to deal with conflicts of opinion in several different ways, one specific type of discussion if singled out: the prototype of rational argumentation, critical discussion.

The rational observer is unbiased and evaluates any discussion by the strength of the arguments alone; not by the particular interests of the participants. The criteria applied by the rational observer depend upon the type of discussion that is going on. Still, contrary to what dialecticians tend to say, the participants are not free to chose any type of discussion they want. The choice of a type of discussion depends upon the best way to deal with a problem, and the rational observer surveys all possible ways and can pick the best one. The notion of rationality, indeed, is only useful if it provides for a `best' solution. If it yielded just another opinion, it could not be normative regarding the other options. It

would just be another perspective like those of the other participants. The opinion of the rational observer must be qualitiatively better to have normative force. In fact: it must be the best solution, because rationality should be normative for all possible positions. But this merely means that rationality has taken over the role monologic played before the dialectical turn. To account for its normativity, dialectics turns out to be a monologic in disguise. If so, we may ask to what extent the objections to monologic apply to dialectical rationality as well? To a large extent, I think.

1. Dialectical rationality is supposed to settle issues and cannot itself acknowledge alternatives. If the ideal standard were applied in any pure form, everybody would agree to its conclusions. This regards the outcome of any discussion that is regimented by a specific set of rules, but it also applies to the higher-order choice of a logical system as such. The ideal observer makes the ideal choice of a logical system. For every problem, an ideal rationality would find (or invent if necessary) a perfect normative tool to solve it. In this way, rationality does not acknowledge `better' anymore than monologic and quests for the `best' solution as well.

2. The acknowledgement that people in fact argue and that arguments pro and contra both cut ice is a matter of discomfiture and is a result of the fact that real-life arguers are not perfectly rational. The problem is how this imperfection as such can be accounted for. As highest standard, rationality has a similar transcendental status as monologic: `we "play" upon modes of thought we expect the readers already to follow'(Barth and Krabbe 1982: 75). In what way can people be irrational, under these circumstances. Indeed, how can they have a perspective that deviates from the rational one?

3. The main problem for a dialectical notion of rationality is that it is an *ideal* standard and, as human beings, we have only our limited perspectives at our disposal. The normative standard of an ideal observer is fundamentally inaccessible for us. In argumentation both parties may claim that their own arguments accord to the rational standard, but that is often precisely what is at issue. When it comes to distinguishing good from bad arguments, we need an instrument that is available, and dialectical rationality by definition is not.

The failure of a dialectical notion of rationality to perform its normative function can be illustrated by making a short detour to fallacy-theory. Van Eemeren and

Grootendorst link fallacies directly to the violation of specific rules for critical discussions: `the dialectical rules which are violated in case of fallacies are applicable *only in so far as the purpose of the discussion is to resolve a dispute'*(Van Eemeren and Grootendorst 1987: 296, italics whs). The pragma-dialectical understanding of rational normativity, thus, is conditional: if people engage in a critical discussion, they must obey its specific rules. But the occurance of a fallacy simply yields a *modus tollens* of the normative conditional: violating the rules simply negates the consequent which means that the antecedent is false as well. The occurance of a fallacy, unless as slip of the tongue or corrigeable mistake, simply indicates that no critical discussion is going on. If so, as Van Eemeren and Grootendorst argue, it is not possible to apply the standard for a critical discussion and consequently `there is no point, from a dialectical perspective, in referring to a fallacy'(Van Eemeren and Grootendorst 1987: 298). Dialectical normativity based on rationality fails to perform its normative task.

In brief: dialectical normativity is either a monologic in disguise, meeting much the same problems as deductive monologic, or the rational solution cannot be distinguished qualitatively from other opinions and represents just another point of view without specific normative force. Slightly differently put: the verdict of the neutral external observer either remains external and thus irrelevant for the participants, or becomes an element within the discussion, cancelling its neutrality. The external rational observer will not do for a suitable notion of normativity. Yet, we need not be sad about this. It may, as Hamblin argued, `not be the logician's particular job to declare the truth of any statement, *or the validity of any argument*' (Hamblin 1970: 244).

Dialogical Rhetoric
Rhetoric is often blamed for lacking normativity. It is conceived of containing argumentative tricks that induce people to accept things they would not have accepted were they put in less woolly terms. Rhetoric aims at bringing people to accept conclusions they would not accept by themselves and should not accept by general standards.

Rhetoric is considered an instrument to deceive people. Such an understanding of rhetoric is very far off the mark, at least when we look at rhetorical theories. Classical rhetoricians maintained that only the virtuous could speak well and that deception was the least advisable strategy for any orator. We need not appeal to a now outdated Aristotelean epistemology, -which linked virtue and truth-, to see

that deception is a very bad advice for a speaker. Trustworthiness pays double; deception only makes people suspicious on the long run. Only a very shortsighted rhetoric resorts to deception. Rhetoric does not focus on the advantages of the speaker, but much more on the position of the hearer. Rhetoric, Perelman and Olbrechts-Tyteca say, `aims at gaining the adherence of minds'(Perelman and Olbrechts-Tyteca 1969: 14), and this can only be achieved if, indeed, the audience to which the speaker directs her arguments becomes convinced. The speaker seeks the cooperation of her audience and in order to attain it, she must take seriously the standards of the hearers. This rhetorical demand for a fundamental audience-orientation implies the pedestrian hint to speak English to anglophones and not to bore lay-people with technicalities. But it also takes into regard the asymmetrical startingpoint of discussions. Rhetoric accepts the idea of dialectics that some thesis must be disputed for an argument to begin. That is, only when a thesis is being questioned by *someone*, it makes sense to support it. As it is the actual resistance of a specific opponent that blocks the establishment of the thesis, it is his doubt that should be removed. The very *raison d'etre* of argumentation indicates that a specific audience is addressed.

But if rhetoric directs its arguments at a particular audience what about the rest of the world? Perelman and Olbrechts-Tyteca discuss mixed audiences in this respect, and they propose a notion of the Universal Audience to conceive of arguments that are convincing for all audiences, and thus normative for *any* audience. This construction is superfluous, however. The speaker can only orient herself to the audience as she perceives of it. She has no direct access to the minds of her hearers and can only estimate its standards. Particular, mixed and universal audiences are all projections of the speaker, and the orientation to the audience thus has always a tentative character that needs to be adjusted while the dsicussion is in progress. Perelman and Olbrechts-Tytcea define the notion of audience as `the ensemble of those whom the speaker wishes to influence by his argumentation'(Perelman and Olbrechts-Tyteca 1969: 19), and this can be substantiated in a particular, mixed, or perhaps even universal way. There is no need to make a fundamental or even qualitative distinction between types of audiences **[ix]**.

Still, there *is* an important normative problem. The demand to orient oneself to the standards of the audience, erodes the position of the speaker herself! If the standard of the audiences were all that counted, the speaker seems to be extradited to the whims of her audience. This surely, would be a very disturbing consequence of audience-orientation. There would be a moral objection: it is

absurd to demand the orientation to abject standards. There is a rhetorical objection on the longer run: one would disqualify as serious partner in discussion when shifting standards according to specific audiences.

Most serious, however, is the logical objection that only by observing one's own standards a thesis is worth defending. Much like the dialectical idea that an argument only begins when some thesis is being questioned, we should say that an argument only starts when the speaker is willing to support it. If only the standards of the audience were decisive, its very resistance would be the end of the discussion. Precisely because the speaker is committed to the thesis, she defends it, but this is only possible if she acknowledges the normative force of her own position, at least for herself.

If rationality fails to transcend the subjectivity of the respective participants, it seems that the disagreement that initiated the discussion in the first place pervades the entire discussion and that, indeed, we have nothing to go on but the idiosyncracies of the respective participants. In contrast to dialectics, however, I do not think this is much of a problem. In fact, I think that acknowledging the fundamental differences between participants may even yield a much stronger notion than the dialectic appeal to rationality. Note that agreement is not denied. *People may*, and in fact do, agree on many things; just as they are disagreeing on many other things as well. My point, however, is that agreement is *insubstantial* for normativity, and that commensurability is of no consequence when it comes to distinguishing good from bad arguments.

Whereas dialectics stopped the infinite progress jeopardizing conventionalism in the rational *acceptability* of arguments, I propose to locate the stop of the progress in the actual *acceptance* by the adversary. Instead of tacitly assuming a third logical role in the dialogue, I suggest we take the responsibility of the participants themselves seriously. The idiosyncrasy of the standards is not resolved in the commensurability of a transcendent standard of rationality, but is restrained by eachother. When rhetoric is seen from a dialogical perspective, we will observe that the orientation to the audience goes both ways. In any dialogue, of course, both participants are speaking, and both must orient themselves to the standards of their respective audiences, that is: their adversary. A *dialogical rhetoric,* I suggest, understands a discussion as the mutual orientation of the participants to each other's standards. Not only actively, as proponent, but also passively, as opponent, a participant must orient herself to the other. Dialectical logic burdens only the proponent to proof her thesis. The opponent can ask any

question he likes. Dialogical rhetoric concedes this in principle, but adds the condition that the questions must be *reasonable.* The point simply is that not every question is good enough to demand a serious answer. As Aristotle remarked: `a man should not enter into discussion with everybody or practice dialectics with the first comer'(*Topica*, VIII, 14, 164b). The proponent may ask the oponent to defend his opposition. In effect this means that both participants face burden of proof for their respective positions both in defending and in resisting a thesis.

Both participants are both advancing a position of their own, and opposing the position of the other. Whether they succeed in doing so is up to the respective adversary. It is the adversary that has to be convinced of the reasonableness of the advanced move, and it is the adversary's standard that determines the goodness of the argument. But only so, we should add, if the adversary is reasonable himself. He may for various reasons resist the thesis, even against his better judgment; he may use fallacies to distract attention; he may simply be too ignorant to see the real point... He may simply be the wrong person to discuss the issue with. He may not be among those whose minds we seek adherence of. The reasonableness of the hearer opposing some thesis, depends on the standards of the proponent.

The basic idea of dialogical rhetoric is that the two personal or even idiosyncratic standards of proponent and opponent `span' a normative field that determines the argumentative moving space of a particular discussion. Like dialectical discussions, such a dialogico-rhetorical normative field always has only a local character, because it is always the result of the contributions of the particular participants involved. Yet, we may see that discussion has consequences for other discussions. The audience is, as said, a construction of the speaker, and she can only make her projections on the basis of past experiences or reputation of the adversary. A reputation may seriously damage, or strengthen, one's point of departure in other discussions. Bad behavior may have as a consequence that the adversary terminates the discussion at issue, but may also deter other potential partners in discussion. Still, sometimes it may be worth the risk.

The adversary determines whether or not an argumentative move is accepted or not. If it is, the move is established. If it is not, the proponent may try to support the claim in an other way, or she may question the reasonableness of the resistance. If so, it is up to the opponent to defend the opposition. In general, this will not be a fruitful strategy when a discussion has just started. A discussion

begins with resistance of the opponent and the proponent's wish to convince him. It is strategically unwise to begin a defense by asking why on earth he is resisting her claim. But at the end of a discussion, after many moves have been made, such a question may not be strange at all. If an elaborate defence has been given it may very well be the question why somebody is still resisting the claim that has been supported extensively. Still, resistence may be the right thing to do; the opponent may convince the proponent of the reasonability of the opposition. This may result in the withdrawel of the claim, in which case the opposition of the claim is established**[x]**.

The normative force of dialogical rhetoric lies in the fact that for the establishing of any move both participants are responsible. Obviously, the proponent is responsible for the moves she advances. But the opponent also becomes committed when he does not, or no longer, resist the claim**[xi]**. In this way, both participants become responsible for both supporting and rebutting moves. Both positive and negative aspect form, as it were, a vector that together constitute the strength of the argument. The resulting conclusion is binding for both participants because they either advanced or accepted the consititutive elements. Dialogical rhetoric plays on the disagreement that got the argument started in the first place. It works in cases of incommensurability, but can obviously also be maintained when the situation is much less *différant* as some contemprorary philosophers want us to believe. The matter is insubstantial for a suitable notion of normativity. Just as unimportant is the taxonomy of types of discussion. Discussions are not neatly defined from the outset and may slide from one type to another**[xii]**. The problem is that if the rules are normative, it is impossible to see how such a sliding could ever occur. In fact, a rule-based normativity should prevent normative sliding. If incidental exceptions to the rules are allowed this merely means that the normativity is not located before the argumentation proper starts, but within the discussion itself. Even if rules were laid down at the beginning, the very decision that no exception is to be made puts the normative authority within the discussion proper. But this is simply to say that it all depends upon whether or not some argumentative move is accepted or not. There is no use in doubling this issue by postulating incidental rules in between. There is no use for any notion of discussion-rules other than as suggestions of strategic hints, indicating argumentative regularities that may be helpful, and even to the benefit of everybody involved. The point is that an argument does not become good or bad because of these rules. They do so because they are, or are not, accepted by

the only one whose opinion is of any substantial interest: the adversary's. Instead of the term `rules' I prefer the rhetorical term `topos'. The question is not how to authorize a rule, but how to implement a topos effectively.

The goodness of arguments is determinied by the acceptance of the adversary; the badness of arguments by the refusal of the adversary to accept an argumentative move. This idea has consequences for the notion of fallacy. Without an operative notion of discussion-rules, fallacies cannot be seen as violations of rules. The traditional fallacies can, however, be understood as unadvisable argumentative strategies. Arguments that are usually considered fallacious are bad because they are weak; they are easy to expose, and not very convincing for the most part. A taxonomy of fallacies is useful to show risky argumentative strategies, but not as a list of arguments that are as such always bad. If only, I may shortly point out, because fallacies are not merely slips of tongues, but are often committed for good reasons. A fallacy can shift the burden of proof to the adversary because his charge of `fallacy!' may be called for support. In this way, committing a fallacy can be strategically advantageous. Fallacies should not only be studied for logical self-defense, but also as a means to win a discussion. If an adversary accepts a `fallacy' there is not much reason to call it a fallacy at all, although the logician may want to point out to the naive adversary that he could have maintained his position better. A fallacy is only fallacious if it is exposed as such, and not all traditional fallacies are fallacious all the time. In any way, it is up to the adversary to point out the fallacy, not to any external observer. But a charge of `fallacy!' can always be called for defence.

Postlude

Obviously, despite overpowering evidence and even while acknowledging the reasonableness of the arguments, someone may persist in resisting a conclusion. No account of normativity can prevent this, but at least dialogical rhetoric can *blame* someone for doing this. Dialectical logic, depending on the voluntary submission to rules of discussion can only determine the fact that someone does not accept the rules that were supposed to be normative. It can never blame someone for not voluntarily submitting to any rule. Not even to rules of transcendental rationality: there is no dialectical answer to someone who wants to be irrational. But there is a rhetorical answer to someone who wants to be unreasonable: go and waste someone else's time. It moreover allows one to take up responsibility for one's own position, even facing non-cooperation because of unreasonable demands of the adversary.

NOTES

i. Obviously, this will make the premises inconsistent. But the problem of inconsistency is its triviality, not its invalidity. After all: ex falsum sequitur quodlibe.

ii. Cf. Van Eemeren, Grootendorst, and Snoeck Henkemans 1996, chapter 2.

iii. Walton distinguishes between eight different types of discussion, including eristic discussions. Most dialecticians, however, do not recognize the latter as genuine discussion. Cf. Walton 1989: 3-11.

iv. Cf. Barth and Krabbe 1982: 21f, defining a logical convention for a well-defined company.

v. Walton and Krabbe see retraction as 'one of the most fundamental (almost intractable) problems concerning commitment'. They are certainly right, but the problem may be less intractable if there were no need for an external observer to decide upon the acceptability. Cf. Walton and Krabbe 1995: 9ff.

vi. Cf. e.g. Barth and Krabbe 1982: 39; 75.

vii. Johnson and Blair argue that: 'many people evaluate arguments by one 'standard' only: does it support my view or not? That', they insist, 'is not a logical standard of evaluation but rather a purely idiosyncratic one'(Johnson and Blair 1983: 30).

viii. Obviously, the rational observer is a logical role; it is not demanded that it is actually present at the spot. The participants may themselves take up the role of the rational judge. What is important, however, is that only an unbiased evaluation of the advanced arguments is normative.

ix. Cf. also Ray 1978.

x. It is also possible that the participants accept the reasonableness of each other's position and yet retain to their own point of view. The conclusion is that the disagreement is not resolved.

xi. At what stage he does so is not important at this point. In some cases, hem must be quick to react, because the discussion may pass an irreversible moment after which no return to an earlier stage is possible. In other cases, steps may be retraced to an earlier stage. What is allowed is simply ot the adversary to decide.

xii. Cf. Walton and Krabbe 1995: 100-116.

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