

ISSA Proceedings 1998 - Argumentation And Public Debate



1. Introduction

Arguments play a role in public debates. Nobody will contest this statement. Disagreement starts when trying to specify what roles arguments play. In order to simplify I would like to distinguish two extreme positions. At one extreme, public debates can be conceived as argumentation. That means that each public debate can be understood as a complex process in which disagreements concerning a standpoint are settled or confirmed with the help of arguments and counter arguments. In this view, public debates are rational resolutions of conflicts of opinion with the help of proper arguments. The ultimate nature of public debates is made up by some form of collective rationality. Such a conception can be elaborated in various ways, such as by Habermas (1981) or by Van Eemeren (1987) and Grootendorst. These elaborations will give some attention to possible disruptions of the rational resolution process. As public debates take place in contexts of social, political, religious and economic confrontation, these approaches will admit that there may be all kinds of disruptions and breakdowns of public debates, which can be explained by unequal power relations, by lack of suitable information or by the adoption of dogmatic positions.

Another extreme position will understand public debates as expressions of power struggles. Any move is suitable as long as it helps to win. In other words, debates are just continuations of fights or disguised forms of war. Fights and wars can also be conducted in a rational way. Machiavelli could be seen as a proponent of such a view, or in modern social science, the french sociologist Bourdieu (1982). In this view, public debates are disguised forms of fights, and the proponents will not deny that arguments are used in such a process. However, the arguments used do not have any intrinsic strength as such. They serve for manipulation and maybe for easy victory. As soon as arguments will not be sufficient to guarantee victory, they will be replaced by other means, such as exclusions of some participants, formulating new agendas, the necessity to decide at once, etc.

The aim of this contribution is rather modest. I will not try to reject one or the

other of these conceptions. Anyway, both offer useful and suitable instruments of analysis which have proven to be fruitful in some contexts of research. I will restrict myself here to analyze how arguments and other means of intervention are used in public debates and how they can be combined. In the conclusion I will outline how elements of the two mentioned conceptions can be integrated.

I will start by presenting a working definition of public debates and present some of their characteristics. In the central parts I will discuss forms of exclusions from public debates and their incidence on arguments and also mechanisms of participating in public debates and the role of arguments in these mechanisms.

2. A working definition of public debates

Public debates in modern times presuppose a public sphere which can only exist if formally or de facto there are conditions of public discussion of issues of general interest. These conditions can be guaranteed formally by a constitution and/or by general rights such as civil or human rights or be established de facto by social movements. As the point of public debates is not restricted to discuss matters of general interest but also to influence decisions of general interest, some form of democracy will be needed in order to enable the full development of public debates. The existing forms of democracy in present time do not really match the various ideal models of democracy which have been formulated by philosophers and social scientists. Held (1987) offers a good overview of models of democracy. The model of deliberative democracy is particularly interesting when considering public debates, because a large participation of citizens in decisions is one of the main features of this ideal model. Deliberative democracy presupposes that all citizens participate in one way or another in the process of formulation of standpoints of policy. This participation does not mean that all citizens will directly influence the decisions, but it offers at least the possibility to do so. Any citizen or group of citizens should be able to bring his/her standpoints and arguments in the public sphere. These standpoints and arguments may be rejected in a public debate, but they may sometimes influence to some extent the opinions of others and in the long run have some impact in decisions of policy of general interest. As we shall see further on, at present, the existing forms of democracy realize some aspects of this ideal model but they cannot guarantee an effectively an equal participation of all citizens in public affairs.

Public debates can be understood as social arenas where different parties formulate and discuss issues with the aim to influence the other parties and

general decisions. The arenas have various forms, to begin with there were rather small - but in principle open for everybody - gatherings of people in cafes discussing issues of general interest. With the development of the media quite different forms of arenas exist at the present (Habermas 1990). With the Internet a new type of medium starts to play an important role.

The parties which participate in public debates can be individuals or groups. But groups are always represented by one or more individuals. These individuals participate in their quality of citizens, in other words they have in principle equal rights, and their wealth, race or other particularities should not play any role. However, equal participation is an ideal which is far from being realized in practice.

Can the parties bring in any issue whatsoever in a public debate? This is a very contested issue. According to some authors, inspired by Rousseau, parties may only put forward issues of general interest, and not problems or standpoints which they hold as private individuals. But this limitation would entail that there is some kind of control when entering the public sphere with explicit criteria what questions will be allowed and which ones have to be refused. As it is extremely difficult to define universally such criteria there is a general agreement that no strict restriction can be defined. Recent studies of the public sphere and of public debates (Gutmann and Thompson 1996, Van Kersbergen and Propper 1995, and the special numbers of the journals 'Raisons Pratiques' and 'Hermes') permit to characterize public debates as open, dynamic and heterogeneous.

Public debates are open in the sense that the parties participating can change. There may be individuals and groups which did not take part in any discussion for a long time who can at one moment start to participate. For example, the participation of women was marginal for a long time, but in recent decades a growing number of women does play a role in the public sphere.

Public debates have also a quite dynamic character, because not only the participants can change but also the issues which are discussed. Even a single issue or problem can over time be transformed quite radically, for example by being related to other issues or by being split in several distinct problems. Moreover, public debates are quite often heterogeneous, which indicates the fact that one given issue can be discussed at the same time in several arenas, for example in different media, with various accents and by different parties.

A further characteristic should be mentioned here. Public debates can be

restricted to strictly local issues concerning a small village or a quarter of a city or bear on issues which concern potentially all human beings, such as for example the issue raised by indigenous people that human rights cannot be defined for every individual in the world in the same way.

There are three criteria of successful participation in public debates. These criteria are generally acknowledged because they formulate in fact only general preconditions.

The first one simply specifies that a party succeeds to get in the public sphere. To get in means that a party will be able to formulate a standpoint and to present it in one or the other arena where public debates take place. This elementary condition is so minimal that it seems hardly worth mentioning. But as we shall see in the next section, this first step constitutes a very difficult handicap for many individual and groups. Indeed, this criterion entails to begin with that parties are capable of recognizing if decisions and propositions under discussion will have problematic consequences for their life. That already presupposes to be well informed in the first place, and to be able to foresee the possible consequences of decisions to be taken. Furthermore, the concerned party must have the capabilities of analyzing critically the issues at hand with the aim to formulate at least some critical arguments and eventually alternative courses of action. Finally, this party must be able to present his/her critical arguments and alternatives in a suitable way, which means that it will be acceptable in one or the other arena of public debate. These remarks underline that the first criterion is after all not so elementary at all. It involves being well informed, being able to analyze critically complex states of affairs, to formulate critical arguments and alternatives and finally to present these arguments and alternatives in a way which fits into the habits of a given arena of debate.

The second criterion goes a step further. It involves acknowledgment of a given contribution. A simple formulation would be: *getting discussed*. Once a party succeeds to get in the public sphere with a standpoint the game is not over. Other parties which were already present can simply ignore this new contribution. This contribution can only play a role in the public debate if at least one party acknowledges this new contribution, for example by discussing it or by rejecting it partially or completely. This second criterion means that a contribution in a public debate is taken seriously, that is discussed in a critical way. By being discussed, even if the discussion will lead to partial rejection, a standpoint of a party can exercise some influence. First of all, being discussed means that the standpoint

will be better known in some arena. Second, being analyzed will involve that the new party which has formulated the standpoint will be scrutinized to some extent in order to understand the possible interests involved. Third, even a partial or total rejection offers to the new party the opportunity of response. In other words, the party which succeeded to get into the public sphere in the first place will have the possibility to manifest itself again by engaging into a critical discussion about the standpoint and the issues at hand. Finally, being acknowledged will also offer the possibility to a party to relate to other parties in the arena, for example by comparing or combining the original issue with already acknowledged issues. A newcomer can therefore become an important participant in the arenas of public debates.

The third criterion of success in the public sphere points to the possibility to influence the issues of general interest and to participate to some extent in the process of decision making. This criterion presupposes that the first two have been successfully completed. Simply put it means to *participate in decision making*. By influencing issues of general interest a party can contribute to maintain and transform dominant forms of discourses or in other words values, norms and themes which are considered as important by a majority of the participants in the public sphere. Decisions can be taken either formally, by changing laws or institutions, or informally by establishing new standards of conduct concerning norms, values and customs.

These criteria resemble quite strongly some of the traditional characteristics of argumentation. The first one, to get in, is similar to ethos formulated by Aristotle as a precondition of successful participation. One has to be recognized to be knowledgeable and to present oneself - socially and verbally - in a suitable way in order to be taken seriously as a discussion partner. The second criterion means acceptance as a discussion participant, which is similar to the well-known agreement between parties to settle a conflict of opinion with the help of arguments, already formulated by Plato, for example in the 'Gorgias' or by the pragma-dialectical theory of argumentation. It involves minimally an agreement on the ways by which a conflict of opinion should be settled by specifying certain rules and procedures. The third criterion resembles what is called evaluation in argumentation theory. In an evaluation the parties involved in an argumentation conclude which standpoint can be considered as accepted or rejected.

Public debates have been circumscribed and specified sufficiently in this section. In the following parts of this contribution I will analyze forms of exclusion and

mechanisms of participation in public debates, with the question in mind which factors play a role in public debates and how these factors are related to arguments.

3. *Forms of exclusion*

In Ancient Greece, in Athens, there already existed a kind of democracy with a specific form of public sphere. But only the citizens of Athens could participate, women, foreigners, slaves and children were in principle excluded. In modern times, the establishment of democratic states and appropriate forms of public spheres was a long and difficult process. According to Foucault (1972) a very important process in the constitution of a public sphere was the establishment what can be called normality. In terms of the enlightenment one would say it is the birth of the autonomous individual. This new individual is the cornerstone of the modern social organization, together with a constitution and with the formulation of civil rights. The establishment of normality is based on a categorization of individuals in two categories: the responsible ones and the irresponsible ones. This last category comprises the fools, the morons and the psychopaths, who cannot be considered as full individuals in the new social order. Only 'normal' individuals can participate in the public sphere, the others are in principle excluded. This form of exclusion has been called by Foucault and Habermas a *constitutive* exclusion. In other words, the exclusion appears as a necessary precondition for a certain type of organization. For example a lecture or a concert can only take place if there are no barking dogs and no crying babies present, just to name two examples. Dogs and babies are therefore excluded from lectures and concerts in a constitutive way.

Quite different from constitutive exclusion are the usual forms of exclusions which can be more or less severe, and which are often designated by the term *inequality*. In our case, we would be interested in the various forms of unequal participation in public debates. In terms of the previous section, constitutive exclusion means that some individual or group can in principle not get in the public sphere. Inequality means that for some individuals or groups it is more difficult to get in and being acknowledged than for others.

Let us consider first constitutive exclusion. This form of exclusion is a very important test case for our question, because if constitutive exclusions occur it would mean that there are factors at work which have nothing to do with arguments. If it can be shown that there are various groups of individuals who

cannot participate in public debate because of constitutive exclusion, we will have a very strong argument for the thesis that argumentation does not always play an important role in public debates. This was exactly one of the conclusion of Foucault and also of many feminists.

According to Foucault, the establishment of the categories of 'fools', 'feeble-minded', 'monsters', etc, allowed the establishment of modernity with its public sphere. The rationality characteristic of autonomous individuals has been denied to these categories of exceptional individuals. By the way, to begin with, also other categories of individuals have been excluded from the public sphere, such as criminals, women or foreigners.

Two different questions arise, which are important for our problem. The first one has to do with rationality and the capacity to argue. If individuals who cannot argue at all and who move outside of the usual range of rationality are excluded from public debate, the consequence should not be really serious. It would only mean that the capacity to argue and to act rationally is a necessary condition for participating in public debate. In other words, the exclusion will only confirm that argumentation is a necessary ingredient of public debate. If however, the capacity to participate is denied to some categories of individuals on the basis that they cannot 'seriously' be rational and argue according to some purely 'ideological' standard and in order to justify the dominant position of other groups, another conclusion will follow.

It should be evident that a clear answer would permit to choose between the two extreme positions on public debate and argumentation which have been formulated in the introduction. Unfortunately, there does not seem any simple solution to the problem raised. At present, it is certain that too many categories of individuals and groups have been excluded from the public sphere, such as women and fools. During the last two centuries, the shape and the arenas of the public sphere have changed a lot as a result of many struggles and transformations. Habermas (1990), in the new lengthy introduction to his study on the public sphere, published originally in 1962, discusses critical remarks by feminists and Foucauldians. He recognizes on the one hand that his original thesis, that everybody could participate in the public sphere, was a bit simplistic. However, he defends himself against his critics by stating that at least the emergent public sphere had from the beginning a kind of dynamic force which has permitted to include progressively more and more of the initially excluded

categories for dubious reasons, such as women. The same argument can be used also for fools. Indeed, modern legislation does not deny any more civil rights to psychiatric patients in general; only in very specific circumstances which are strictly defined and guarded by the law can civil rights be denied to psychiatric patients. In other words, according to Habermas, the public sphere contains a kind of self-correcting mechanism, which will over time eliminate all the unjustified forms of exclusion.

His opponents do not refute this argumentation, but they consider it as very one-sided. They argue that the changing social conditions of living in last two centuries, such as working conditions, family life, political organization, welfare, and social confrontations going hand in hand with these transformations, caused the changes in the public sphere. It is impossible to go here into any further detail of this debate. According to me there are very good reasons to accept partly both positions, and to reject the fact that they reject each other. How can one clearly distinguish between the inherent dynamic of the public sphere on the one hand and social factors on the other? Even if it can be established that social struggles and changing economic, social and political conditions necessitate a transformation of the public sphere, this does not mean that these struggles are not also fought - at least partly - in public debates. The only conclusion which seems definitely justified is to say that there are social forces regulating the domain of the public sphere and that these forces are not necessarily congruent with one or the other ideal of rationality.

A similar conclusion can be established when considering the problem of the so-called democratic deficit. In a full democracy all the individuals who are concerned by collective decisions should be able to participate in making these decisions. For national states that would mean that all the inhabitants should have a right to participate. However, in most cases, only the national citizens (with the exception of Chili and New-Zealand) have the right to participate in general elections. In other words, there may be a gap between those who at one very specific level participate in decisions through elections and those who are concerned by the same decisions. The magnitude of the gap gives the measure of the democratic deficit. In this case, the logic of the Nation State with its norms of citizenship is in contradiction with full participation on all levels of the public debate. Once more, there is a social factor which limits full participation, because foreigners are excluded from one level of decision. But if these foreigners have a

legal status, they can participate on all the other levels of public debate, and in this sense they can at least to some extent influence the process of decision making. In particular, they - and other participants - can put this issue forward in the various arenas of public debates. That is exactly what happened in many countries. These discussions have motivated new compromises, such as the new rights of foreigners to participate in local elections.

As far as unequal participation is concerned, in other words the usual forms of exclusion, the discussion can be kept very short. First of all, the existence of deliberative inequalities has been established by many studies, and cannot be contested. There are many individuals and groups who participate only marginally in the public sphere. For some groups, such as women, the degree of participation has increased in a significant way during this century in many countries, whereas others still have a lot of difficulties to get in and be acknowledged, such as religious minorities. That should not be astonishing, after having established that social factors and forces regulate the public sphere.

These observations warrant the conclusion that the arenas of the public sphere where public debates take place are not open places where everybody is welcome in principle. These arenas are also fields of power, where a multitude of groups and individuals attempt to reach and to defend an eminent position. Getting in and be minimally acknowledged will be influenced by this ongoing power play. In other words, coalitions with established parties on the one hand, and the combination and integration of issues and standpoints to be discussed is a very general practice. The various strategies used, such as agenda setting, coalition forming, the art of presentation, the manipulation of the media, the use of mediating agents, and so on, are the object of many studies. Therefore it seems evident that any satisfactory theory of public debates has to take into account these factors, to limit oneself to the quality of argumentation can be considered as innocent and largely insufficient.

4. Mechanisms of public debate

After having considered forms of exclusion from public debates which point primarily to social factors I would like now to concentrate on the dialogical mechanisms which are largely used in public debates. There are many studies of these mechanisms, such as for example the book of Hirschman (1991) who studied in particular the main fallacies used when rejecting a new issue in public debates. I follow here the terminology of Bohman (1996) who uses the term

mechanism is his comprehensive overview, but other authors use also quite different terms.

Bohman does not pretend to present an exhaustive list. As I will use the mechanisms Bohman has studied as a starting point for the present discussion, a quote is needed in order to specify the aim and the limitations of Bohman's study (Bohman 1996: 59): "Here I can only provide an open-ended list of such mechanisms for restoring ongoing joint activity. My list of five such mechanisms does not exhaust the possibilities of public deliberation based on the process of giving reasons and answering others in dialogue. The common thread to all these mechanisms is that they produce "deliberative uptake" among all participants in deliberation -that is, they promote deliberation on reasons addressed to others, who are expected to respond to them in dialogue. This uptake is directly expressed in the interaction of dialogue, in give and take of various sorts."

This quote shows that the mechanisms of dialogical uptake distinguished by Bohman serve to get in and can also play a role in getting acknowledged.

I will start by presenting the five mechanisms.

(1) Making explicit what is latent in common understanding, shared intuitions and ongoing activities. By exchanging and disputing interpretations of this common culture parties can make the underlying principles explicit in novel ways. This dialogical mechanism is appropriate when there is already a large degree of consensus, when there are shared values and when there are no large social inequalities. In terms of argumentation theory one could translate this first mechanism as the set of the argumentative moves which explore presuppositions and implicit arguments.

(2) Application of given norms or principles to a particular case. The dialogical mechanism often used in policy issues of this sort is the give and take between a general norm and its concrete specifications. In these debates on applications of general norms the problem is how to reach a consensus concerning the proper use of a norm or how to use it in new social situations. The debate can also take the form of a dialectic between institutional norms and social reality in which citizens compare justifiable rights claims with factual inequalities. This mechanism can be understood as the set of argumentative moves concerned with the proper use of argumentation schemes.

(3) The articulation of norms and rules, a process in which vague and abstract ideals are made more comprehensive through the discussion of various elaborations of these ideals. This case is different from the previous one, because

the issue is not to specify a norm but to make its content richer. The problem will be to elaborate a given norm in a more complex and differentiated way. For example, pluralism and multiculturalism can be understood as elaborations of democracy, and in this sense the debates about the various ways to understand democracy in a multicultural society show the richness of this mechanism of articulation. In argumentation theory there is no evident and simple correspondance because this mechanism make use of presuppositions of various levels, of all the schems of argumentation and also of the art of formulating standpoints in different ways.

These three mechanisms presuppose that there is a substantial common ground or consensus between the parties involved in the debate, which is less the case with the last two mechanisms.

(4) Bringing into play new perspectives and roles, or in other words shifting and exchanging perspectives in the course of dialogue. In complex interactions there are multiple perspectives and roles, such as the perspectives of organizational and institutional representatives or different perspectives related to the distribution of social knowledge, as for example in the case of the unequal distribution of knowledge between lay and expert perspectives.

This mechanism has been used with some success by ecological movements. Their argument was and is, that the perspective of future generations has to be taken into account. It runs as follows: we have a clear responsibility towards future generations, and that means that we should not spoil in irreversible ways the natural environment because in this case future generations will find the world an impossible place to live in. A very interesting analysis of the ecological movement from a perspective of argumentation and debate can be found in Prittwitz (1996).

(5) According to Bohman, the most common dialogical mechanisms not dependent on shared values and commitments consists in back-and-forth exchanges around differences in biographical and collective historical experiences. Different biographical experiences can reveal the limits and the perspectival character of the understandings shared by large groups in the political community. Such differences will be particularly important in the interpretation of needs. Because in this case the instances of norms are usually identified with prototypical members of the groups of the polity, such as race, gender, or class features, with the danger of stereotypical reasoning. This mechanism does not only involve

presenting and listening to narratives. Rather, through the give and take of dialogue, the limits of the hearer's understandings become clear as the dialogue shifts between the experiences of the life histories of individuals or groups and the current framework of understandings and norms. The outcome can create new categories. For example, the assumptions of the welfare state depart from so-called 'normal' households. But it has become evident through many interventions in the public sphere that work in the household is not distributed in an equal way between men and women. The same holds for the 'normal' workplace. The feminist movement has challenged these assumptions by presenting the biographical experiences of women. Moreover, an alternative, broader framework of interpretation for understanding has been formulated.

These last two mechanisms can be understood in argumentation theory as taking into account the perspectives of potential participants on the one hand, and as a critical confrontation between general norms and laws and concrete, specific experiences. In this last case, the presuppositions and the facts on which the common norms and laws are based will be questioned in a critical way, and other facts and experiences will be presented as a new and richer basis for elaborating norms and laws.

This presentation of the dialogical mechanisms used in public debates confirms that argumentation plays a central role in public debates. These mechanisms can be understood as specific applications of the various instruments which argumentation theory has analyzed. A first conclusion must be that argumentation is a basic ingredient of public debates. This is after all not astonishing. What is more interesting is the following. In the presentation of the different mechanisms we always find references to more or less shared values and norms, to social inequalities, to prototypical members of a polity, to stereotypes, to social movements such as the feminist movement or the ecological movement. In other words, these mechanisms have a double identity, they specify the various instruments of argumentations which are used, and on the other they indicate the social conditions of use of these mechanisms. And that is exactly the second conclusion which is important for the present discussion. In public debates, argumentation as such does not guarantee any success, because in each specific case one must also take into account the relevant social factors which permit or restrain the use of argumentation.

5. Concluding remarks

In this contribution I have approached the role of argumentation in public debates in two ways. From a social point of view the various forms of exclusion have been distinguished, and from an argumentative point of view the mechanisms of dialogical uptake have been discussed. Several general conclusions can be formulated on the basis of this discussion. First of all, argumentation appears to be a necessary, but not a sufficient ingredient of public debates. In particular, in order to get in and in order to be acknowledged, a party must present in a suitable way his/her standpoint with the help of arguments. But arguments are often far from sufficient, because if other, established parties do not acknowledge a contribution it will be lost. Established parties with a strong position in the public sphere are not obliged to argue. "Totschweigen", a German term which means to kill by silence, points to this strategy. In many cases, only the constitution of social movements can help to get acknowledged.

A second conclusion can also be established. Public debates can only be analyzed in a suitable way by using normative approaches of argumentation and also rhetorical approaches. For example, the presentation of a party, or ethos, and the formation of coalitions involving the use of negotiations cannot be neglected. A third conclusion concerns the fact that in public debates norms and rules will constantly change. They can be transformed in time, by the fact that new parties will participate, or they can be variable in the different arenas where public debate takes place.

In short, a good understanding of public debates presupposes an interdisciplinary approach, where concepts and instruments of analysis of argumentation theory and of the various social sciences should be integrated. This is a particular challenge for argumentation theory, which I think can only survive if it accepts this challenge and if it engages in such an interdisciplinary adventure.

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