

# ISSA Proceedings 1998 - Giving Reasons In Intricate Cases: An Empirical Study In The Sociology Of Argumentation



## *Introduction*

No, at the moment there is no such thing as a sociology of argumentation; but it would be nice to have one. The aim of this paper is to show how a sociological approach could possibly enrich our understanding of argumentation.

This is the fourth Amsterdam conference on argumentation, but sociology is still missing from the wide range of disciplines present in argumentation studies. There is a whole branch of sociology, the sociology of knowledge, which should have been interested in argumentation studies from the very beginning – but it was not. *Habermas'* landmark work, *The Theory of Communicative Action*, should have drawn a crowd of sociologists into argumentation theory – but it did not. I think this is an unfortunate situation but one that will change soon. Sociologists are already active in such neighboring fields as discourse analysis, conversation analysis – even rhetorical studies. It is only a matter of time that they discover the importance of argumentation.

We cannot foresee how a future sociology of argumentation will look like, but we can be pretty sure that it will be organized around two main questions: first, how social reality shapes argumentation; and second, how argumentation shapes social reality.

The first question is easier to answer. The unequal distribution of knowledge and skills is a commonplace in sociology. It would be easy to show that the willingness to argue and the skills of arguing as well as the types of arguments actually used are unequally distributed in society and depend on social factors like the gender, the educational level and other social characteristics of the arguers. Standard statistical methods can be used to show the correlation between the social characteristics of the arguers and their arguments.

The second part of this paper will present some exercises of this kind. I will analyze the responses given to an open-ended why-question in a survey on

political opinions conducted recently in Hungary. The question first asks whether the 1992 decision of Hungary to abandon the building of the Danube Dam – a huge and environmentally risky barrage system on the border river, a joint investment with former Czechoslovakia – was good or bad, and then asks why the respondent thinks so.

This question was recently discussed in the Hague International Court of Justice by experts of international law. The negotiations between the two countries were unfruitful, so they opted for the judgment of this supranational institution. The judgment came out last year and was solomonic. It said that Hungary was not right when it abandoned the project unilaterally, but Czechoslovakia was not right either when it continued it unilaterally.

The mere fact that there is an international court of justice and that the controversy between Hungary and Slovakia had a happy ending, that the end of the conflict was not a bloody war, but a scholarly dispute between polite lawyers, brings us back to the second main question of the sociology of argumentation: how argumentation shapes social reality. I will address this question in the first part of my paper. Taking the decade-long debate on the building of the Danube Dam as a historical example, I will show why the use of arguments (instead of force) was one of the most important stakes of the debate.

### *1. How argumentation shapes social reality*

#### *The Case*

In 1977 the Hungarian and the Czechoslovakian government signed an agreement on the joint construction of a river barrage and hydroelectric station on the Danube, between Gabčíkovo and Nagymaros, where the river forms the common border of the two countries. The plan was a typical example of those gigantic industrial projects that have been built in the socialist countries since the Stalinist era. There is no need to tell here the whole history of the project. It is a long and sometimes boring history, with lot of dates and names and technical details. However, I have to tell the beginning of the story to show how an economic issue became first an environmental and then a political one. The following narrative is based on an excellent political science article (Galambos, 1992), which summarizes the history of the debate well.

Czechoslovakia started construction already in April 1978, two months before official ratification. The Hungarians were less enthusiastic: shortly after work began on the Hungarian side, public debates over the project began, first in

professional associations.

In November 1981, an article harshly criticizing the project was published by a biologist, Janos Vargha, who later became a leading figure of the environmental movement in Hungary. Czechoslovakia resented that the publication of such an article was allowed in Hungary. The nervousness of the Czechoslovakian government was understandable. Two months earlier, the two countries agreed to suspend construction work, because of lack of necessary financing. The Hungarian government unilaterally decided to postpone all work until 1990, and initiated a study on the ecological consequences of the dam system. However, in the several expert committees that were formed, dam engineers managed to assert their point of view.

The Hungarian state and party leaders were more concerned about th Therefore they proposed that Czechoslovakia should build the whole project alone - in exchange Hungary would pay off half of the investment costs with electric energy. The Hungarian state and party leaders were more concerned about the lack of investment capital than about ecological consequences. Therefore they proposed that Czechoslovakia should build the whole project alone - in exchange Hungary would pay off half of the investment costs with electric energy.

The Hungarians did not manage to “escape” from the project - Czechoslovakia only agreed to take over some of the work. In October 1983 the prime ministers of the two countries signed a modification of the 1977 treaty, according to which the completion of the project was postponed by five years. The Hungarian Politburo had already made a secret decision in favor of project completion in June.

In December of 1983 the Hungarian Academy of Science completed a report, according to which construction should not be continued until an environmental impact assessment is prepared. In the spring of 1984 public debates were held in university clubs and professional associations.

The first grass-root environmental group in Hungary, the *Danube Committee*, was established in January 1984. The movement collected more than 10,000 signatures in support of a petition, addressed to the Parliament and government, demanding a halt to the construction. The movement grew in size but was not structured. It was therefore sought - unsuccessfully - to found an official association.

But the political leadership toughened its position, prohibiting public discussion and publications against the dam system. Finding itself unable to be registered as an association, the movement founded the unofficial *Danube Circle*.<sup>[i]</sup> The Danube Circle broke the ban on public discussion of the dam system by

publishing the *News of the Danube Circle* in samizdat. The bulletin contained documents of debates, information on the historical and political background of the project, and an account of the debate in Austria on the Hainburg hydroelectric plant. In December 1985 the Danube Circle received the Right Livelihood Award (the so-called Alternative Nobel Prize).

Three other movements appeared for a short period: one gathered signatures, demanding a referendum; the *Blues* demanded that Parliament should discuss the case and decide on it; the *Friends of the Danube* demanded that at least the construction of the dam at Nagymaros should be stopped. In January 1986, a letter with 2,500 signatures, protesting the project and calling for a referendum, was submitted to the Hungarian Presidential Council (a body which exercised the functions of the head of state.)

Negotiations between Hungary and Austria for a credit agreement were underway. The government would not have been able to continue the construction without finding a solution for the financial problems: it came from Austria, where the construction of the Hainburg water power station had failed to materialize due to the citizens' protest.**[ii]**

In January 1986 the Danube Circle, together with Austrian and German environmentalists, held a press conference, protesting against the Austrian financing of the project. The Danube Circle also sent a petition to the Austrian Parliament. In February a "Danube Walk" was organized by the Danube Circle and the Austrian Greens, which was violently disrupted by the Hungarian police. The government's action was internationally condemned and the European Parliament passed a protest resolution.

In April prominent Hungarian intellectuals published an advertisement in an Austrian daily, *Die Presse*, asking the Austrians to protest against their government's involvement in the dam system. However, the agreement between Austria and Hungary was signed in May 1986. Austrian banks were to supply loans for the construction of the project, and Austrian companies were to be given 70% of all building contracts; Hungary was to repay the loans by delivering electric energy to Austria, from 1996. Two thirds of Hungary's share of electricity produced by dam system was to be paid to Austria over a period of 20 years, mainly during the winter months, when the level and the flow of the Danube are at its lowest, therefore the dam system alone could not have provided the required amount of electricity, and new Hungarian power stations would have

had to be built in order to amortize the energy debt. The Austrian companies began construction at Nagymaros in August 1988.

I stop the story at this point. Now we are in 1998. Ten years after the construction began at Nagymaros, and half a year after the decision of the Hague International Court of Justice, the debate still goes on. This year, the liberal-socialist coalition has lost the elections – partly because some leaders of the Socialist Party and some bosses of the water-management bureaucracy had the bad idea that it was time to return to the project and realize it. It is not without symbolic significance that one of the first moves of the new government was to nominate Janos Vargha as chief adviser in environmental issues.

Before analyzing the debate, we should have a look at the arguments themselves.

	Pro	Con
Energy Production	#1: The presumed energy needs of the Hungarian and the Slovakian economy could not be met without the energy produced by the hydroelectric stations of the dam system.	#1: If a more efficient use of energy was implemented the energy produced by the dam system would not be needed.  #2: The amount of energy produced is insignificant when compared to the enormous ecological harm it causes.  #3: Energy could be produced by cheaper and safer means.
Navigation	#1: The project would result in improved navigability on a section of the Danube that is otherwise the most difficult to navigate, and where the necessary navigation depth could not be reached without damming. With the dams the depth recommended by the Danube Commission can be reached, and the two countries would be connected to	#1: Navigation conditions could be improved by much cheaper and simpler means. The Danube-Rhine-Main canal does not reach the desired navigation depth at certain points either.

*The Arguments***[iii]**

With the exception of the argument of waste, all other arguments are strictly professional. It is difficult to assess their respective strength, but some of the counter-arguments are definitely stronger

than the corresponding pro-arguments and in general the counter- argumentation as a whole seems to be stronger. This is probably so because the opponents can propose cheaper and safer alternatives while the supporters must defend an obviously costly and risky project. An other advantage of the opponents is the possibility to use irony and paradox: for instance in showing that the benefits are actually harmful, that the proposed good thing is actually a bad thing.

As expected, and as it is indicated by the number of arguments, the two critical points are the environmental risks and the financial losses. We find here the weakest pro-arguments and the strongest counter-arguments.**[iv]** The weakest point of the supporter side is the financial one. It is significant that besides the

	Pro	Con
Navigation (continued)	Canoe through the Danube and the Danube Delta, Main Canal.	The agitators, farmers, and fishing of the region – the economic perspective of the hydroproject – would suffer serious losses.
Agriculture	A1 The project will improve the irrigation of agricultural lands along the dam.	A2 The agitators, farmers, and fishing of the region – the economic perspective of the hydroproject – would suffer serious losses.
Environment	A3 The dam system would produce electricity at peak consumption times, replacing the air-polluting brown coal-powered power stations in Slovakia.	A4 The dam system would jeopardize the health status of millions of people both in Hungary and Slovakia, through the complete loss of possibilities for water predominantly banked in the area, and through the contamination of subterranean water resources in the area.
	A5 Hydroelectricity is a renewable source of energy.	A6 The Dam would destroy valuable natural flora and fauna by upsetting the ecological balance of the river and radically changing the structure of the subterranean water.
	A7 The Dam would allow navigation and open opportunities.	A8 The construction of Gabcikovo and Puzosany would result in the disappearance of dynamic characteristics of channels and current techniques and also valuable prebiological remains.
Flood Control	A9 The Dam would protect the Danube borderlands from floods.	A10 Flood control could be solved by cheaper and safer means, i.e., above all, the construction of the Bratislava dam, even when serious risks of drought of water in the Danube delta will be 1-3 meters above the surface. In case of accidents the independent flood would be higher than now.
	A11 Concerning ecological impacts, it was claimed that this could be mitigated by some technology. On the other hand, dam builders argue that these risks cannot be proved, therefore they did not have to be taken into account.	A12 Ecological and environmental considerations were neglected in the plan, although large measures affect river morphology.
Financial	A13 The argument of waste abandonment of the project is impossible because the money already invested would be lost. Further high costs would be caused by the excavation and the protection of compensation to workers and communities, not to mention the political and economic losses caused in Hungary by not fulfilling its international legal obligations.	A14 A modified version of the argument of waste is to mention abandoning the project means economic losses. No continuing it will cause even more losses.
		A15 The project is an economic nonsense, since Hungary will have to finance the proceeds of the dam in the present energy situation with its exports for 10 years, which is seriously the life span of such dams.
		A16 All the stated benefits of the project could have been realized by other and cheaper means, without raising conflicts, without polluting resources from more important goals and without raising other – more valuable – investments.

argument of waste, they do not have any financial argument to defend the project. In fact, they can not have any: profitability was out of question from the beginning.

However, in spite of these weaknesses on the supporter side, the two sides were in equilibrium. The arguments on the opponent were somewhat stronger, but this was balanced by the power position of the other side: the dam builders had all the support of the State and the Party.

## A Note on the Argument of Waste

It is interesting to note that the argument of waste has two forms: it can be used as a pro-argument and as a counter-argument as well. As a pro-argument, it says that if you have already invested in a project, you have to continue, because abandoning it means losing money and losing money is bad. But, with a little modification, by adding the choice between more and less, the same argument can be used as a counter-argument. If losing money is bad, then losing less is better than losing more. So, if we must choose between losing less and losing more, we have to choose losing less. Note that the use of the modified form presupposes that in any case, there will be no returns, only losses.

Actually, when the Hungarian government had to decide about the eventual abandonment of the project, an independent expert committee made a cost-benefit analysis. They found that both continuing the project and abandoning it will cause economic losses, but the highest losses would be caused by delaying the decision. On the short run it is more advantageous to abandon the project, on the long run there is no significant difference between its continuation and halting.

If this analysis was correct, the use of both forms of the argument of waste was right, although, again, the counter-argument seems slightly better grounded. The moral of this case is that expert opinions are not always better than those of lay people. In this case, scientific expertise could not really help the politicians, who, not surprisingly, opted for the worst alternative, that of delaying the decision. That was certainly wrong from a financial point of view, but politics has its own priorities. Hungary did not abandon the project until 1992.

## *Weapons and Reasons*

Saying that argumentation shapes social reality may mean many things. It is clear for instance, that public debates can have great influence, but this is trivial. In this trivial sense the debate on the Dam shaped social reality because a little group of concerned scientists, ecologically minded people and political dissidents succeeded to build a strong opposition movement and to activate the public opinion against the project.

What is perhaps more interesting from a sociological point of view is the interplay between the use of power and the use of arguments in society.

In our case it is clear for instance, that the possibility of resolving a major conflict between states with arguments, that is without weapons, was not always granted in history. International law is a relatively recent invention (a Dutch invention, by the way), the Court of Hague is only ninety years old and its real working only started after WW2. Nevertheless, it seems to be a general characteristic of modern societies that they tend to resolve all kind of conflicts in a peaceful way, that is by negotiations. We have got diplomacy and international law to prevent war, parliamentary debates to prevent revolution and civil war, collective bargaining to prevent industrial conflicts, and family therapy to prevent indoor killing, that is, domestic violence. The substitution of weapons with reasons can be viewed as part of this general tendency of rationalization already familiar from Max Weber. The success of these nonviolent solutions, and the fact that they are a lot cheaper than the violent versions, has surely contributed to their diffusion.

However, in spite of this general tendency of rationalization, our society is still very violent. The use of arguments is still an exception, the use of weapons being the rule. Considering argumentation from this point of view, it seems that the most interesting things happen not inside the argumentative framework, but rather on the unsure frontier between the peaceful oasis of argumentation and the large outside world of violence. The most interesting moves, at least from a sociological point of view, are those the aim of which is to force the opponent into the oasis, that is, to transform the bloody war into a rational discussion – where, in principle at least, only the force of arguments counts. This is always difficult, because the opponent has other choices, for instance he/she can use his/her weapons instead.

Now this is America: everybody has weapons, but some people have more powerful weapons than others. We live in a social world where power is unevenly

distributed. In this hierarchy of power positions, each of us, even those on the top of the top, can find him/herself in an underdog position if his/her opponent has more power than he/she has. And this is our luck, because as an underdog, we are more interested in rational discussion than in war-making. So we propose cease-fire and rational discussion. The problem is that our opponent, being more powerful than we are, has the opposite interest: he/she is more interested in war-making than in rational discussion. What can we do in this situation? We have three choices:

1. We can try to persuade him/her that rational discussion is a much better solution. This is *pure* argumentation. It works in the textbooks, but rarely in real life.
2. We can try to force him/her into a rational discussion by using non-argumentative means: this is not argumentation, but it works. The only problem is that, as Habermas says, a constrained consensus does not count as consensus.
3. We can use a mixture of argument and force to drive him/her into a rational discussion. I call this *dirty* argumentation. It has the best results.

Anyway, in the first and third cases, we use arguments – exclusively or in a combination with other, non-argumentative means – to persuade. This means that arguments are used not only inside but outside the oasis as well.

In fact, we have three concentric circles. Forget the oasis; imagine instead a hotel where the mafia bosses have their annual meeting. They are sitting in a big conference room, where weapons are not allowed. Here argument rules. Anyone who wants to enter the room, has to leave his weapons in the lobby. Outside, in the street, there is war. There are no arguments here, only weapons against weapons. And between the two, the lobby. Here we find weapons and arguments as well: armed gorillas try to persuade mafia bosses to leave their weapons outside. They use arguments to persuade them, but they can use their weapons, if necessary.

In fact, reality is a little bit more complex, because sometimes there are shootings in the conference room and rational discussions take place in the street; but these are exceptions and we do not have to deal with them here. What is important for us is that we are all members of the mafia and spend most of our life in the street and in the lobby. Occasionally, we enter the conference room and spend there some time, but not very often.

Now Argumentation Theory, as far as I can see, spends most of its time in the conference room. This is OK, since most pure argumentation occurs there. There



is nothing wrong with this choice: if you want to study pure argumentation, this is the right place for you. Even if some interesting dirty argumentation occurs in the lobby, Argumentation Theory has all the right to say: there is nothing wrong with me; it is true that I am sitting in the conference room, but I can see very well from here what happens in the lobby.

Well, maybe it can. But my point is just this: Argumentation Theory observes the whole world from the conference room. That is, the whole world of argumentation from the point of view of pure argumentation. I am afraid this is not the best perspective, since in real life, most argumentation belongs to the dirty type. I accept that pure argumentation is an important subject and even that dirty argumentation can be studied - maybe with some extra work - from the perspective of pure argumentation. The problem is that things look different from this conference room perspective; I mean different from what they really are.

I take the example of pragma-dialectics, the version of Argumentation Theory I know the best, and I like the best. In pragma-dialectics the world of argumentation looks as if scientific discussion was the dominant type of argumentation. For this clean world of pure argumentation to exist, the whole problem of violence and power must be eliminated at the very beginning. And in fact, it is. The only place where this world of violence is mentioned at all is in the first rule of the "Ten Commandments" where it is treated as the *ad baculum* fallacy (van Eemeren and Grootendorst, 1992: 107-110).

Of course, if the use of force makes any kind of rational discussion impossible, the appeal to force is a fallacy of the worst kind and must be treated as one. However, eliminating it analytically will not resolve the problem. The problem is that the possibility of using force instead of arguments is always present in real life situations and its presence influences argumentation to a great extent. Even in a real conference room, the persuasive force of an argument depends not only on its inherent quality, but also on the real life power of the arguer. Everybody is aware that life continues after the end of the discussion and arguments are evaluated in the light of this knowledge. Arguments tend to be perceived as strong if they are advanced by someone who has power and weak if they are advanced by someone who has not.

Social life is a power game and argumentation is only a remarkably nonviolent variety of it.[v] Sometimes we opt for the nonviolent variety and it can be very consequential what happens in these short argumentative interludes. This is why the study of pure argumentation is so important.

However, these episodes of pure argumentation are always embedded in and preceded by vast bodies of dirty argumentation. Perhaps we should pay more attention to dirty argumentation and to these rare but critical moments when the rules of the game suddenly and unexpectedly become more powerful than the most powerful of the players; when those who are armed put aside, for some reason, their arms and accept to fight with naked hands; when the players, even those who could do otherwise, really give a chance to the best argument to win. They may have many reasons to do this: to save their face, their dignity, to show their talents, their ability, to gain popularity – or simply because they are too stupid to recognize the danger. Anyway, these are great moments, because they let us pass in a different world where we are all equals, there is no violence and the best argument wins.

After this short theoretical introduction, we will see in a different light what happened in the debate about the Dam.

### *Dirty Moves: Case Analysis*

Perhaps the most important observation we can make is that the conference room situation is characteristically absent from the public debate. It appears only outside the debate, as the working of the Hague International Court of Justice for example, or in its pores, as the expert discussions in the committees of the Academy of Sciences. But the debate as a whole was not a rational discussion. It was about the need and the possibility of a rational discussion, but it was a lobby debate. The protest movement people tried to persuade the public and the decision-makers that there is a risk situation and that is good reason enough to begin a rational discussion about the project. On the other side, the decision-makers tried to persuade the public that there is no risk and persuade the protest people that, even in a soft dictatorship, they have much to lose.

The most important consequence of the first few moves of the protest group was the politicization of the debate, something what probably was not intended by the group. At the beginning, the group was composed of concerned scientists and a few green activists, but members of the democratic opposition were absent yet.

The group desperately needed freedom of press and freedom of expression as means to realize its main goal, the activation of the general public. Now freedom of press and freedom in general were the main goals of the democratic opposition, so environmentalists and dissidents discovered that they share some important common goals. This made the partial fusion of the two movements possible.

One of the consequences of this fusion was the activation of quite large fractions of the civil society. People who sympathized with the democratic opposition but did not manifest these sympathies because they were afraid to lose their job or to be harassed by the police, now recognized the opportunity and became followers of the movement. They exploited the opportunity that now they could be proud members of the opposition without taking too much risk. After all, protection of the environment is a non-political issue, and every concerned citizen has the right to express his anxiety if the environment is in danger. Both the environmentalist and the political dissident wings of the movement were happy with this reaction because the growth of the movement was their common interest.

However, the Politburo and the government were not so stupid to believe that this suddenly discovered concern for the environment was without political motives. They perceived the growth of the movement as a politically dangerous development and wanted to react accordingly. Nevertheless, their situation was delicate. On the one hand, the movement was politically dangerous, but it seemed even more dangerous to ban every manifestation. After all, it was not an outright political movement. Persecuting it would mean to recognize it as an authentic political opposition movement, and to declare war. Now the government was not interested in making war because the image of the late Kadar era was that of a tolerant, laissez-faire reform regime. On the other hand, the government realized that the movement could be used as an argument, together with the reports of the expert committees, in its discussions with Czechoslovakia. The government was not concerned by the ecological risks of the Dam, but it was concerned by an eventual financial crisis, and wanted to abandon this costly project. Nevertheless, it desperately needed good arguments, so it made some concessions to the opposition in order to gain popularity and be able to use the ecological argument in its discussions with Czechoslovakia. It was in this complex situation that the opposition succeeded to force the government to enter into a dialogue with the movement and with the civil society.

Both sides used dirty argumentation in this dialogue, because it was a real life, public debate with great risks, so they could not permit the luxury of a fair and rational discussion. Arguments and force were equally used, and most of the arguments were fallacious.

There is no need here to discuss the use of force. It is evident that both sides used non-argumentative means, the most spectacular examples being the violent dissolution of the 'Danube Walk' by the police and the prohibition of public

discussions and publications against the Dam. There is a difference, though: the protest movement has never used violence. The non-argumentative means used by them consisted almost exclusively of the force of public sphere: collecting signatures in support of a petition, founding an unofficial pressure group (the Danube Circle), or publishing samizdat literature, etc., they used and at the same time created their only “weapon”: the activation of the general public. Ironically, however, their use of non-argumentative means threatened the government more, than the use of violence by the government threatened them.

Now let us see the basic argumentation of the two parties. Although *ad hominem* and *ad baculum* arguments were abundantly and routinely used, I will focus here on the appeal to expertise.

At the beginning, the protest movement is powerless, so their main strategy is to challenge the government. The implicit but unmistakable challenge behind their actions reads something like this: “Let us talk about your project! If it is really good, you do not have to be afraid of discussing it.”

At first sight, it seems that the government must face a dilemma. If it does not accept the challenge, this is a proof that the project is not good enough; but accepting it may also suggest that the project is not good enough, and, in addition, proves the weakness of the government. Moreover, accepting the challenge and entering into a discussion may lead to a disastrous defeat.

However, the government does not have to face the dilemma: it has other choices as well. One of its possible responses is this: “The project is good, and we are not afraid of discussing it. But this is experts’ business and you are not experts. So we will not discuss it with you.” This is the classical form of evading a challenge without losing face. It is very common, even young children use it: “You are not strong enough to fight with me.” Basically, this is an appeal to equality and fairness: only equals can have a fair fight; we are not equals; so we will not fight. If the challenged uses it well, he/she can save his/her own dignity without insulting the other, but it can be used as an insult or as a face saving device as well.

The appeal to expertise is frequently used in public debates. It has formally the same structure as the appeal to equality and fairness, but it is applied usually as a face saving device. Ironically enough, the appeal to equality is used here to make the transition into a rational discussion impossible. The invitation of the weaker party to fight with naked hands, that is, with arguments, so that both parties have

equal chances to win, is rejected by the stronger on the ground that the weaker party lacks the necessary expertise.

The appeal to expertise used by the government was really a combination of an *ad hominem* and an appeal to authority: This combination of the two arguments seems to be strong, but it has five premises, which gives five points of attack to the opponents.

In fact, the protest movement attacked all five premises. First, by recruiting a large number of scientists from a great variety of specialties, they successfully refuted (5). Second, by introducing the environmental issue, they refuted (1) and (4) on the ground that the protection of the environment is everybody's business. Finally, by pointing out the contradictions and the divergences between various expert opinions, they discredited (2) and (3).

As the image of the protest movement changed, the government also changed its strategy. For example, when the expertise of the opponents could not be denied any more, the government used a slightly modified version of the appeal to expertise: "Yes, you are experts, but this is a political (a foreign relations) affair and you do not know about politics (foreign relations)." When the movement found an ally in the democratic opposition, the government used a circumstantial *ad hominem*: "Yes, you are experts, but you have a political interest in the matter."

Unfortunately, there is no room here to give a more detailed analysis. I hope that I said enough to show the general direction of my argument and to justify my critical position concerning the perspective of Argumentation Theory.

## *2. How social reality shapes argumentation*

### *The Data*

The data I am going to analyze here are from a representative survey made in Hungary, in December 1997. It was conducted by Róbert Angelusz (ELTE University of Budapest, Institute of Sociology) and Róbert Tardos (Academy of Sciences, Communication Theory Research Team).**[vi]** The sample consisted of thousand persons. The questionnaire consisted of ten parts. Parts G, H and I were about political opinions. Part G asked questions about foreign relations, for example about Hungary's plans to join the NATO and the EC. At the end of this panel there was a question about the decision of the Hague International Court, and another one about Hungary's decision to abandon the building of the Dam in 1992.

This second question was open-ended and formulated in these words: *What is your opinion about Hungary's 1992 decision to denounce the treaty with Slovakia; was it right?* If the person answered yes or no, he/she was asked to argue in defense of his/her standpoint: *Why do you think so?*

Among the 995 people who answered the questionnaire, a rather high percentage, 38.5 % did not answer this question or answered by "I do not know." The rest, 61.5 % answered by yes or no and most of them advanced at least one reason to defend their standpoint. As this was an open-ended question, they were allowed to advance several arguments, but only a minority of them advanced more than one. **[vii]** The distribution was the following:

14.1 % said only yes or no, but had no arguments;

39.6 % advanced one argument, and

7.8 % advanced two arguments.

### *The Arguments*

During the coding process, the researchers found no less than 17 different types of argument. Here I present only the five most frequently mentioned pro-arguments and the five most frequently mentioned counter-arguments.

### *The pro-arguments:* **[viii]**

14.8 % said yes, it was a good decision because of ecological reasons;

7.0 % said yes, because it was a bad treaty anyway;

2.6 % said yes, because the project was a waste of money;

1.2 % said yes, because there was no way to negotiate with the Slovaks;

0.6 % said yes, because that was what the opposition was fighting for; and finally

1.8 % advanced other reasons.

### *On the other side,*

10.9 % said no, it was a bad decision because it would have been better to finish the project;

6.8 % said no, because we already invested a lot of money in the project;

3.0 % said no, because we need the electric energy the Dam will produce;

1.7 % advanced the argument of *pacta sunt servanda*, that is, if you have a contract, you have to observe it;

1.1 % said no, because the Hague decision found that Hungary had no right to abandon the project unilaterally; and finally

2.1 % advanced other arguments. **[ix]**

The second and third pro-arguments and the first and second counter-arguments are different versions of the argument of waste. (Although the bad treaty and the better to finish arguments can be interpreted as cases of *petitio principii* as well.) Here too, it is used in both senses: as a pro-argument and as a counter-argument as well.

There are two political arguments on the side of the opponents. We may feel the taste of some ethnic prejudice in one of them, but I think there is no prejudice here: in fact there was no way to find a solution with the Slovak party.**[x]** The other political argument introduces the role of the opposition: this one is something between a *petitio principii* and an appeal to authority. (It was good because it was good and it was good because an authority said so.)

It is interesting that on the supporter side there are no less than four arguments appealing to the law. There is only one making explicit reference to the Hague decision, (an appeal to authority and/or to law) but there is the *pacta sunt servanda* argument and there are two others between the less frequently mentioned arguments that have roughly the same character: one says that it is not good to go to court, the other says that it is better to negotiate. These are what rhetoricians call *sententia*. The *pacta sunt servanda* argument makes appeal to an age-old legal principle, the two others are proverb-like principles of common sense, but all three are used here as appeals to common sense.

Finally, we can find here the two most important arguments used by the experts: the appeal to ecological damages on the opponent side and the appeal to energy needs on the supporter side. Strictly speaking, only these two are issue-dependent arguments. If we compare this pattern with that of the expert debate, where only the argument of waste was more or less issue-independent, we can venture the conclusion that lay people are more likely to use issue-independent arguments.

1. This is experts' business.
2. What experts say in experts' business is true.
3. Experts say that the project is good.
4. Only experts can have a say in experts' business.
5. You are not an expert. Therefore it is good. Therefore you cannot have a say in this business.

One more word about the relationship between social characteristics and argument types. Regression analysis has shown that the use of the most frequently mentioned ecological argument is determined by the age of the respondents: young people (under 30) are two times more likely to use the ecological argument than senior citizens (over 60).**[xi]** However, there is a difference here between men and women: in the case of women, there is no significant relationship between young age and the use of the ecological argument.

### *Argumentative Skills and the Willingness to Argue*

Theoretically, we may suppose that the ability to choose a standpoint and to advance arguments in defense of it depends on certain learned skills, on something we may call argumentative competence. Those who perform well, that is those who have fewer difficulties to choose a standpoint and to advance arguments when they are explicitly asked to do so, can be considered more skilled, more competent. But it is not sure at all that this is really so. We know from sociolinguistical studies – especially important are here the studies of William Labov – that the situation influences enormously the performance of the speakers. (Labov 1972) As a result, there is very little ground to say anything sure on the competence of the speakers on the basis of their performance.

People from lower social strata (or – and this is quite the same – with lower educational level) especially tend to employ risk-evading strategies in situations they feel menacing – for instance in exam situations. Now a survey interview situation is much like an exam situation, at least for some people – again, especially for people from lower social strata. If they feel that a question is “too difficult”, that answering it demands some political knowledge, they are more likely not to answer it at all or to take only minimal risks. The question about the Dam was definitely of this kind, so it is not surprising that the rate of non-answering was high. Those people did not take any risk at all. The same can be said about differences in presenting arguments. Those who opted for minimal risk-taking, advanced a standpoint, but were not willing to advance arguments in defense of it.

That is why I use the expression “the willingness to argue” instead of “argumentative skills.” Argumentative skills can be very good even if the given performance is poor. At other times, at other places, the performance of the same people can be surprisingly good. People who did not answer this question or did only with minimal risk-taking, are perhaps very talkative on the same issue in a



pub or between friends. In general, it can be said that survey data give very little ground to evaluate argumentative skills. If we really want to know about skills, direct observation is a much better method.

On the other side, it can be said that people have to use their skills in real, sometimes menacing social situations, so the question of competence is not really important, because in real life, only the performance counts. So survey data are perhaps more informative on real life, then data from direct observation or from laboratory experiments. **[xii]**

This is only to say that, after all, survey data can be interesting. The only thing I want to show here is that argumentative skills – measured by the willingness to argue – are unevenly distributed in society. I use a very simple indicator for measuring the willingness to argue: I suppose that providing two arguments is better than providing one, one is better than none, and opting for a standpoint is better than saying nothing.

Regression analysis has shown that the willingness to argue depends on three factors: the respondent's gender, educational level and degree of political interest.

Here are some simple tables. They show how the independent variables influence the argumentative performance of the respondents. While the non-response rate of men is less than 30 %, half of the women had no answer to this question. Sixty per cent of the men present one or two arguments, while only 37 % of the women do this. This is not surprising. As Bourdieu says in his famous article "L'opinion publique n'existe pas" (Bourdieu, 1973), if we want to know which questions have political coloring, we only have to examine the response rates of men and women: the bigger the difference between the response rates, the more political a question is.

I have to note that there is no significant difference between men and women at the lowest and highest educational level, which probably means that men with unfinished elementary school behave more like women, that is they are timid, while women with university level behave more like men, that is they feel strong enough to argue, even about politics.

As this is a political question, there is a significant relationship between the level of political interest and the willingness to argue. If the level of political interest is very low, only one quart of the respondents present arguments, if it is moderate, half of them, and if it is very high, three quarts of them presents arguments.

Next comes the influence of schooling (table 4). This is a very clear picture. The big gaps are between “some elementary” and the others and between “university” and the others. Almost seventy percent of those who have not finished elementary school, have no standpoint.

At the other end of the hierarchy, we can note the extremely high percentage of university level respondents who advanced a second argument. There is no need to say that political interest itself is a dependent variable. Regression analysis has shown that it depends on three factors: gender, educational level and age.

Men and educated people are significantly more interested in politics, than women and less educated people. While the percentage of men interested or very interested in politics is 36.2, the same value for women is only 20.5. The following table shows that education has an even stronger influence on the level of political interest: the percentage of people with higher education interested or very interested in politics is 53, while the same value for people with unfinished elementary school is only 5.

Table 1 Factors determining the willingness to argue - results of a step-by-step regression

	analysis beta coefficients and R Square
Political interest	.78
Gender	-.14
School	.12
R2	.13%

Table 3 Factors determining political interest - results of a step-by-step regression analysis

	analysis beta coefficients and R Square
Education	.53
Gender	-.31
Age	.08
R2	.13%

Table 2 Willingness to argue by gender (in percentage)

willingness to argue gender\	no standpoint	standpoint	one argument	two arguments
men	27	13	49	10
women	48	15	31	5

Here too, the big gaps are between “some elementary” and the others and between “higher education” and the others.

To summarize: according to our data, argumentative performance - measured here by the willingness to argue - depends on the respondents’ level of political interest, educational level and gender. As political interest itself depends on the respondents’ educational level and gender (the effect of age being negligible), and as gender itself is the product of education (or socialization), the single most important factor determining argumentative performance is education (or socialization).

### *A Lesson from Simmel*

A received view in rhetorical studies is that the ability to use rhetorical devices is

Table 3: Willingness to argue by political interest (in percentage)

willingness to argue political interest \	no standpoint	standpoint	one argument	two arguments
very low	81	13	22	4
low	47	12	34	7
average	34	19	49	7
high	22	11	59	11
very high	14	11	66	14

Table 4: Willingness to argue by educational level (in percentage)

willingness to argue political interest \	no standpoint	standpoint	one argument	two arguments
some elementary	88	19	19	3
finished elementary	41	19	43	5
technical school	36	14	49	9
secondary	32	15	43	9
high school university	23	19	55	3
	20	27	29	24

Table 6: Level of political interest by educational level (in percentage)

political interest / educational level	very low	low	average	high	very high
some elementary	52	28	23	4	1
finished elementary	21	16	38	21	4
secondary	16	14	39	26	5
higher education	11	9	39	37	35

evenly distributed among the members of society. A scholar of rhetoric says somewhere that the language of the fish market is as rich in tropes and other rhetorical devices as the language of the most educated class.

If this is true, and if rhetoric has something to do with argumentation (and we know it has), we should infer that argumentative skills too, are evenly

distributed among the members of a society. Unfortunately, this is not so. Sociology can show us that these skills, like most other goods and privileges, are unevenly distributed.

This has clearly to do something with power relationships. Women are more timid than men not by nature: they are socialized this way. Men have more power and so they have more self-confidence, more self-esteem. This is why they are more likely to answer questions, to choose a standpoint, to advance arguments. The same is true for people with higher educational levels or with higher social status. There is an interesting contradiction here. On the one hand, argumentation presupposes the equality of participants, the neglect of power differentials, the suspension of the use of power and violence. On the other hand, it is clear that the social context is always a power context and that even the ability of arguing is determined by the place of the individual or the group in the hierarchy of power relations.

In his famous study on 'Sociability', Simmel analyzes a somewhat analogous situation. A social gathering, just as a rational discussion, presupposes the equality of the participants. Socializing, just like the resolution of differences by using persuasive arguments, has an essentially democratic character. In both cases, one has to leave his/her social status outside to be able to play the game and let the others play. This is a difficult thing to do, and even in the case of socializing, it cannot be done but within certain limits. Here is what Simmel says:

Sociability emerges as a very peculiar sociological structure. The fact is that whatever the participants in the gathering may possess in terms of objective attributes – attributes that are centered outside the particular gathering in question – must not enter it. Wealth, social position, erudition, fame, exceptional capabilities and merits, may not play any part in sociability. (...)

[The principle of sociability] shows the democratic structure of all sociability. Yet, this democratic character can be realized only within a given social stratum: sociability among members of very different social strata often is inconsistent and painful. (...) Yet the democracy of sociability even among social equals is only something *played*. (...)

Yet, this world of sociability – the only world in which a democracy of the equally privileged is possible without frictions – is *an artificial world*. (...) Sociability is a game in which one ‘does as if’ all were equal... (Simmel, 1950:45-49) (All emphases from Simmel.)

What Simmel says here about “sociability” is highly relevant for us. One can even replace the word “sociability” with “rational discussion” and reread the citation above. It makes perfectly sense, because a rational discussion must meet the same requirements of equality. Just like socializing, a rational discussion is “a social work of art”, a game in which one does as if all were equal, an artificial world in which the strong makes himself the equal of the weaker.

But the analogy is not perfect. Even sociability, says Simmel, can only be realized within a given social stratum, because to play the game, people must take no notice of the different social status of the participants, which can be difficult if members of very different social strata are present. However, with some extra work, it can be done. Although equality is faked, and each of the participants knows this, they still may want to play the game, because it is rewarding.

In the case of a rational discussion, the name of the game is the same – “we are all equals now” –, but one should be able to leave outside not only his/her social status, but his/her socialized self as well; and this cannot be done. People entering in a rational discussion cannot change themselves for this occasion: they were socialized in a particular way, according to their position in the power hierarchy, and now they act according to their different habitus. It is not surprising then that their argumentative skills are unequal and, consequently, they have unequal chances to participate in the discussion and to advance good arguments. Their current performance in the discussion is limited by their competence, which was forged before and outside the equality conditions of the discussion.

### *Conclusion*

In argumentation studies, it is a common presumption that arguments have some inner persuasive force. Some arguments are strong, some others are weak.

Moreover, there are bad and good arguments. Fallacies, for example, are bad arguments. We assume that in a rational discussion, bad arguments are eliminated and the best argument has to win.

This is certainly so in an ideal speech-situation, and I think Habermas is not wrong when he says that even in normal conditions, when the situation is far from the ideal, these expectations work and regulate somehow our behavior. We know how it should be done, even if it cannot be done that way.

This is a great insight, but it does not change the fact that in real life debates, the inner force of arguments is rarely as important as the power position of the arguers. This does not mean that arguments do not have some inherent force; they do, but in real life situations they have this extra force as well. The inner force of arguments can make a difference, but only if certain very special conditions are met.

These conditions are, of course, *social* conditions. In some cases it is so important to make a distinction between bad and good arguments, that there are a few strictly regulated forms of communication specifically designed for pure argumentation. A few important social activities, like law or sciences, are expressly organized around the requirements of pure argumentation. From time to time, pure argumentation occurs even in everyday life, but only as an exception. Otherwise, we use power, and, at the very best, dirty argumentation.

When, in a discourse on 'Argumentation and Democracy', van Eemeren introduces certain "higher order conditions" as preconditions of a rational discussion (the respect of the rules of conduct prescribed in the pragma-dialectical model being a "first order" condition), he implicitly acknowledges that the inner force of arguments makes a difference only if certain very special conditions are met. According to his distinction, "second order" conditions are the "psychological conditions" of the arguers, among them "their ability to reason validly". "Third order" conditions are the social conditions of the discussion, among them the "socio-political" equality of the arguers. Here is the relevant section of his text:

We can think of the assumed attitudes and intentions of the arguers as 'second order' conditions that are preconditions to the 'first order' rules of the code of conduct. The 'second order' conditions correspond, roughly, to the psychological make-up of the arguer and they are constraints on the way the discourse is conducted. Second order conditions concern the internal states of arguers: their motivations to engage in rational discussion and their dispositional characteristics

as to their ability to engage in rational discussion.

Second order conditions require that participants be able to reason validly, to take into account multiple lines of argument, to integrate coordinate sets of arguments, and to balance competing directions of argumentation. The dialectical model assumes skills and competence in the subject matter under discussion and on the issues raised. (...)

But not only must participants be willing and able to enter in a certain attitude, they must be enabled to claim the rights and responsibilities associated with the argumentative roles defined by the dialectical model. To say that in dialectical discourse everyone should have the right to advance his view to the best of his ability is to presuppose a surrounding socio-political context of equality. This means that there are conditions of a still higher order to be fulfilled than second order conditions: 'third order' conditions. Third order conditions involve ideals such as non-violence, freedom of speech, and intellectual pluralism. The dialectical model assumes the absence of practical constraints on matters of presumption in standpoints. The goal of resolution of differences 'on the merits' is incompatible with situations in which one standpoint or another may enjoy a privileged position by virtue of representing the status quo or being associated with a particular person or group.... [T]he conditions I am referring to are also among the necessary conditions for the operation of the democratic method... (van Eemeren, 1996:13)

Van Eemeren admits that the dialectical approach is "a little bit" - "but not too much" - "Utopian", but he hopes that with more and better education the idealistic requirements of the pragma-dialectical model can be met (van Eemeren, 1996:14).

It must be clear for now that the author of this paper entertains doubts as to the validity of the above assumptions and the well-foundedness of this hope. We have to realize that these assumptions are really theoretical postulates: they have very little to do with the reality of social life. For it is simply not true that people are equally motivated and able to engage in rational discussion; that they are equally able to reason validly, to take into account multiple lines of argument, and so on; that they all have the assumed skills and competence; that they always have the right to advance their view to the best of their ability - and so on.

What Argumentation Theory presupposes - equality - Sociology has to deny. Society - and there is countless empirical evidence for this - is a system of

inequalities. The real question, for Sociology, is the following: How in this system of inequalities argumentation is possible at all? As I see it, this question can only be answered from a power perspective. Interestingly enough, what makes dirty argumentation possible or frequent is the same thing what makes pure argumentation impossible or, at least, rare and limited, namely, the unequal distribution of power in society.

The Sociology of Argumentation has to begin its work where Argumentation Theory abandons it: at the frontier of pure and dirty argumentations. In this way, with the cooperation of Argumentation Theory and the Sociology of Argumentation, a coherent and tenable theory of argumentation can be built, based on more realistic assumptions.

For this future Sociology of Argumentation, I propose the following theses to consider:

1. The ability to reason validly is in a great measure socially determined. Social inequalities (reproduced first by primary socialization, then by the educational system) make the distribution of reasoning abilities uneven, which
2. makes the equality of the participants of most discussions illusory, and, as a result,
3. makes the problem solving capacity of most discussions limited.
4. However, the same social inequalities - especially the uneven distribution of power in society - make the use of arguments (instead of power) necessary and desirable for the powerless (that is, for each of us), while, on the other hand,
5. the uneven distribution of power in society makes the practice of resolving disputes by means of pure argumentation socially limited.

## NOTES

**[i]** It only became a registered organization in 1988.

**[ii]** The Austrian companies were looking for new opportunities after the construction of the Hainburg hydroelectric plant had been stopped by popular protest in 1984. The well-established Austrian dam-building industry, facing a decreasing selection of new sites and growing public opposition at home, became a major dam-builder abroad, especially in the Third World and in Eastern Europe. Several controversial hydropower projects have been built with the contribution of Austrian money and technology all over the world. Dam-builders had to face fewer obstacles in countries where public protest was illegal, decision-making was done in secrecy, and economic and ecological considerations were overrun by

political ones.

**[iii]** This presentation of arguments is also based on (Galambos, 1992).

**[iv]** To evaluate the strength of ecological counter-argument #1, one have to know that the underground fresh water reserve in question is the largest in Europe, and that the expected climatic changes caused by the greenhouse effect make water a strategic asset.

**[v]** In a way, and paraphrasing Clausewitz, argumentation is nothing but the continuation of war with other means. This is why we talk about arguments in terms of war. "We can actually win or lose arguments. We see the person we are arguing with as an opponent. We attack his positions and we defend our own. We gain and lose ground. We plan and use strategies. If we find a position indefensible, we can abandon it and take a new line of attack. Many of the things we do in arguing are partially structured by the concept of war." (Lakoff, 1980 : 4) On the other hand, and this is one of the main points of this paper, argumentation is just the cessation of war.

**[vi]** I would like to thank Robert Angelusz and Maria Szekelyi for their invaluable help in writing this part of the paper.

**[vii]** Maybe some of them advanced more than two, but only the first and second arguments were coded.

**[viii]** Here, the pro-arguments are those in favor of the decision, that is those of the opponents of the project.

**[ix]** Namely, that it is not good go to court; that it is better to negotiate; that it would be better for the environment to continue the project; that we lost the Danube; that we lost workplaces; and so on.

**[x]** The argument was used by a few people with some elementary education. I have no room here to argue in defense of my opinion that there is no prejudice here, but I have some, well, rather weak, arguments.

**[xi]** Ecology response contra others in different age groups (in percentage):

i Ecology response contra others in different age groups (in percentage)

age	ecology	others
18-29	39	61
30-44	28	72
45-59	24	76
60+	19	81

**[xii]** This is a difficult question, because we have to deal here with two kinds of 'reality'. Both are social, but in a way different. One can say that we have to

observe argumentation in a pub, because the real argumentative competence of people appears only there. In a sense, this is true, but this is a different kind of reality. No doubt, this is real life, too, but has very little to do with this other 'real life' outside the pub, where we have exams sometimes. Let me use an analogy: a



survey on party preferences may say very little about 'real preferences,' because some people do not want to talk about their preferences. But the survey can give a pretty good prognosis on the results of the next elections, because most of these people will be absent, and most of the other people will vote for the party they preferred. And what is more real than the results of an election?

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# ISSA Proceedings 1998 - The Case For Cooperative Argumentation



For the past several decades, argumentation theorists and instructors have become increasingly committed to developing and adopting perspectives designed to improve the quality of critical reflection and deliberation. These scholars and educators are particularly interested in developing an approach to argumentation designed to equip people around the world with the knowledge, skills and understanding needed for ethical and effective decision making. To this end, argumentation scholars are looking anew at basic assumptions within the field.

In this essay, I seek to contribute to this project by focusing on one such assumption. Specifically, I challenge argumentation theorists to reconsider the prevailing assumption that argumentation is inherently oppositional, adversarial, and confrontational. I suggest that a cooperative approach to argumentation theory, practice, and pedagogy provides an alternative grounding, one that overcomes key obstacles to ethical and effective individual and group decision making in diverse practical contexts.

## *1. The Prevailing Competitive Model*

In their landmark treatise on argumentation, *The New Rhetoric*, published in 1969, Chaim Perelman and L. Olbrechts-Tyteca offered a viable alternative to the cartesian dualism dominating the field of philosophy at that time. Perelman, Olbrechts-Tyteca, Stephen Toulmin, Wayne Booth, and other scholars in the New Rhetoric school proposed a theory of argumentation that offered a middle-ground between the certainty demanded by (but never attainable to) formal logicians on the one hand, and the arbitrariness to which so many scholars and practitioners acquiesced during this time. New Rhetoric scholars sought to provide a rigorous theory of practical reasoning, grounded in history and context, while providing cross-contextual criteria for assessment. This quest for a rigorous, yet contingent approach to practical reasoning continues to drive much productive work in the field. A brief overview of some recent efforts reveals, however, that fulfillment of the work's potential has been hampered by unexamined acceptance of a key underlying assumption.

In their treatise, Perelman and Olbrechts-Tyteca assume that all argumentation is aimed at gaining or increasing the adherence of minds to a thesis. This basic assumption continues to undergird much work in the field today. In her insightful introduction to the Spring, 1996 special issue of *Argumentation and Advocacy*, for example, guest editor Catherine Helen Palczewski notes that the field continues to rely heavily on an “argument-as-war” metaphor. Even Trudy Govier – who has worked hard to “differentiate argument as rational persuasion from disputes or fights” – nevertheless adopts “vestiges of argument as combat” in her lexicon. Palczewski notes further that Brockriede characterizes argument in terms of “competing claims,” while Zarefsky writes of argument as “verbal conflict.”

Even Habermas, who pursues argumentation as a tool for achieving understanding, nevertheless “characterizes argument as an adversarial procedure” involving “proponents and opponents” (pp. 164-5). Similarly, in his otherwise laudable effort to link ethics with rhetoric, Herrick (1992) suggests that “rhetoric is oppositional or adversarial by nature” (p. 134).

The extent to which this perspective continues to take hold of the field is most strikingly revealed, however, in its impact on the otherwise innovative perspective advanced by Frans van Eemeren and Rob Grootendorst (1992). Their cutting-edge effort to overcome “both the limitations of the exclusively normative approach exemplified in modern logic and the limitations of the exclusively descriptive approach exemplified in contemporary linguistics” has led van Eemeren and Grootendorst to develop “pragmatic insight concerning speech acts and dialectical insight concerning critical discussion.” They have sought to provide “a theoretical framework for analyzing and evaluating argumentative discourse as critical discussion” (xiii).

Van Eemeren and Grootendorst effectively identify and address shortcomings associated with viewing argumentation primarily as a suasory tool. Their perspective provides the basis for adapting argumentation to the critical discussion context. Grounded with this important insight, van Eemeren and Grootendorst encourage interlocutors to avoid obstacles to effective critical discussion.

Their effort to marry the best of rhetoric and dialectic in the service of critical discussion moves the field forward considerably. Yet even this innovative perspective rests on the potentially limiting assumption that argumentation is inherently oppositional. Van Eemeren and Grootendorst’s pragma-dialectical model of critical discussion begins with a “confrontational” stage. Participants are

characterized as “opponents” and, at the end of discussion, participants check “balance sheets” to see who “has won the discussion” (p. 184).

In addition to presuming a competitive, oppositional and adversarial framework, van Eemeren and Grootendorst limit their perspective’s contributions by presuming its inapplicability to a “context of discovery” (p. 138). From their perspective, argumentation is primarily a tool for resolving disputes, but may be less constructive for the preliminary discovery process.

## *2. Limits of a Competitive Framework*

Van Eemeren and Grootendorst’s presumption of inapplicability to a context of discovery helps to underscore some of the limits resulting from adoption of a competitive framework. When participants gather for discussion having already formed their opinions and seeking to persuade others, they are much less likely to encounter others’ perspectives with full and open minds and hearts. Among other limitations, they are not likely to approach dialogue with what Martha Cooper (1994) identifies as key to full and engaged discussion. She refers to this central element as “response-ability,” the ability to “reach out, recognition of the other, careful listening that allows the other to be heard, empathy that validates what is heard” (p. 3).

Similarly, participants in competitive or adversarial communication contexts tend to be more occupied with listening to reenforce their own perspectives than with listening for understanding. Yet only through development of understanding can participants fully contribute to ethical and effective decision making on complex moral, social and political issues of the day. Seyla Benhabib (1990) provides a fruitful overview of key elements required for the development of understanding. Among these are the will and capacity for reversing perspectives. She writes, for example, of “the capacity to represent to oneself the multiplicity of viewpoints, the variety of perspectives, the layers of meaning which constitute a situation” (p. 359). Benhabib emphasizes as well the importance of the will and capacity to represent to oneself “the world and the other” as seen by the other (Benhabib, 1990, p. 359).

These capacities have always contributed to the context of discovery, as well as to resolution of disputes. However, the advent of the 21st Century significantly increases both their value and significance. As I have argued elsewhere (Makau, 1996), this age of potential global perils calls upon us to develop heightened capacities to reason together. Confronting 21st century challenges responsibly and effectively will require sophisticated capacities to engage in meaningful and

effective dialogue across disciplinary boundaries and cultural borders. As Susan Welch (1990) suggests, “the equation of otherness with opposition is a dangerous fallacy because it has effects of truth. To the extent that it is believed, it shapes the relationships between nations and peoples” (p.35). When individuals in critical discussions view each other as rivals, they are inclined to “see differences oppositionally; rather than seeking mutuality, they seek to overcome their rivals” (Makau, 1996, p. 327).

The complexity of issues, technological proliferation, and increased cultural diversity and global interdependence which will characterize 21st century life dramatically heighten the importance of overcoming such obstacles and of constructing effective and ethical dialogic communities. Paulo Freire (1994) notes insightfully in his last book, the *Pedagogy of Hope*, for example, that the challenges and opportunities associated with cultural diversity are relatively new phenomena in human history. Demographic changes, combined with technological proliferation, afford more and more people around the globe the opportunity to live and work in culturally diverse settings. As technological proliferation changes patterns of communication and more people around the globe both have the opportunity to, and the expectation of, identifying and addressing complex issues through the use of electronic media, the need and capacity for cross cultural dialogue will increase even further.

Approaching argumentation within a competitive framework limits the prospect of ethical and effective cross-cultural dialogic interaction. Competitive and oppositional frameworks limit, for example, the prospects of full inclusiveness, participation, and reciprocity – three qualities identified by Lana Rakow (1994) as linked with a “communicative ethic that could help guide relations – between individuals, between cultures, between organizations, between countries” (p. 3).

G. Thomas Goodnight (1993) offers similar insights. He invites readers to consider development of “an understanding of argument where critical-rationality and effective public persuasion productively inform and complement each other” (p. 331). In pursuit of this goal, Goodnight seeks a “responsible rhetoric,” one which “takes discourse ethics as its informing dialectic” (p. 333). Goodnight notes that: “a responsible rhetoric is one whose argumentative practices take into consideration in the particular case both the need to engender effective deliberative outcomes and to preserve the communicative relationships that make such action meaningful to all concerned” (p. 335, italics in original).[i]

The cooperative model of argument highlighted below provides a framework for

Goodnight's vision of a responsible rhetoric. This model marries dialectic with rhetoric – as Goodnight, van Eemeren and Grootendorst, and others aspire to do. Perhaps most importantly, however, this model fulfills Goodnight's vision of a model grounded in a strong relational communicative ethic.

### *3. A Cooperative Model of Argument*

The cooperative model of argument begins by rejecting the assumption that all argumentation is inherently confrontational, adversarial or oppositional. This perspective draws a distinction between competitive argumentation, which “aims at winning something,” and cooperative argumentation which focuses on the “shared goal of finding the best answer or making the best decision in any given situation” (Makau, 1990, p. 57). According to this model, “argumentation is defined as the process of advancing, supporting, modifying, and criticizing claims so that appropriate decision makers may grant or deny adherence” (p. 57).**[ii]**

This perspective on argumentation emerged out of an exploration of the United States juridical context. The legal system within the United States is inherently adversarial. Grounded in the belief that the truth has the most optimal chance of surfacing in a courtroom if competing sides are given the fullest opportunity for suasive expression, the legal system adopted in the United States embraces a highly oppositional and adversarial view of legal advocacy. Lawyers for competing sides are expected to do all they can to win their clients' cases. Georgetown Law Professor Carrie Menkel-Meadow (1995), among many others, has recently challenged the efficacy of this approach, particularly for the pursuit of truth and justice. It is beyond the purview of this essay to address the merits of this case (though it will no doubt be clear from what follows that I endorse their critiques). It is worth noting, however, that even within this highly oppositional and adversarial context one can find a cooperative framework of argumentation.

Specifically, the final arbiters in the United States legal system are expected to adopt a cooperative, rather than a competitive, approach to argumentation. Justices on the United States Supreme Court are expected to give open, fair, and full hearing to all sides in any dispute and to work together, cooperatively and with open hearts and minds, in framing a reasoned and fair decision. Numerous studies of the Court reveal varying capacities to fulfill this vision, but none deny the overarching mandate for and efficacy of such practice if performed fully and well.

The cooperative model of argument borrows heavily from this practical context.

This model emphasizes reasoned deliberation, rather than advocacy. Individuals participating in cooperative argumentation are invited to work together in pursuit of reasoned, fair, equitable, and effective decision making. They are encouraged to view one another as resources who together are more likely to find or craft viable and responsible decisions than any individual is capable of discovering or creating. They are invited to share all available information with one another, to bring to bear insights garnered from their diverse backgrounds and experiences, and to participate in the kinds of respectful and open exchanges most likely to result in reasoned deliberations.

Recent scholarship on bioethical decision making endorses such a model for this practical context as well. Jonsen and Toulmin's (1988) overview of the constituent elements of phronesis, for example, reveals close parallels to the elements associated with cooperative argumentation. **[iii]** In *A Matter of Principles?* (1994), scholars representing the fields of medicine, philosophy, theology and law join Jonsen and Toulmin in embracing the view that contemporary bioethical issues can be resolved only through development and exercise of sophisticated practical reasoning and associated dialogic interactions. Their recognition of the contingency, the complexity, and the particularized and temporal nature of bioethical issues and problems underscores the importance of effective and ethical reasoned dialogue in this and related practical contexts.

As I have suggested elsewhere (Makau, 1997), these characteristics of contemporary social, political, and moral issues combine with "constraints of local location, limited epistemic frames and ambiguity" to create compelling needs for "dynamic dialogic interaction with concrete others whose beliefs, values, and interests differ from our own" (p.56). Only through such cross-cultural dialogic exchanges "can we hope to reason competently and morally" (p. 56) in juridical, bioethical, and other contemporary practical contexts. Benhabib (1992) notes, for example, that critical "judgment involves the capacity to represent to oneself the multiplicity of viewpoints, the variety of perspectives, the layers of meaning which constitute a situation. This representational capacity is crucial for the kind of sensitivity to particulars which most agree is central for good and perspicacious judgment" (pp. 53-54). Embracing a cooperative, rather than an adversarial, oppositional, or competitive approach to argumentation inspires development of this representational capacity.

Similarly, Cooper (1994) suggests that there are three elements required to develop response-ability: conditions conducive to reaching out in respect to one another, a willingness to listen, and the will and capacity to develop sensitivity to

the perspectives of others (p.3). Individuals who come together aspiring to reach a reasoned decision – rather than to win an argument or prize – are much more likely than their oppositional counterparts to listen to one another with fully open hearts and minds, and to share openly and respectfully. Decision makers who come together in the spirit of cooperation are much more likely to work together to reach reasoned, fair, and responsible decisions than are their counterparts who come together with balance sheets designating winners and losers in disputes.**[iv]** Finally, adoption of the cooperative framework in argumentation pedagogy promises to help create the conditions and to develop the capacities associated with Goodnight's vision of a responsible rhetoric. Instructors adopting the cooperative model encourage students to work collaboratively and to share information with one another. Student performances in these classes are assessed not on the basis of persuasiveness, but in terms of their contributions to the group's decision making process. In the cooperative argument learning environment, students are encouraged to view others as valuable resources, rather than as competitors. These classes – grounded in a strong communicative ethic – embrace and develop a connected epistemology.**[v]** Perhaps most importantly, this approach to argumentation theory, practice and pedagogy offers the promise of helping to “transform relationships and the larger culture so that the alienation, competition, and dehumanization that characterize human interaction can be replaced with the feelings of intimacy, mutuality, and camaraderie” (bell hooks, 1984, p. 34).

Numerous issues remain to be explored,**[vi]** including questions of the range and limits of participation in specific deliberative contexts. We do not need to resolve these issues to conclude, however, that we have much to gain and little to lose by adopting a cooperative framework and lense.

Most significantly, abandoning the assumption that argumentation is inherently oppositional, and embracing in its place the cooperative model of argument proposed in this essay will help argumentation theory fully exploit the “connection of theoretical and practical reasoning through dialectical argument” described by Goodnight as the “genuis of the Aristotelian system” (p. 229). Such an approach both engenders “effective deliberative outcomes” and preserves “the communicative relationships that make such action meaningful to all concerned” (Goodnight, 1993, p. 335). As Goodnight (1993) suggests, “the work of connecting ‘a new dialectic’ and ‘a new rhetoric’ is unfinished, but its prospects appear to be quite promising” (p. 339). Adopting a cooperative framework for argumentation



theory, practice, and pedagogy will position the field to realize this promise fully as we enter the new millenium.

## NOTES

- i.** Richard Fulkerson (1996) provides an overview of similar efforts in the field of philosophy. He cites Maryann Ayim's call, for example, to replace the "dominant confrontational style" of contemporary western philosophy with an "affiliative nurturant style." He points further to Janice Moulton's critique of what she terms "dualism in philosophy," an approach in which "winning arguments rather than encouraging and developing good ideas becomes the role of the teachers." The work of Michael Gilbert on "coalescent argument" is also featured in Fulkerson's essay, as is my work on cooperative argumentation.
- ii.** For a detailed overview of this model, see Makau (1990).
- iii.** For a detailed account of the parallels, see Makau (1993).
- iv.** Philosopher Martha Nussbaum offers a similar perspective in her book, *Cultivating Humanity* (1997). She calls upon us to do what we can to foster a "democracy that is reflective and deliberative, rather than simply a market place of competing interest groups, a democracy that genuinely takes thought for the common good" (p. 25). The cooperative model of argument proposed in this essay is designed specifically to achieve this end.
- v.** For elaboration of this approach, see Belenky, M. F., et. al. (1986).
- vi.** See Goodnight (1993), p. 339 for a particularly fruitful overview of such issues.

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# ISSA Proceedings 1998 - Rhetorical Prolepsis And The Dialectical Tier Of Argumentation



In contemporary studies of argumentation, no development is more important than the decline of the formal deductive model and the rise of informal logic. The formalist prospective, dominant through most of this century, holds that an argument consists of propositions related to one another as reason or reasons to a conclusion. Thus, Irving Copi, in a classic formulation of this concept, defines an argument as “any group of propositions of which one is claimed to follow from the others, which are regarded as providing evidence for the truth of that one” (Copi 1961: 7). Conceived in these terms, arguments exist in isolation from their contexts and are to be studied in terms of the formal relationships between reasons and conclusion. Their social and political dimensions are set to the side. Over the past several decades, in a broad interdisciplinary and international movement, the formalist approach has been criticized by scholars interested in developing a more flexible and more socially responsive approach to argument. Proponents of this approach do not deny the existence and significance of formal structure, but they insist that form alone is not adequate to give a realistic account of how arguments work. From this perspective, argument should be studied through an informal logic that considers the motives, goals, and social contexts that condition the process of arguing. Thus, Trudy Govier, defines argument as “a set of claims that a person puts forward to persuade an audience that some further claim is true” (Govier 1987: 1).**[i]** On this account, and in contrast to Copi’s position, arguments are used for and by people; someone is trying to do something to others, and the agents and audiences involved in this activity are essential rather than incidental to the nature of argument.

An important corollary of this approach is that arguments must be studied within two tiers. The first tier relates to core structure and yields a formal account of an argument as a product. But this tier cannot account for rational persuasion, the goal of argument as process, since arguments actually surface within a competitive field.

As Ralph Johnson has explained, the participants in any argumentative situation “know that there are objections to the Arguer’s position. Indeed the Arguer must know this herself and so it is typical to attempt to diffuse such within the course of argument. If she does not deal with the objections and criticisms, then to that degree her argument is not going to satisfy the dictates of rationality.... Hence if the Arguer really wished to persuade the Other rationally, the Arguer is obligated to take account of these objections, these opposing points of view, these criticisms” (Johnson 1996: 354; see also Walton 1990). In short, beyond the structural level, an argument must engage a dialectical tier in which it competes with other arguments for rational assent.

On Johnson’s account, argumentation must be dialectical if it is to be rational, and the dialectical process entails positioning and structuring arguments within a controversy. This view explicitly stresses the agonistic dimension of argument and implicitly recognizes its grounding in social situations, and both of these features indicate a strong affinity between dialectical argumentation and rhetoric. In fact, Johnson’s description of the dialectical tier in argument seems to echo one of the traditional precepts of rhetorical lore – the figure of thought most often called *prolepsis*.

It is no surprise that Johnson and other informal logicians fail to note the connection between prolepsis and their own work on dialectic. Prolepsis is an ancient and persistent item in the rhetorical lexicon, but it occupies an obscure and seemingly technical place within that lexicon, and over time, it has been called by different names, defined in strikingly different ways, and divided and sub-divided into a labyrinth of even more technical terminology (see Dupriez 1991: 355-56.) Nevertheless, the basic idea conveyed by the figure is quite simple, and once we strip away the technical baggage, we can hardly miss the affinity between the strategy it indicates and the dialectical interest in argument expressed by informal logicians. Prolepsis is a figure of anticipation; in using it, the speaker or writer anticipates and forestalls objections (Lanham 1991: 120), or as Abraham Fraunce puts the point in plain, old Elizabethan English, prolepsis

occurs “when we present and meet with that which might be objected and do make answer to the same” (Fraunce 1950: 100). This concern about identifying and responding to objections is closely related to Johnson’s view of how dialectical arguers proceed.

In noting and emphasizing this affinity between prolepsis and the dialectical concept of argument, I do not mean to suggest that the two are equivalent. A strategy for producing particular arguments has a much different status than a philosophically derived norm for evaluating argumentation in general. Nevertheless, I think it significant that informal logicians, as they come to grips with the social dimensions of argument, invoke ideas that connect rational processes with strategic considerations and with aspects of the traditional rhetoric of persuasion. The relationship between rhetoric and argumentation has become an issue of some significance in recent years (Wenzel 1987, 1990; Hansen 1997), and a careful consideration of rhetorical strategies like prolepsis might offer a concrete basis for specifying this relationship. In what follows I want to make a tentative first step in that direction.

My own study of the rhetoric of oratory also encourages this effort. As I have read and reread the texts of canonical orators such as Demosthenes, Cicero, Burke, and especially Lincoln, I have become increasingly impressed by the way that they construct and position themselves within a universe of discourse. The eloquence of these authors, I have come to believe, is, in some part, a function of their skill in representing, framing, and resolving controversies within the boundaries of a single discourse. This skill entails the development of an effective voice in multi-vocal contexts, and therefore I think of it as a matter of dialogic placement. As the term dialogic suggests, dialectical argument is only part of this process; other elements, especially the imaginative use of language, are also required. Nevertheless, a dialectical sensibility – a well developed capacity to recognize and encounter argumentative objections – seems a necessary condition to achieve this rhetorical skill.

Rhetorical figures, perhaps because of their traditional association with style, have received scant attention from contemporary students of argumentation.<sup>[ii]</sup> Yet, in the canonical oratorical texts, such figures appear prominently and recurrently as strategies of dialectical placement. Prolepsis is the most obvious figure of this type, but there are a number of others including:

1. *prosopopoeia* in which a speaker gives voice to an inanimate object or a person not present and constructs a dialogue in which the personified other raises points

that are answered or refuted (Quintilian IX.2.30);

2. *correctio* in which a speaker articulates a point and then retracts it through self-correction (Lanham 1991: 42); and

3. *hyperbole* in which a speaker makes a plausible case for an exaggerated argument supporting her position so as to encourage acceptance of a weaker but still sufficient argument concerning the same position (Lanham 1991: 87; Perelman and Olbrechts-Tyteca 1969: 290-91).

In all these instances, the figure works “dialectically” by placing an argument within a field of arguments. These figures often have additional functions as they help position the speaker in reference to other, competing speakers– and thus they may become strategies of dialogic, and not just dialectical, placement. But the argumentative function is an important part of the dialogic process, and the study of how these figures work in oratorical texts should offer some insight into the practical workings of argument at the level of the dialectic tier.

Of all the orators I have studied, I have found that Lincoln uses these figures the most often and with the most telling effect. Eventually I hope to conduct a detailed study of how they function in his prose, but in this paper, I have only enough space to analyze one text – an early speech in the corpus of Lincoln’s oratory. This text offers a useful example of how prolepsis operates rhetorically and suggests some of the complex ways in which rhetorical functions merge with aspects of dialectical argumentation.

The “Address to the Young Man’s Lyceum,” delivered on January 31, 1838, is one of the earliest of Lincoln’s speeches for which we have a reasonably complete text. The speech is of interest for many reasons (see Jaffa 1982: 183-235, Thurow 1976: 20-37, and Forgie 1979: 55-88), but I want to concentrate on just one characteristic – the way that Lincoln positions his own ideas, arguments, and sentiments in relation to his audience. This effort to encompass the audience is a hallmark of Lincoln’s rhetoric, and in his later, more famous, and more subtle speeches, Lincoln’s texts seem to absorb the audience and context in an almost seamless performance (see Leff 1988, 1997). In the “Address to Young Man’s Lyceum,” the same rhetorical sensibility appears, but it is executed less skillfully and is easier for the critical reader to detect, and the most obvious tactic Lincoln uses is a prolepsis.

The theme of this address is “the perpetuation of our political institutions,” and in the introduction, Lincoln argues that the threat to existing institutions does not

come from outside sources but from within the American community. Specifically, he maintains that the threat takes the form of disregard for law and resort to “the wild and furious passions” of the mob as substitute for the “sober judgment of Courts.” Instances of this “mobocratic spirit” are so many and so far spread throughout the country that Lincoln claims it would be tedious to recount “the horrors of all of them.” Instead he refers to two instances, one in Mississippi, the other in St. Louis, to illustrate his point.

In making the point, Lincoln presents a complex rhetorical development that incorporates both argumentative and stylistic features. Because of its argumentative complexity and because of the importance of its wording, I need to quote extensively from the passage in question: In the Mississippi case, they first commenced by hanging the regular gamblers: a set of men, certainly not following for a livelihood, a very useful, or very honest occupation; but one which, so far from being forbidden by the laws, was actually licensed by an act of the Legislature, passed but a single year before.

Next, negroes, suspected of conspiring to raise an insurrection, were caught and hanged in all parts of the State: then, white men, supposed to be in league with the negroes; and finally, strangers, from neighboring states, going thither on business were, in many instances, subjected to the same fate. Thus went on this process of hanging, from gamblers to negroes, from negroes to white citizens, and from these to strangers; till, dead men were seen literally dangling from the boughs of trees upon every road side; and in numbers almost sufficient to rival the native Spanish moss of the country, as a drapery of the forest.... [In the second case in St. Louis] a mulatto man, by the name of McIntosh, was seized in the street, dragged to the suburbs of the city, chained to a tree, and actually burned to death; all within a single hour from the time he had been a freedman, attending to his own business, and at peace with the world....

But you are, perhaps, ready to ask, ‘What has this to do with the perpetuation of our political institutions?’ I answer it has much to do with it. Its direct consequences are, comparatively speaking, but a small evil; and much of its danger consists, in the proneness of our minds to regard its direct, as its only consequences. Abstractly considered, the hanging of the gamblers at Vicksburg, was but of little consequence. They constitute a portion of the population, that is worse than useless in any community; and their death, if no pernicious example be set by it, is never a matter of reasonable regret with any one. If they were annually swept from the stage of existence, by plague or small pox, honest men

would, perhaps, be much profited by the operation. Similar too, is the correct reasoning in regard to the negro at St. Louis. He had forfeited his life, by the perpetration of an outrageous murder, upon one of the most worthy and respectable citizens of the city; and had he not died as he did, he must have died by the sentence of the law, in a very short time afterwards. As to him alone, it was well the way it was, as it could other-wise have been. But the example, in either case, was fearful.... Thus by the operation of this mobocratic spirit, which all admit is now abroad in the land, the strongest bulwark of any Government, and particularly those constituted like ours, may effectually be broken down and destroyed - I mean the attachment of the People. Whenever this effect shall be produced among us; whenever the vicious portion of the population shall be permitted to gather in bands of hundreds and thousands, burn churches, ravage and rob provision stores, throw printing presses into rivers, shoot editors, and hang and burn obnoxious persons at pleasure, and with impunity; depend upon it, this Government cannot last (Lincoln 1989: 29-30).

The first step in this development is a vivid description of the horrors of mob action in the two instances. With that phase completed, the audience might expect Lincoln to press on to his conclusion. But he does not. Instead, he invokes prolepsis and raises an objection to the emerging logic of his position: "But you are, perhaps, ready to ask, 'What has this to do with the perpetuation of our political institutions?'"

In response to this question, Lincoln distinguishes between the direct and indirect consequences of mob action. The direct consequences, he asserts, are not so horrible, and he proceeds not simply to raise an objection to the cases he cited but to present them in a different light, to reframe them through a different set of terms. Note that in the Mississippi case, the gamblers, in the first version, are engaged in a lawful, if somewhat disreputable business, but in the second, they are dismissed as "worse than useless," and their deaths, other things being equal, would occasion "no regret with anyone." "Similar too," Lincoln adds, is the case of the "negro at St. Louis." In this restatement of the case, the mulatto named McIntosh becomes a nameless "negro", and while in the first description he had been a "freeman, attending to his own business, and at peace with the world," he now emerges as an outrageous murderer who had he not "died as he did, he must have died by the sentence of the law in a very short time afterwards."

Lincoln completes the prolepsis by refuting the objection he has just formulated. For this purpose, he considers the indirect consequences of vigilante justice and



argues that mob rule always sets a fearful example. Once set in motion, it proceeds through its own momentum, punishing the innocent as well as the guilty, and continuing “step by step, till all the walls erected for the defense of person and property of individuals are trodden down, and disregarded.” These outbursts encourage the lawless in “spirit to become lawless in practice,” and they demoralize good citizens who seek to abide by the law but who must lose faith in a government unable to protect them. In the end, the “mobocratic spirit” breaks and destroys the strongest bulwark of a free government – “the attachment of the People.”

In one sense, the passage that I have just summarized takes the form of a simple prolepsis. Lincoln states a position, then raises an objection to it, and ends by refuting the objection. But something more than that is also at work. This rhetorical development not only moves through a sequence of propositions, but it also orchestrates the emotions of the audience. Lincoln begins with a warning against mobocracy phrased so as to illustrate its horrors concretely and vividly. Then, he does not simply raise an objection, but he seems “to give in to the prejudices of the audience” (Thurow 1976: 26), as he re-presents his examples in language that justifies the mob and turns anger against its victims. And finally he surmounts both of his earlier perspectives through sober consideration of the remote, indirect consequences of mob action. In short, Lincoln seeks to move the audience from anger against the inhumanity of the mob, to vicarious participation in its energy, and then to an elevated position from which it might control either one of these emotional responses.

This development dramatically enacts one of the main themes of Lincoln’s text. Repeatedly and with special emphasis at the end of the Address, Lincoln maintains that the nation can be preserved only through rational means. While passion once helped form America, it “will in future be our enemy. Reason, cold calculating, unimpassioned reason, must furnish all the materials for our future support and defense” (Lincoln 1989: 36). The section on mob rule embodies this principle. It demonstrates that a merely emotional reaction against mob rule offers no remedy to the problem of disrespect for law. Such a response is hardly better than the emotions that drive people to mob action, since, in both cases, passion controls our response to a specific situation. What is needed instead is the discipline of reason and a habit of mind that turns from the direct emotions of the moment to rational considerations of long-term and indirect consequences. And this discipline is embedded in the rhetorical action of the text. What we witness is

not the destruction of an opposing position but its absorption into a synthetic perspective. Lincoln accommodates his audience by elevating it, and in the process, he turns prolepsis into a strategy for transcendence.

Viewed in the context of Lincoln's oratorical career, the Lyceum Address foreshadows a notable feature of his rhetoric – the scrupulously careful placement of his own ideas, arguments, and sentiments into a social context; his own position emerges in and through a network of controversy, and it is constructed a way that seems to subsume rather than to destroy or dismiss alternative positions. Consequently, his rhetoric typically works to highlight and celebrate controversy by embodying it and directing it toward a synthetic end; the competition of rival arguments evolves toward a point where cooperation seems possible and desirable.

In his later speeches, this tendency is developed less obtrusively and more skillfully than in the Lyceum Address. The sequence of literal objection and response conveyed through prolepsis is displaced by other dialogic figures. This development culminates in his most famous speeches, the Gettysburg Address and the Second Inaugural, where prolepsis (the correction of someone else) gives way to *correctio* (self-correction). But the evolution of Lincoln's dialogical sensibility is a topic for another paper.

In this paper, I hope to have illustrated the complexity of prolepsis and its relevance for those interested in the dialectical tier of argument. The Lyceum Address reveals that prolepsis is not simply or necessarily a technical instrument of rhetorical style; it can become a complex principle that coordinates the logical, emotional, and stylistic dimensions of a discourse while it also positions the discourse within a field of controversy. Prolepsis, then, functions as a figure of dialogic placement since it negotiates the interplay among language, argument, audience, and context that is central to rhetorical practice.

Finally, I want to return to the issue of the relationship between rhetoric and argumentation that I raised earlier in this paper. My study of prolepsis emphasizes an important affinity between rhetoric and dialectical argumentation: Both operate in the medium of controversy, and to achieve their ends, both must engage opposing positions. But the rhetorical task, as I have tried to sketch it, entails management of elements that extend beyond argument *per se* and that enter into the social conditions surrounding it. Thus, Lincoln does not simply place his argument in context. He also constructs a persona for himself and orchestrates the sentiments of his audience. These rhetorical concerns represent

a controversy in relation to the speaker and the social\political positions he occupies. Because it is designed as an intervention in the social context itself, rhetoric seeks not just to present and position arguments but to influence the conditions that affect reception of arguments. Hence, whereas dialectic deals with competing arguments within a field of rational controversy, rhetoric ultimately deals with relationships among arguers within a field of social interaction.

It is this distinction between argument and arguer that I consider as a key to understanding how rhetorical action may be distinguished from dialectical argument. But to support this hypothesis, I would have to argue at greater length and to inquire into many more instances than the one I have considered in this paper. For the moment, I can only hope that the hypothesis is sufficiently plausible to justify further inquiry into the dialogic and dialectic dimensions of argument, and more specifically, that it might stimulate scholars to take a fresh look at the figures of rhetoric, to examine them in terms of how they are manifested in actual cases, and to consider how they might help us develop a thick conception of rhetorical argumentation and its connection with informal logic.

## NOTES

**i.** In later editions of this book Govier has modified this definition. In the fourth and most recent edition (1997: 2), she writes that: 'An argument is a set of claims that a person puts forward in an attempt to show that some further claim is rationally acceptable.' This later definition does not differ as obviously and dramatically from Copi as her earlier one, but the basic difference persists.

**ii.** An exception in this respect is Perelman and Olbrechts-Tyteca 1969: 168-179. But as they approach the figures argumentatively, they insist on bracketing their stylistic dimensions. For reasons I hope to make clear later in this paper, this categorical distinction between style and argument overlooks the complexity of the way the figures operate in practice and occludes some interesting and productive questions about the relationship between dialectical argument and rhetoric. These limitations may account for the failure of other argumentation scholars to pursue the line of inquiry opened by Perelman and Olbrechts-Tyteca.

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# **ISSA Proceedings 1998 - Science And Rationalism In Warranting Assent: Examination Of Congressional Environmental Arguments**



In 1994, the new Republican majority in Congress began an effort to shift America's environmental policy. The Republicans offered Americans a "Contract With America" (CWA), a list of legislation the Republican's vowed to pass. The "Contract" offered among other things, promises of a balanced budget, a scaling down of bureaucratic regulations and most important to this project, an alteration in environmental policy (Gosselin, 1995; Phillips, 1995). Republicans argued that rollbacks in environmental legislation were made in order to offset the waste of governmental over-regulation (Byrne & Rebuffoni, 1995, p. 1A). It was proposed "that local people are better stewards of the land, that environmentalists care more about nonhumans than humans and that cutbacks would help balance the budget" (Byrne & Rebuffoni, 1995, p. 1A). Regulatory reform was argued as a way to loosen environmental regulations and cut cleanup aid, in order to stimulate economic growth and control governmental spending (Rebovich, 1995).

The purpose of this essay is to analyze the argumentative strategies of the environmental debate in the 104th Congress. It will examine how the Republicans used the concept of "Sound Science," as a catalyst for environmental reform. Specifically, two questions are posed:

(1) What role does “Sound Science” serve in altering environmental legislation. Specific attention will be paid to how “science” as a rational enterprise serves to justify environmental rollbacks and decenter environmentalists’ claims.

(2) What role does “definition” play in public argument.

In making these arguments, this project examines Republican’s rhetoric in the *Congressional Record* from November 1, 1995 to 1996 – the beginning of the use of “Sound Science” to the end of the 104th session of Congress. This study will first discuss the role of definition in argument. It will then turn to a detailed examination of how the term “Sound Science” was rhetorically constructed and employed in environmental debate during the 104th Congress. It will be argued that “Sound Science” was a justification for repealing environmental legislation. Finally, some important theoretical explanations for argumentation scholars will be suggested.

### *1. The role of definition in public argument*

The purpose of this section is to reveal how definitions are used and their implications in public argument. The intent is to focus on how definitions become epistemological, creating and maintaining public knowledges. Additionally, this section will evaluate how definitions serve to legitimate and marginalize particular perspectives.

There are several implications to the study of definition in public argument. Initially, definition provides a way of knowing. Herrick (1995) posited that: “To define is to advance a meaning or classification for a word, person, object or act” (p. 143). However, the complexity of symbolic meanings extends beyond the act of individuals attributing meaning. Edelman (1964) explained that: The meanings, however, are not in the symbols. They are in society and therefore in men [sic]. Political symbols bring out in concentrated form those particular meanings and emotions which the members of a group create and reinforce in each other. There is nothing about any symbol that requires that it stand for only one thing. (p. 11) Our knowledges become integrally intertwined with the terminology that we use. Insofar as we can shift our term usage, we would correspondingly shift our orientation and knowledge toward an object or action.

Moreover, we assume that definitions will increase clarity in public argument. The idea of advancing clear and precise meaning to increase the understanding of the terms is to increase the quality of the debate (Capp & Capp, 1965; Vedung, 1995). Furthermore, definitions provide an understanding of specific historical

contexts. Argumentative contexts not only suggest the appropriateness of definitions, but also the appropriateness of how definitions come into play. Cox (1981) argued that definitions function as context-specific 'rules' for actors' judgments and actions. These rules lead to a level of understanding of the definitions depending on the context in which they occur. In regards to the definition of "wetlands," Schiappa (1996) argued:

It is assumed that there is sufficient overlap in the competing definitions that no harm results from a lack of strict uniformity. Besides, normally no one in academic settings has the authority to declare one specific definition to be that which everyone in a given discipline must follow. Public laws, on the other hand, are aimed at precisely this sort of denotative conformity. (p. 212) Denotative conformity is the ability of terms to be defined in a clear and precise manner where a common understanding is achieved. In other words, the ability of Congressional Representatives to define terms in a clear and precise manner is not only beneficial, but should be expected. Adding further to the level of preciseness of denotative conformity in the legislative process is the issue of scientific expertise. Caution should also be raised concerning who is defining the terms, as competing definitions can be made to serve different political interests.

This section has examined definition as a way of knowing. The section focused on definition not only as a part of an argument but as an argument itself. Specifically, the role that definition plays in public argument was examined. It was argued that definition serves to delimit argument by shifting the focus away from one issue toward another. Definitions help to keep the meanings of terms and symbols known. By increasing the clarity of terms, definitions lead to a common understanding of the terms; thus increasing the common ground for those involved in the argument. In addition, a lack of an understanding and implications of specific terms implicates the audience evaluating the discourse. Moreover, definitions alter social situations and historical contexts. There are differences between definitions that focus on what "ought" to count versus what "is." Misconceptions often are the result of vague and ambiguous definitions of terms. Moreover, vague and ambiguous definitions shift the focus from issues central to argument to the definition of terms. Ultimately, definitions function as social influence and control, thus possessing the ability to change our understanding of the world.

In the environmental debate, the use of the terms "sound science" has profound implications. The next section will evaluate how "sound science" reconfigures the

public debate over the environment. Specifically, it will be argued that the lack of an explicit definition of “Sound Science” allowed for the delimitation of argumentative grounds in the environmental debate. As a result of some of the Republican Controlled Congress’s use of “Sound Science,” significant environmental legislation has been repealed.

## *2. The republican’s use of sound science*

The environmental debate in Congress centered around several issues. It politicized ecological issues to the extent that the debate was no longer concerned with questions of ecology but instead, focused on political issues. “Sound Science” ceased to exist as an ecological issue and entered the debate as a political concern. The Republicans, in politicizing these terms shifted what should have been an environmental debate, into the realm of political concerns.

Some Republicans in the 104th Congress have employed the term “Sound Science” as a strategy in the environmental debate. “Sound Science” implies a science that is an “all knowing refutable claim” that can be proved or disproved (Eisenberg, 1984; Lyne, 1990). An examination of how “Sound Science” was employed in Congressional debate illustrates how vagueness and ambiguity can limit the argumentative ground. If a definition is never offered, the ability to refute an argument based upon “Sound Science” diminishes.

To evaluate Republicans’ argumentative strategies this project will evaluate the term “Sound Science” and those terms used in conjunction with the “Sound Science” theme.

### *Sound Science as Rational*

The descriptive terms cluster around “Sound Science” offer insight into what the term encompasses. The terms associated with “Sound Science” have three general themes. First, “Sound Science” can be examined through its association to the “type” of data used. Second, “Sound Science” is associated with terms that concern the validity of the treatment, testing procedures, or the objectives of the procedures. Third, “Sound Science” has been associated with terms that suggest that there is a preferred type of reasoning that should underlie making a decision. “Sound Science” is often associated with the terms “accuracy,” and “hard evidence.” “Accuracy, consistency and predictability are often considered ‘scientific’ values” (Kuhn, 1977, p. 331). “Sound Science” gains argumentative strength through connection with these terms. For example, when “Sound Science” is associated with the term “credible,” it implies that there are certain



identifiable standards that have to be met, and implies that current “science” is not meeting them.

The focus on data also suggests that any errors could be within the data. For example, regarding the data used to estimate insect outbreak, Representative Cunningham (R-California) in the House Resolution 175 (1995) stated:

The USDA [United States Department of Agriculture] must rely on a sufficient amount of credible, hard data before a change is to be made. Never before has the USDA been responsible in designing a system of this type or scale. Therefore, before such an undertaking is to occur, I believe that the science must be sound. (E2119) Cunningham is suggesting that a quantifiable level of hard data determine “Sound Science.” According to Berthold (1976) an indirect connection can be made “through mutual relationships to third terms” (p. 303). By stating that the data must be credible and hard, the Representative implies criteria for “designing the system.” Therefore, the evaluation of the data is needed in order to measure and test for “Sound Science,” which at this point has no “hard” definition. By confusing what constitutes “Sound Science,” Republicans opposed to pro-environmental legislation can claim that the science used to determine that legislation was based on a science that was less than “sound.”

Accurate information has been associated with “Sound Science” numerous times in the environmental debate. For example, the planning and implementing of a general permit for the Energy and Water Development Act was argued on the House floor. Representative Riggs (R-California) stated that “it should be based on accurate information and sound science” (H. Res. 110, 1996). In this instance accurate information is linked with “Sound Science.” The importance of “Sound Science” is enhanced by its close connection to accurate information. Science based on information that is less than accurate would be considered “unsound.”

Although making the association between accurate information and “Sound Science,” the Republicans who use the term fail to define how to determine “accuracy.” They claim that legislation should be based on “Sound Science,” which presumably means accurate information, but do not provide criteria concerning how to assess either. In failing to offer such criteria, Rigg’s suggestion remains vague and unclear. Thompson (1971) argued that a clear understanding of the terms helps in reducing or avoiding confusion, and ensures that the debate will focus on the issues. If “Sound Science” remains unclear or undefined the focus will shift from the issues surrounding the environment to what constitutes “Sound Science.”

The terms associated with “Sound Science” indicate that it requires some questioning of the objectives, treatment and testing involved. These questions can be seen as an attempt by those opposed to environmental legislation, to control the debate by questioning the science used by the other side. It suggests that current methods of testing procedures used for environmental legislation be based on a science imprecise.

Monitoring and evaluating results have been argued as elements of “Sound Science” and the validity of the results has been questioned. Senator Gorton (R-Washington) argued that, “project recommendations shall be based on a determination that projects are based on sound science principles.” He also explained “recommendations should have a clearly defined objective and outcome with provisions for monitoring and evaluation of results” (S. Res. 112, 1996). Gorton’s discourse implies that “Sound Science” should have some “clearly defined” objective; that there should be some attainable end. Connecting project recommendations with “Sound Science” makes this association. If project recommendations are to be based on “Sound Science” then they should incorporate the use of “clearly defined objectives. According to Gorton, “Sound Science” is able to monitor and evaluate results.

Another component of “Sound Science” is appropriate treatment and testing. Former Senate majority leader Dole (R-Kansas) argued that the amount of legislation concerning drinking water “enhances important public health priorities by using ‘sound science’ and appropriate treatment and testing technologies” (S. Res. 189, 1996). Again “Sound Science” is used to connect to another term. Appropriate treatment and testing technologies are linked with “Sound Science” indicating that if the science is “sound,” then the treatment and testing technologies will be sound as well. Unfortunately, Dole fails to indicate how much testing and treatment would constitute an “appropriate” amount.

“Sound Science” has been associated with terms that suggest making a decision based on some form of reasoning. Terms that have been used are “foresight,” “reason,” and “discretion. These terms imply that there is some form of logic or reasoning to guide decisions, thus, “Sound Science” should be based on some form of logic or reasoning.

The amount of power or validity imbued by association can be illustrated through other arguments addressing “Sound Science.” The term “Sound Science” gains rhetorical strength through its implication of a science that is credible. Terms used with “Sound Science” suggest that scientific research is rigorous and follows

a strict logic. Representative Chenoweth, from (R-Idaho) stated “We all want to promote the wise use of America’s natural resources, but the driving force behind our current policies have [sic] little to do with sound science, foresight, or reason” (S. Res. 110, 1996). This association of “Sound Science” to foresight and reason suggests that a “logical” element must be present. Foresight implies that there is, or should be, some way to make accurate and appropriate predictions concerning environmental policies. By tying “Sound Science” to foresight, Representative Chenoweth suggests that current policies fail to make such predictions. Reason is tied to some logical thought process. If the reasoning chain is clear there should be no questioning of scientific methods used. If we accept Chenoweth’s definition, “Sound Science” has the ability to make logical predictions concerning the phenomena being studied. If the science is “sound,” it should contain foresight as well as reason.

### *“Sound Science” as Common Sense*

Initially, Republicans supported rollbacks of environmental legislation in the name of “regulatory reform.” Recently, it has been argued that there is a need for a “common sense” approach to environmental concerns. This section, will examine how some Republicans of the 104th Congress have clustered “Sound Science” with “common sense.” “Common sense” by contrast is based on a less strict standard of validity. It will be argued that the association of “Sound Science” to “common sense” implies that the science used should be easily understandable, and that it should make sense to a lay person.

By forging a link between “Sound Science” and “common sense,” advocates offer standards that can be in direct opposition to one another. “Sound Science” would seem to be based on a critical methodological approach to knowledge, suggesting a set standard or criteria against which claims can be measured. In contrast, “common sense” suggests that all one has to do is evaluate a situation determining whether it makes sense to a lay person. By appropriating both “Sound Science” and “common sense” the Republicans are free to use either as grounding in the environmental debate. The result is an effective two-pronged assault on the science used in environmental protection.

The association of “common sense” to “Sound Science” has several implications for the environmental debate: First, the association is used to suggest problems in the regulatory process. Second, the association implies that progress can be viewed as money spent properly.

Clusters have been made associating “Sound Science” to the regulatory process.

Representative De Lay (R-Texas), argued on the Senate floor that “these riders [cuts to environmental legislation on appropriation bills] are about common sense, sound science, and flexibility, they’re about making sure that we get real benefits out of our regulatory requirements so that the burden we place on Americans and on our businesses make sense” (H. Res. 178, 1995). The association of “Sound Science” to “common sense” indicates an ability of “sounding right,” or “making sense” to the lay person. By explaining science in terms that “sound right,” the assumption is that anyone can examine science and if it “sounds” good to them, then it is “sound.” Thus, science is taken out of the hands of scientists and placed into the hands of the public.

“Sound Science” can be used to make the regulatory process more effective. De Lay stated: “That is why we are including this package in this bill, the provisions that make up this package are widely supported by a majority of both houses, and signify a return to common sense, sound science, regulatory flexibility, and a more effective regulatory system” (H. Res. 177, 1995). “Sound Science” is not only clustered with “common sense” but also with regulatory flexibility. This is significant because it suggests that there be some flexibility in the regulatory process.

Senator Bond (R-Missouri) spoke of the significant strides the country has made on environmental progress. Bond stated “I think we have come to the point now where we demand that the progress be on the basis of ‘common sense,’ of justifiable actions, of using sound science, of not duplicating efforts, and making sure that the dollars we spend on the environment...are spent properly” (S. Res. 151, 1995). It is implied that progress must be based on “common sense” and “Sound Science.” In this instance, progress refers to the legislative choices made on the environment. If progress is based on “common sense,” one would expect to see regulations and standards that would “just seem right.” Thus, “Sound Science” must have the ability to “sound right,” and “make sense” to a lay person.

### *Oppositional Terms to “Sound Science”*

The terms opposed to “Sound Science” can be grouped in two ways. First, “emotion” and “speculations” are opposed to “Sound Science.” Emotional disputes differ from common sense in that emotional forms of persuasion center on the tragedies of the environment. An emotional argument put forth by environmental advocates would be an easier argument to win, as often times environmental hazards that affect wildlife are easier to portray.

Republicans opposed to environmental legislation wanted to keep emotions out of

the debate in order to avoid losing the debate based on this emotional appeal. Whereas, a common sense approach to environmental legislation stems from the difficulty in which scientific information is inherently hard to understand. Common sense arguments focus mainly on whether or not the argument, or logic makes sense. Second, the opposition of "Sound Science" to urgency and political expediency creates an impression of a science determined or influenced by politics. These opposition clusters help illustrate what "Sound Science" is not.

In discussion concerning the National Educational Amendment Act (NEAA), the use of "Sound Science" implies that the Act should be based on science not emotion. The responsibility of the NEAA of 1996 was to ensure that environmental education was not one-sided or heavy-handed. Senator Inhofe (R-Oklahoma) stated: "Environmental ideas must be grounded in sound science and not [in] emotional bias. While these programs have not been guilty of this in the past, this is an important safeguard to protect the future of environmental education" (S. Res. 117, 1996). In this instance emotional bias is used in opposition to "Sound Science," signifying it as a devil term. This illustrates the strategy of moving the environmental debate into the political arena. While emotions are valid criteria for political decisions, they should not effect science. In the next sentence the Senator contradicts himself by observing that "these programs have not been guilty of this in the past," and thus, answers a problem he admits never existed.

Another key term that has been used to oppose "Sound Science" is media attention. Senator Faircloth (R-North Carolina) argued that, "...in the past, regulations have been aimed at issues identified through media attention rather than sound science" (S. Res. 115, 1995). This contrast between "Sound Science" and media attention implies that the media has an ability to control which issues gain attention. Issues that gain the media's attention are those that are most important and relevant. "Sound Science" should not be what the media reports, rather, it should focus on the issues that are relevant and most important to the environment.

Politics and political gain have also been used in opposition to "Sound Science." Senator Burns (R-Montana) commented, "the bill establishes an Endangered Species Commission which will ensure sound science, not politics, drives our decisions" (S. Res. 167, 1995). The Senator argues that "Sound Science" should "drive" the decisions. This contrast implies that science not concerned with politics is "Sound Science." Thus, "Sound Science" entails a sense of what is best for the environment regardless of the politics involved.

Republicans also argued that “Sound Science” should be separated from political influences.

Senator Kempthorne (R-Idaho) spoke of the Endangered Species Conservation Act (ESCA) suggesting that science and politics should be separated. The emphasis he stressed was how it must be reformed or else it will collapse due to the enormous pressure of the regulations that it has enacted. Senator Kempthorne in Senate Resolution 167 (1995) stated:

Let me go over the major provisions of the ESCA: This bill effectively separates science from politics, it is designed to actually conserve species while recognizing the rights of private property owners, the current act’s mandate to recover every species regardless of cost or consequence is changed to allow us to prioritize our Nation’s needs and to conserve species in the process. (15850)

The issues that are raised in this excerpt are three-fold. First, Kempthorne is trying to separate science from politics. Unfortunately, he acknowledges that it conserves some species and at the same time it protects the rights of private property owners: a distinctly political concern. Second, the mandate is changed in order to re-focus its priorities. Finally, the Senator offers that it changes the mandate from “recovering every species regardless of cost or consequences” to making cost and consequences a concern. This moves from conserving all of the species to only the ones that the process would catch in prioritizing the “Nation’s” needs. The literal translation of the statement appears to be true in that the bill effectively separates science from politics. It is as if politics ignores science, and legislation completely ignores the science of conservation.

What level of science is needed to achieve the most “realistic assessment” is often questioned. The claim is that the assessment used should be based on the best science available. Senator Domenici (R-New Mexico) stated in Senate Resolution 118 (1995): My good science amendment was a specific remedy in one law.

But I believe that there is an urgent need for realistic and plausible exposure scenarios and sound science in all risk assessments. I am pleased, therefore, that the Dole bill requires that risk assessments be based only on the best available science, a basic requirement which has been sorely needed for far too long. (10395) In this instance “Sound Science” is associated with the “best available science” through the use of the mutual third term “risk assessments.” The argument is very similar to the notion that science changes. When associating “Sound Science” to the best science available, the focus shifts to the currency of science. That implies that it is possible for risk assessments to use science that is

considered outdated or not current. Unfortunately the Senator does not provide an explanation as to what constitutes the “best science.” In not explaining the “best science,” environmental advocates are left to guess what constitutes the “best science.”

In the final section, the association of “Sound Science” to cost benefit analysis will be examined. The following examples examine those instances where there is a direct link to costs or money. The importance of examining costs associated to the science used in environmental regulations will help illustrate the claim that the costs should not exceed the benefits. It has often been argued that the cost associated with protecting the environment has been too high.

Representative Lewis (R-California), argued “If you believe that [the] EPA should base decisions on proven sound science, risk assessment, and thorough cost-benefit analysis, by all means join with us in perfecting this bill” (S. Res. 152, 1995). The association of cost-benefit analysis to “Sound Science” implies that there should be concern as to where the money is spent in environmental protection. Furthermore, the cost that would be required for industries to comply with the regulations of the EPA should also be considered. The implication of “Sound Science” and cost-benefit analysis to “perfecting this bill” implies that the bill needs to be perfected, and the way to perfect it is for the EPA to consider the costs and benefits. Unfortunately, it leaves out who gets to assess the costs and who receives the benefits. Representative McIntosh (R-Indiana) stated in the House Resolution 124 (1995) that:

This bill calls upon [the] EPA to reevaluate its rule - making activities in order to set priorities for the expenditure of public funds - to limit regulations only to those that serve a compelling public need, are based on sound science, and are cost effective... The bill is a clarion call for rational and realistic regulations that are based on sound science and subjected to risk assessment and cost-benefit analysis, regulations that are tailored to the magnitude of the problem addressed, and regulations that not only seek to achieve worthwhile goals, but also allow regulated sources to pursue the most effective means to those ends. (7938)

In his statement the representative maintains that money will only be allocated to regulations that “serve a compelling public need.” Unfortunately, there is no explanation as to what constitutes the public need. Furthermore, if the public is unaware of the environmental harms, or if there is no threat posed to the public, then the EPA should not be concerned with it. The implication is that only when the public is concerned spending for those regulations will be enacted. There

would be no consideration to instances that effect the environment itself or the wildlife it contains.

A cost benefit analysis will help in ensuring that the funds for environmental regulations are prioritized. The Senator explains the criteria for how funds for environmental regulations should be spent from Missouri. Senator Bond (R) explained the allocation of funds stated in Senate Resolution 34 (1996): After passage of this legislation, if sound science indicates that a significant risk needs to be addressed, then, of course we must support sensible and cost-effective regulations. That is what this is all about. Making sure that we get regulations focused on the design to get rid of those risks...We have said that we are making funds available to be allocated on the basis of need, on the basis of sound science. If that, in fact, is such a need and sound science requires it, then money will go there...So we put the money into State revolving funds, we put the money into programs where it will be allocated on the basis of sound science, where it will be allocated on the basis of how much danger is posed. That is how the money should be allocated. (1997)

The association of "Sound Science" to need suggests that in order for the science used to be considered "sound," it must fulfill some need. Another basis for how the funds are allocated is that they must be based on "how much danger is posed." This implies that if the harm does not affect or "pose" a threat than there is no need for funding. The use of "danger posed" is ambiguous. Danger has two possible implications or interpretations. First, it could be interpreted as danger towards people. Second, danger could be directed towards species or an animal becoming endangered. By not addressing this ambiguity the Senator allows the term to be vague and ambiguous.

Republicans of the 104th Congress did not define the term "Sound Science" they operationalized it in their rhetoric. Balance and change were associated with "Sound Science" indicating how both science and nature possess the ability to change or evolve. The essay also examined the connection of "Sound Science" to "common sense." This association illustrated the need for the science to sound right or make sense to the lay people. The terms used in opposition to "Sound Science" provided further insight in the strategic use of the term. Terms such as emotion and speculation suggested that science cannot be concerned with emotional appeals and that it should be proven. Politics was used in opposition indicating that science used in determining environmental outcomes should not be tied up in political influences. Finally, the association of "Sound Science" to



cost benefit analysis and risk assessment was examined. It was implied that there needs to be a “realistic” risk assessment process but “realistic” was not defined. Furthermore, assessments should be made based on the best science available. The examination of “Sound Science” in conjunction with cost benefit analysis indicated that money should be spent based on the existence of a public need or a posed threat.

Through the strategic the use of “Sound Science,” Republicans opposed to environmental legislation masked the real issues of the environmental debate. The argument that the EPA and environmental advocates fail to use “Sound Science” in the regulations and legislation they put forth was articulated. In successfully shifting the argument away from environmental issues to the term “Sound Science,” Republicans opposed to environmental legislation limited the argumentative ground of environmental advocates. Thus, the argument shifted from the reasoning why environmental concerns are important and relevant, to whether or not the science used in determining the standard for environmental legislation was “sound.”

### *3. Implications for public argument*

This study offers several implications for public argument. First, it consolidated some of the previous research regarding definitions in argument. Past studies focused on how definitions promoted understanding in argument. However, these studies ignored the role that definition can play in masking issues by removing them from discussion. In the case of the environmental concerns of the 104th Congress, the use of “Sound Science” masked such issues as the need to protect air and water quality or endangered species. Conceptual ambiguity resulted in a lack of focused discussion. Vague and ambiguous terms are not clearly defined, thus their meaning can only be based on assumptions operationalized in their use. Furthermore, discussion may focus on the meaning of the ambiguous term, potentially avoiding the issues more relevant to the argument.

This study found that ambiguity in defining a term could function to limit meaningful debate by restricting the argumentative grounds of dialogue. More importantly, leaving key terms ambiguous allows proponents to shift focus from the issues central to the argument, to the definition of the term itself. One of the defining characteristics of definitional argument is the ability to delimit argumentative grounds. The associations employed by some Republicans of the 104th Congress aimed at establishing “Sound Science” as a standard for science used in environmental legislation. Keeping the meaning of “Sound Science” vague

and ambiguous forced environmental advocates to answer critiques concerning the type of science used and kept policy concerns muted. In shifting the focus of the argument, opponents of environmental legislation were able to stall and even impede the passing of more stringent legislation. More importantly, by keeping "Sound Science" vague and ambiguous they were able to focus the debate on issues that were beneficial to their agenda.

Public argument "is publicized, made available for wide consumption and persuasion of the polity at large" (Fisher, 1989, p. 71). When environmental cuts were openly debated on the House and Senate floor, they were defeated. The attachment of riders to appropriation bills suggested that the Republicans opposed to environmental legislation sought to avoid public scrutiny concerning their claim of regulatory reform.

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## **ISSA Proceedings 1998 - Denying**

# The Argument Of Indifference: Reclaiming The Possibility Of Intimacy In Discourse



Contrary to the cliché, technology has been successful in making the world a much larger place. Technology has opened up places and interfaces where, literally and figuratively, no person has gone before. From collaboration within multi-cultural task forces, to empowering the oppressed through education, to debating

the succession of the next Dali Lama, we are inundated with intriguing information and we have relatively informed opinions about what we know. In turn, the way we “read” each other, our skills in relationship and our competence in conflict become more and more crucial to productive, if not always peaceful progress. We are, individually and as social groups, involved in more and various critical situations than we have ever been before.

As the future promises more opportunity for diverse interaction and as technology falsely promises to bring us closer together simply because we have greater access to one another, it is up to us as social and political beings to work out how that access will transfer (or not) to intimacy, and conflict to productivity. The task that obviously follows such opportunities and challenges is one of argument: How do we communicate what we believe is best and respond productively, in turn, to the conflicts that such beliefs engender? One branch of argument theory has tended to overlook the quality of relationship between interlocutors in its attempt to reduce such relationships to formal logic – overlaying a mathematical function on the face of humanity. Another branch of argument theory (following the lead of other academic scholarship) has given itself over to a postmodern ethic where any notion of objectivity is simply the fool of subjectivity’s reigning court and competing ideals and truths are no more than socially constructed opinion.

Relying upon formal logic, conflict is simply an error; using the postmodern ethic to inform argument studies, conflict is all that’s possible. The problem here is that our theory often leaves us unwittingly empty handed. Argument theory that attempts to allow real solutions to real problems emerge, must do more than figure or tolerate; it must, by definition, be discontent with passive disagreement.

I would like to make a case for the possibility of intimacy in argument – one that affirms the possibility of knowing the other in meaningful, if imperfect ways. I suggest that we adopt an epistemological model that rejects the false dichotomy which characterizes knowing the other as either impossible or inevitable. We might embrace, instead, intimacy, or a willingness to fully engage the other, even (or especially) in conflict. This model of knowing would recognize the other as an integral, autonomous member of a community of fellow truth seekers, willing and capable of the intercourse of productive dialogue. Intimacy requires that we recognize that we are in relation, and yet also in relationship.

At the time I began to study argument in earnest I also began an intensive study of Paulo Freire's theories of education. Freire devised a method of teaching illiterates in the North East of Brazil based upon his philosophy that, in learning to read and write, students and teachers could become active participants in their education by thinking and acting as subjects of their own existence, not objects of someone else's. Freire describes a "culture of silence" of the dispossessed, and he challenges students to think critically about their selfhood and the social situation in which they find those selves.

While studying Freire's pedagogy, I was simultaneously engaged in implementing, to the best of my ability and knowledge, some of the Freirean philosophy of "liberatory pedagogy" in my own composition classroom, a classroom which was centered around written argument. So influential was the Freirean model (critical reflection paired with action, or praxis, as the basis of all learning) to my training as a teacher, that I was, in fact, largely unaware of the theory that informed my practice until I began a course of study out of the core texts of the "radical teaching" movement. We were, quite naturally, reading Freire's *Pedagogy of the Oppressed*, several pieces by bell hooks, Ira Shor's *Critical Teaching and Everyday Life* and C.H. Knoblauch and Lil Brannon's *Critical Teaching and the Idea of Literacy*, among others. It was perhaps by way of this parallel and intensive study of argument theory and liberatory pedagogy that I began to be irritated, and then frustrated, and then indignant and finally curious about a very peculiar and yet very prevalent characteristic of the Freirean philosophy, at least in its American interpretation: It was impossible to argue with the theory. In addition, the ethos of the piece, and I am thinking specifically of the Knoblauch and Brannon now, was so belligerent as to be forbidding.

I think it is important to note right up front that my distrust of the Freirean philosophy did not immediately present itself. Critical teaching would seem to be

a model of intimacy in education – a respectful, dialogic, reflective and critically aware approach to learning – but reading the core texts of the movement proved otherwise. It was not until reading Knoblauch and Brannon's manifesto that I became painfully aware of my personal frustration with the argumentative content (and the ethos) of the piece. Not unlike Karl Popper's experience with Marxism, psychoanalysis and individual psychology which he relates in the landmark *Conjectures and Refutations*, I began to closely examine not only my own reaction to the work, but the implications of the theory to the wider world. As Popper relates:

The study of any of [these explanatory theories] seemed to have the effect of an intellectual conversion or revelation, opening your eyes to a new truth hidden from those not yet initiated. Once your eyes were thus opened you saw confirming instances everywhere: the world was full of *verifications* of the theory. Whatever happened always confirmed it (Conjectures 1968: 34-5).

Again, like Popper's ambivalent interest in the work of Marx, Freud and Alder, I began to mistrust Knoblauch and Brannon; and in the same way, I began to see that a body of knowledge that I had previously admired began to self destruct under the weight of what it seemed to consider its own best strength – irrefutability. It is impossible to argue with a Freirean precisely because their theory has, to use Popper's language, inoculated itself against counter argument. If, for instance, one were to oppose the mission of "radical teachers" as "dogmatic fidelity to leftist ideology," (which Knoblauch and Brannon consider as a possible criticism) those espousing the theory would answer (as Knoblauch and Brannon do) that their opponents are simply unknowing victims of the same oppressive system which they, in full knowledge, are resisting (26-7). By claiming that any belief system that conflicts with theirs is delusional or naive, Knoblauch and Brannon adopt the stance of a Marxist wielding "false consciousness" or a Freudian theorizing "repression:" whatever argument may be put forward is simply further evidence of delusion.

This rhetorical move, this coopting of the interlocutors argument as part of the rhetor's own, serves to completely insulate the theory from criticism, protecting the claim even before any dissension can possibly be raised. It disallows criticism by intercepting any possible objections and claiming that such criticism are only further proof that the rhetor is, in fact, correct. Because this rhetorical move demands the end of argument and the ethos is one of sweeping indifference toward, and dismissal of, the other, I suggest that we begin to recognize the move

as *argumentative insouciance*. As is the hallmark of argumentative insouciance, any instance of criticizing a liberatory pedagogy or the radical teaching movement itself becomes proof of the interlocutor's own implication in the system of oppressive teaching.

I have borrowed the idea of such insouciance from the work of Reed Way Dasenbrock who locates "methodological insouciance" within the work of certain literary theorists who have "changed our notion of admissible evidence" by proclaiming that any counter argument is irrelevant because any counter argument is only evidence that the theory in question applies with special force (547). Like Popper, Dasenbrock identifies this particular type of irrefutability with Freudian repression when he demonstrates that Harold Bloom's work on influence contains the hallmark of insouciance: "the notion that we are often unable to articulate feelings of, say, hostility but our very inability to articulate such feelings may be evidence of their existence and depth. This does away with the possibility of any corroborating evidence whatsoever" (547-48). Knoblauch and Brannon employ just such evidence manipulation when they insist that anyone who disagrees with them is delusional (on the grounds that their insecurity makes them depend on false notions like canonical literature, aesthetic discernment or social cohesion [19]), naive (on the grounds that they just haven't heard "both stories" [27] or "remain unconscious of their ideological dispositions" [24]), or implicated in maintaining oppressive forces (on the grounds that "the economic self interest ...gives way here to a broader...alarming, ethnocentrism" [20]).

The critical teaching movement's explicit exigency ("radical social change"), which "presumes that American citizens should understand, accept, and live amicably amidst the realities of cultural diversity - along axes of gender, race, class, and ethnicity (Knoblauch and Brannon 1993: 6), must be seen as admirable goals that should be pursued with vigor. However, it is the delicate task of transferring theory to methodology that is crucial to most endeavors. Because the warrant behind Knoblauch and Brannon's argument is universally acceptable (living amicably amidst the realities of cultural diversity is desirable), the burden of proof is to convincingly demonstrate to a critical reader that what they believe to be the best pedagogical strategy to achieve these ends is, in fact, liberatory pedagogy or "radical teaching." It is at this juncture - where the Brazilian pedagogical philosophy for illiterates meets the American academy - that the need for practicing argument ethically, dialogically, and intimately becomes

crucial. However, Knoblauch and Brannon disallow any challenging voice by employing the tactic of argumentative insouciance, while their own theory claims to champion freedom, community and dialogue. The irony is devastating here.

Knoblauch and Brannon begin by isolating four arguments about literacy:

1. the argument for functional literacy
2. the argument for cultural literacy
3. the argument for literacy- for-personal-growth and
4. the argument for critical literacy.

The authors aim to demonstrate how the view of literacy that they advocate is superior to the others by the method of discrediting the other three until only “critical literacy” is left standing. This may at first seem a classical argumentative practice until we look closer at the method by which Knoblauch and Brannon meet this challenge. Taking the functionalist perspective as their first opponent, the authors describe this “representation of literacy” as a pragmatic epistemology carried out with utilitarian ethics. Knoblauch and Brannon sprinkle their description of the benefits of this perspective with sarcasm (“the advantage of...appealing to concrete needs rather than...self improvement...or the possibility of changing an unfair world” [18]) and tongue-in-cheek praise (“The functionalist argument has a more hidden advantage as well...it safeguards the status quo” [18]). Knoblauch and Brannon imply that any practitioner working through a functionalist perspective, say, is guilty of suppressing real learning for the sake of enforcing an oppressive social order. This use of argumentative insouciance denies any possibility of intimacy, the rhetorical move denotes a refusal to see the other as integral and autonomous, and interdicts the possibility of engagement and productive dialogue.

Next, cultural literacy is shot down for its paranoia and self interest (“popularly sustained as well among individuals and social groups who feel insecure about their own standing and future prospects when confronted by the volatile mix of ethnic heritages and socioeconomic interests that make up American life”). Literacy for personal growth is discarded because of its naivete, its delusional beliefs and its affected sincerity (“it borrows from long-hallowed American myths of self-determination, freedom of expression and supposedly boundless personal opportunity...Using the rhetoric of moral sincerity”). It is most important here to recognize that these pseudo-arguments suffer both in ethos and ethics, as they attempt to characterize not the opponent’s position, but the opponent herself.



Having effectively stripped their prey of all legitimacy, Knoblauch and Brannon deliver the death blow: these other practitioners aren't even aware of their own ideological dispositions. Apparently, once the functionalists, culturalists and expressivists are able to reach the level of self awareness and critical consciousness that Knoblauch and Brannon must be capable of, they too, will choose liberatory pedagogy as the right path. Besides the implications that the aggressive ethos, the ad hominem attacks, the marshaling metaphors and the sarcasm had already had for the authors' ethos, I began to sense a conspiracy theory coming on.

Knoblauch and Brannon's rhetorical stance as an act of communication can only be recognized as pseudo-argument because it denies the one universally accepted element of real argument: discourse with a known interlocutor. Argumentative insouciance precludes the possibility of discourse; it is self absorption taken to a monastic extreme. In order to employ this rhetorical move and form this pseudo-argument, the writer denies any possibility of merit in counter argument and in doing so, denies the value of the other's beliefs and perspectives. As such, argumentative insouciance can only be successful in demonstrating a certain ideology. Not unlike Marxism, liberatory pedagogy relies upon a politically sound warrant to justify the forcefulness of a welcomed, yet prescribed, ideology which can only serve as a substitution for the oppressive police force of the dominant class. Any argument that denies the possibility of dialogue also signals the end of productive conflict, and the end of conflict is the end of freedom as well. It could be that liberatory pedagogy is the best methodology to use to empower students as they seek their own education and their own consciousness.

However, in arguing that this belief is best, Knoblauch and Brannon have abandoned the spirit of the Frerian philosophy in favor of the error of irrefutability necessary for a powerful ideology. It is this error of irrefutability, manifesto masquerading as argument, which, once turned to methodology and advocated by a practitioner, becomes argumentative insouciance.

Intimacy is, rather, the hallmark of productive argument. Argument must be an act of intimacy to produce useable results. If we are to consider how we best communicate what we believe - the best pedagogical method in this example - we must not only assert our own position, we must fully engage with the opposed other. Intimacy in argument is discursive with a real, autonomous, integral other and it encourages dialogue. I am not interested here in naming errors that can be considered flaws, or "fallacies" which occur in what would otherwise be sound

positions. Rather, I would like to suggest that we begin to isolate those arguments that are unproductive and even unethical in a more wholesale way; specifically, those moments in discourse which abbreviate, ignore, diminish or recompose the interlocutor in such a way as to make the relevant audience strangely irrelevant. Because I identify argumentative insouciance with an unwillingness and an inability to identify and engage with a discourse partner, I would like to consider Plato's *Symposium* as one source for the conditions and potentials of intimacy. I do not find, however, that the *Symposium's* notions of Love will offer us a model of peaceful resolution but rather, an acknowledgment of conflict and an insistence upon dialogue.

Plato's Socrates points out that Love (the quality that I am identifying with "intimacy" here) is "neither fair nor good," (192) but "a mean between the two" (193). This is so, according to the character Socrates, because Love desires the "fair and the good" and "he has no desire for that of which he feels no want" (195). The character Socrates uses another example that is relevant to our discussion here to illustrate his point; it is that of the mean between wisdom and ignorance, which he calls "right opinion:"

...which, as you know, being incapable of giving a reason, is not knowledge (for how can knowledge be devoid of reason?) nor again, ignorance (for neither can ignorance attain the truth), but is clearly something which is a mean between ignorance and wisdom (193).

As rhetors, we must first recognize that what we offer is neither pure ignorance nor pure wisdom. What we offer is hypothesis - "right opinion" - that does not deny Truth, in fact it aims directly toward Truth, but at the same time it is always subject to rigorous testing, retesting and redetermination in a community of fellow truth-seekers. It is important to understand the implications of such a "mean" here. It is believing that the virtues of the ideal of objectivity are possible while at the same time recognizing the constraints of sure subjectivity. As the character Socrates points out in Plato's *Symposium*, "that which is always flowing in is always flowing out," and Love, or intimacy, being the progeny of Poverty and Plenty, is "never in want and never in wealth...a mean between ignorance and knowledge" (194).

Recognizing our beliefs as hypothesis and valuing our interlocutor as one worthy of love, allows us to accept intimate communication (dialogue) as the "... intermediate between the divine and the mortal... He [Love] interprets between gods and men... the mediator who spans the chasm which divides them, and

therefore in him all is bound together (193).” In such a way, dialogue, which includes the quality of necessary otherness along with a longing for intimacy, is “dialectical objectivity” in practice.

We understand that to solve real-world problems – the only actual value of argument theory – we must discover a road between the all-or-nothingness of pure logic and pure subjectivity. But how do we do that? How do we hold, what seem to us contradictory views, both in our minds at the same time? I believe we must begin by creating a paradigm shift that values intimacy equally with logic, and reinventing the sense of the Aristotelian mean imbedded in the notion of “right opinion.” George Levine writes of such endeavors that “It requires an extraordinary and perhaps impossible balance, a tentativeness that keeps all aspirations to knowledge from becoming aspirations to power as well”(72). It is just this “extraordinary and impossible balance” that I have come to believe must become the central issue for theorists who study argument and that must inform the serious and conscientious application of argument theory to common problems from all disciplines.

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# ISSA Proceedings 1998 - Making A difference Or Not: Utterances And Argumentation



As a linguist, I am limited, in the study of argumentation, to the linguistic traces of the argumentative process. Fortunately, they are numerous, and exactly like the relation between fossils and life forms, they present the advantage to be testable and that one can be sure that, even if some aspects of the argumentative process do not

leave fossilized traces, most do.

Arguments are utterances and therefore they share certain characteristics of utterances (as opposed to propositions or phrases). To highlight what is probably the most important feature of utterances as far as understanding the relation between an argument and conclusion, is the aim of this paper.

I had the opportunity (Nemo, 1995) to present here a description and account of argumentative relevance, which I will quickly summarize, before introducing new evidence for my main hypothesis.

## *1. Utterances and argumentation*

First of all, the distinction between proposition and utterance must be justified. If we consider the difference between proposition 1 and utterance (1):

1. Bill Clinton is alive.

(1) Bill Clinton is alive.

i.e. the difference between an unsaid proposition and an uttered proposition (the utterance), it must be remarked that 1 represents only the fact that Bill Clinton, is alive, whereas (1) represents both the fact that he is alive and the fact that this might (indexically and not theoretically) not have been the case. Consequently, the utterance (1) can represent only a moment when something has happened (an

accident, an heart attack, an assasination attempt, etc...) whereas the proposition represents any moment in which 1 is true. In other words, the sentence is (only) an image of the reality whereas an utterance is the association of an image of the possible and an image of the reality: *an utterance consists, minimally, of the association of a proposition with a modal frame*, and hence receives the following description:

(1)

Bill Clinton may be alive – Bill Clinton is alive.

– may not be alive

The mere use of language implying a modal framing of reality. From this general standpoint a description of the argumentative value of utterances may be proposed. The constraints which have to be described in order to account for it are at least four, one accounting for the argumentative value itself, as opposed to informative value for example, another accounting for the argumentative orientation, and the others for the argumentative strength of utterances.

### *1.1. Argumentative utterances*

To account for the argumentative value of an utterance, that is to account for the fact that we can say things (which are by no means informative) such as “ I’m your dad ” (this to say for example “ you should listen to me ” ) or “ I’m not three years old ” (this to say for instance “ I shouldn’t be treated like that ”), the existence of a *scalarisation constraint* must be hypothesized.

*An utterance E may be used as an argument for an utterance R, if and only if it makes a difference for R that E is the case or not.*

If we consider the exemple (2) for instance:

(2)

(S)he came but too late.

it is easy to observe both that what is meant is that when she actually came, it didn’t make a difference any more and that the meaning of “ P but Q ” (the encoded meaning of ‘but’) is simply, as we shall see again later, to indicate that *P is not making the difference it might have made because of Q*.

### *1.2. Argumentative orientation*

To account for the argumentative or scalar orientation of utterances, that is to understand how a certain reality can lead to opposite conclusions, the *comparison*

*constraint must be spelled out: Given the fact that the scalar (that is argumentative) value of an utterance depends on a comparison of the different possibilities which are introduced by the utterance, the scalar orientation of the utterance depends of the possibilities which are, or which are not, introduced.*

Among the linguistic traces of the existence of this constraint are what Ducrot calls the argumentative operators, for instance *peu* (little), *un peu* (a little), *presque* (almost), *à peine* (hardly). I could add *trop* (too much or too many) or *seulement* (only) but it can also be shown on operator free utterances. If we consider the utterance (3) and (4) and the surprising relevance of answering/retorting (3) to somebody who has said (4):

(3)

Il a peu souffert (He suffered little or He didn't suffer much)

(4)

He suffered (He suffered)

First of all, it is clear that there is no need of any old information to understand what is going on: utterance (3) modal background consists in opposing suffering a little and suffering a lot, in which case suffering 'little' is not so bad. On the contrary, utterance (4) modal background consists in contrasting the fact of suffering with the possibility not to suffer at all, and therefore it presents the suffering as 'bad'. Thus, by answering (3) to (4), or by opposing them with a *mais* (but), what (4) actually reminds the speaker of (4) is that the person in question might not have suffered at all, a possibility which the first utterance was simply not considering at all.

Hence, the relevance and interlocutive value of the answer (4) is completely dependent on the difference suffering or not suffering makes, and not at all on any new information (4) would convey. Yet, there are no reasons to believe that (4), because it is clearly uninformative and therefore violating Grice's maxim of quantity, would be considered irrelevant: if it doesn't not change anything about the representation of the world, it does change locally the set of possibilities to be considered, in other words what we shall call from now on the interlocutive image of what is possible.

### *1.3. Argumentative strength*

Two last constraints on scalar value account for argumentative or scalar strength. The first one is the scalar slope constraint: *Given the fact that an utterance E is an argument for an utterance R if it makes a difference for R if E is the case or*

*not-E*, then the argumentative strength of the utterance *E* depends basically on whether the difference that *E* makes for *R* is small or big.

The second is the modal slope constraint and operates within the *scalar slope constraint*:

*Given the fact that it makes a difference for an utterance R if E is the case or not, the more not-E will be possible (likely), the bigger the difference the fact that E is the case will make. And hence, the stronger the argumentative or scalar value of the utterance E will be.*

Linguistic traces of the existence of these constraints can be found in the use of words such as 'même' (even). If we consider utterance (5):

(5)

Même Pierre est venu (Even Pierre came) the fact that " Pierre came " is the strongest argument to prove the success of a meeting is due to the fact that Pierre was the most unlikely to come.

#### 1.4. Some examples

We shall illustrate this description with the dialog (6), a dialog which includes the discourse marker 'tout de même' ('even so') and which is taking place in a shop between a customer C and a seller S, should be considered.

(6)

- *C'est cher !*
- It's expensive !
- *C'est de la qualité !*
- It's quality !
- *Tout de même !*
- Even so !

It would be possible to say, as the first Ducrot for example would have said, that " It's expensive " is an argument for a conclusion and that " It's quality " is an argument for the opposite conclusion. But that's not what is really at stake in this dialog. The meaning of the answer " it's quality " in (6) is that " it cannot be inexpensive ", which, according to the *modal slope constraint*, weakens the first utterance scalar value: if it cannot be inexpensive because it's quality, then the fact of being expensive cannot make any longer a difference.

Hence, to bring back again some scalar value to the initial utterance, the customer will have to reply "Even so", this to say that "Even for quality it's expensive".

## *2. The difference it makes and the semantics of utterances*

The next point I want to make clear is that the scalarisation constraint and its insistence on the importance of the difference what is said is supposed to make is not an adhoc and commonsensical hypothesis, nor something specific to argumentation. What is quite clear on the contrary is that even if what it means exactly has yet to be fully explored, it should be considered as a linguistic discovery. Why should it be so ? Mainly because the scalarisation constraint (SC) is shared by all utterances and appears in the most different contexts and speech acts. And because it is a key to the interpretation of utterances, either in the understanding of the implicit of utterances or in the understandings of what argumentative connectives or operators actually encode.

### *2.1. The difference it makes and the implicit content of utterances*

For instance, only the SC accounts for the fact that utterances children such as (7) may be uttered even by a mother to one of her own children:

(7)

I am not your dad

to say something such as “go and see your dad directly, I am not the relevant person for this”. But this is also why saying (8):

(8)

I’m your dad.

sometimes mean things such as “Don’t talk to me like that” and sometimes things such as “You can talk to me”.

And this is still why it can be guessed that what the utterance (9):

(9)

On est Alsacien ou on ne l’est pas (one is Alsatian or one is not) is talking either about the difference it makes to be Alsatian or not, or about the difference the whole utterance makes, namely that there is no middle between the two possibilities. Similarly, as was observed within the Relevance Theory framework, this is why answering

(10)

He is French

to the question:

(11)

Does he know how to cook ?



may be explained by the sole hypothesis that this answer must be interpreted through the question “What difference does it make for cooking abilities to be or not to be French?”. This is also why, an even more subtle implicit of such utterances, one cannot answer:

(12)

It's right around the corner

to somebody looking for a gas station and asking:

(13)

Do you know where the closest Gas station is ?

if(s)he knows that the station is actually closed.

As a matter of fact, it seems that the scalar maxim: *Do not say something which makes no difference* (to what is at stake) would probably be the most direct description of cooperativeness. The same constraint is also present in indirect speech acts, such as:

(14)

It's hot in here.

(15)

the bin is full.

In which it combines with another feature, the X-dependency feature (Nemo, 1998), to produce the directive effect.

## 2.2. To make or not to make a difference: fossilized traces of the SC

When linguists try to describe discourse connectives, the main problem is to understand what exactly is at stake in the use of a connective. I have mentioned earlier that the meaning of ‘but’ was not to oppose but to indicate that something is not making the difference which it would be expected because of what follows (or as regards what follows). This description, which applies to the normal oppositive use of ‘but’, also account for all conversational uses and reinforcing uses such as (16):

(16)

He is stupid but stupid

in which what is said is both that there is stupid and stupid, as we shall see later, and that the person concerned is of the second kind, which refers to the scalar slope constraint (How important is the difference something makes).

Another example of the importance of the SC will be provided by the discourse marker *De toute façon* (often translated by 'anyway') and its various uses, all examples borrowed from Corinne Rossari's work on reformulative discourse markers (1994, 66-67). It must be noticed that in all the utterances of the form 'A *de toute façon* B', the utterance B imply that it makes no difference whether A or not A . So that with 'A *de toute façon* B', to use Rossari's phrase, " Il ne sert à rien de dire A puisque de toute façon B " (" It is not worth saying P as anyway Q "). Let us show this with a few examples:

(17)

A - Où as-tu trouvé ce sac ?.

B - De toute façon, c'est un modèle qui ne se fait plus.

A - Where did you find (buy) this bag ?

B - 'Anyway', it's a model which is not made any more.

In this dialog, what *de toute façon* means is that the question is not worth answering, because it wouldn't make any difference knowing where the bag was bought, as it is not made any more. Thus, this example must be related to example (19)

(18)

A - Quand on veut, on peut.

B - De toute façon, je ne veux pas.

A - If you want to, you can.

B - 'Anyway', I don't want to.

In this dialog, what 'de toute façon' means is that the first conditionnal utterance makes no difference, as its premise is not true, which is to say that it doesn't matter that " if you want to you can " when you actually don't want to do (something). Similarly, in:

(19)

Avec un type comme Ackley, si on levait les yeux du livre, on était foutu. De toute façon, on était foutu.

With a guy like Ackley, if you just lifted your eyes from the book, you were in deep trouble.

'In any case', you were in deep trouble. The monological context gives 'de toute façon' an autocorrective dimension: it is the conditionnal 'if you ...' which is presented as incorrect as it actually makes strictly no difference to lift your eyes from the book or not, being in trouble in both cases.

Other examples are even more interesting:

(20)

Écoute, c'est un bon prix, et de toute façon il n'est pas négociable.

Listen, it's a good price, and de toute façon it is not negociable. Because what is said is not that saying A is not worth, but that saying not-A, or arguing on A, wouldn't be worth. Or still because 'de toute façon' may apply its scalar disappointment value to whole discourses, discussions and conversations, either backwards, and to say that what was said makes no difference for the present or the future, as in utterance (22):

(21)

De toute façon, tout ça, c'est du passé !

'Anyway', all this is history !

or forward, as when (22) is uttered to say in advance that whatever could be said or asked, it would not and should not make any difference to the performative reality of the speaker not being there:

(22)

De toute façon, je ne suis pas là !! C'est clair ?

'Whatever they could say makes no difference', I'm not here !! Is that clear ?

All those examples showing, as so many other examples with other connectives would, the importance of the scalar dimension of utterances Example (23) finally, which combines the two discourse markers mais and de toute façon, is a good example of the way all the constraints interfere one with another:

(23)

L'équipe de France est une très bonne équipe mais, de toute façon, en finale il n'y a que des très bonnes équipes.

(The French team is a very good team, but anyway in a final, there are only very good teams)

The first utterance, uttered by a Brazilian player just before the final, is given as an argument for « we should respect the French team », but as it can be interpreted too as « we should fear them », the but indicates that the fact that the French is a very good team is not making the difference it might have made (i.e. to impress the Brazilian team for instance) because as in final there are only very good teams (things may not be otherwise, a modal slope development), playing the French team or another very good team makes actually no difference (as is indicated by de toute façon): because it is not possible to play in a final a team which wouldn't be very good, the fact of playing against a very good team loose

all scalar value.

### 3. *Making differences or not: the semantics of tautological and other anomalous utterances*

It is not easy to account for the actual semantic interpretation of tautological utterances (Wierzbicka, 1991: 391-451), which is hardly linkable with the so-called propositional content or logical form that could be expected to be the fundamental meaning of the sentence. Nor to account for their pragmatic and conversational relevance: after twenty years of considerable focus on relevance, we still have almost nothing to say which could account for it.

However, the fact that neither semantics nor pragmatics could actually fully account for such utterances has something to do with our way to understand the semantics/pragmatics interface: tautological utterances, among others, actually falsify the idea that there would be what is said on one side (the explicature) and what is inferred from what is said on the other side (the implicatures)[i]. As a matter of fact, it seems clear on such examples that accounting for the meaning of what is said and accounting for the relevance of what is said is exactly the same task. Let us consider first apparently tautological utterances such as:

(9) On est Alsacien ou on ne l'est pas.  
(One is Alsatian or not).

As soon as (9) is interpreted as a *representation*, it is tautological one, because saying P or not-P is always true. But, if we consider that utterances are *comparisons*, and not representations, then the semantic meaning of (9) may be obtained directly: (9) refers to the difference it makes to be Alsacian or not, as far as something is concerned. Therefore, (9) is normally used to point to a DP (Distinctive properties) of Alsations (compared implicitly to other French people), such as drinking a lot of beer, in order for instance to present as normal such or such attitude. It must be noticed that what is observed here in a tautological utterance is not specific to tautological utterances. The semantic interpretation of utterances such as (24):

(24)  
Les Alsaciens boivent de la bière.  
(Alsations drink beer).

Is a problem too, because to be meaningful it is not necessary that all Alsations actually drink beer, because the referent of *Les Alsaciens* is also underdetermined and finally because the fact that *boivent de la bière* (drink

beer) must be interpreted as *boivent beaucoup de bière* (drink a lot of beer) remains equally unexplained. But here, once again, it is clear that as soon as (24) is not treated as a representation but as a comparison, all those semantic difficulties disappear.

The comparison versus representation thesis that we shall support as a starting point to understand tautological utterances also apply to all utterances of the form *Det N est Det N* (Det N is Det N), tautological double characterizations being precisely of the form *Det1 N1 est Det1 N1* (Det1 N1 is Det1 N1), but also to utterances of the forms *Det1 N1 est Det2 N1* (Det1 N1 is Det2 N1), " ) or to paradoxal utterances of the *Det1 N1 n'est pas Det2 N1* (Det1 N1 is not Det2 N1) form. For all this last kind of utterances, it must be remarked first that they escape the excluded middle constraint: things may be N and not-N in the same time, a situation which may be called the included middle.

(25)

Mes vacances n'ont pas été des vacances.

(My holidays were no holidays)

(26)

Ses vacances n'en ont pas été.

(His holidays just were not holidays)

(27)

Son père n'était pas un père.

(His (Her) dad was not a dad). Therefore, it is easy to understand that the relevance of tautological or paradoxal utterances is linked with the existence of this internal negation, which leaves many linguistic traces, for instance hedges:

(28)

La guerre est la guerre.

(War is war)

(29)

La guerre n'est pas toujours la guerre

(War is not always war)

(30)

Cette année, j'ai pris des vraies vacances.

(This year, I took real vacations) Hence, tautological and paradoxal utterances may be described as double comparisons: they both mobilize the DP of a class on one hand – the fact of not working for holidays for instance – and in the same time they either advance that no difference should be expected between the

members of the class (about those DP) or on the contrary advance that a difference should be made!**[ii]**

The utterance (28) would be a good example of the first case, as utterance (31):  
(31)

Une voiture est une voiture

(a car is a car) which is used most of the time to say that all cars are the same, that *il n'y a pas voiture et voiture* (there is no car and car). It seems, nevertheless, that contrasting (31) with the utterances (28) and (32):

(32)

Boys will be boys

(les garçons seront toujours des garçons) leads to observe the presence of an X-dependency feature in utterances (28) and (32), as they both convey the idea that "there is nothing anybody can do about it", a feature which is not present in all tautologies, but in very different kind of utterances. The utterance (31) on the contrary may perfectly be used as an answer to a question of the form *Do you want this or that car model ?* to assert that it makes no difference to him (her). With (31), it must be noticed, it is not the DP of the class which are focused on (the fact that wars are cruel or that boys are unruly), but what may distinguish cars one from another (being big, comfortable or fast) and thus properties which are neither common nor distinctive.

If we consider finally examples such as (33):

(33)

Lui, c'est lui, moi, c'est moi.

(He is he, I am I) it is clear first that it is the necessity not to consider two people as one single entity**[iii]** which is at stake here, but also that 'considering' two people as one entity concerns one's *attitude* toward those people, and not inner properties of these persons.

What is at stake in tautological utterances hence is the necessity or not to make a distinction between things of the same type (or which belong together). And as regards finally the pragmatic or contextual dimension of the interpretation of such utterances, it appears to be important but very limited: in some contexts - *i.e. in contexts where a difference has been made* - tautological utterances will be used to remind that no difference should be made, while in other contexts - *i.e. in contexts where no difference has been, or could, be made* - tautological utterances will be used to insist on the necessity for things to be kept separated,

*and neither altered nor confused***[iv]**.

The contextual dimension of these utterances is hence undisputable but limited to the determination of which of the two possible interpretation will be contextually valid.

#### *4. Conclusion: utterances as implicit comparisons and the study of argumentation*

That utterances convey implicit comparisons is of course very important to understand argumentation in general and enthymemes in particular.

In the first case because the most simple pieces of deductive or inductive reasoning cannot simply be described without taking into account these implicit comparison sets, as may be observed in such simple examples as (34) and (35):

(34)

He wasn't going far. Hence he took his bike.

(35)

He was going far. Hence he took his bike. the first utterance (34) implicitly comparing going by bike or by car (or train, etc..) while the second supposes that the choice to be made was between going by foot and going by bike.

And in the second case because if utterances are simply not representations – as may be observed again with (36):

(36)

Nadia n'est pas sa soeur.

(Nadia is not her sister) an utterance which is not the assertion (and representation) that Nadia is not her (own) sister, but actually a comparison between Nadia and Nadia's sister – then the role of utterances in argumentative processes must be reconsidered.

What is actually important to notice hence is that:

- comparing is a way to *present* a reality in contrast with another;
- comparison is the process of highlighting differences;
- differences are not inferences;
- differences are not objective stimuli but realities which do not exist outside of the comparing process.

And that if utterances do consist of an association of an image of the reality with a modal frame, then what is needed in the study of argumentation is to take fully into account this modal framing.

## NOTES

- i.** As A. Wierzbicka remarks (1991: 400), despite Levinson's agreement (1983: 110-111) about the fact that "exactly how the appropriate implicatures in these cases are to be predicted remains unclear", "context" appears to be "an excuse for analytical failure".
- ii.** A case which can be found in Chinese 'concessive' tautologies, for which, according to A. Wierzbicka (1991, 423), "The subordinate clause states an 'undeniable truth' but the main clause contradicts this truth with respect to a specific instance : since this particular entity (X) belongs to a certain kind, one might expect that it will have certain properties, generally seen as characteristic of that kind: and yet, the speakers point out, this particular X (X) doesn't have the properties in question". But which must be considered together with all the numerous cases for which it is the existence of the necessity to make a difference which is stated : it might be the case that there are culture-specific interpretation of such or such formula,, but the semantic content of these formula seems to be potentially universal.
- iii.** A. Wierzbicka's (1991, 431) example of the (Chinese) statement that "husband is husband", in a situation in which what is at stake is the way a group of housewives should behave with Mrs Tanaka, whose husband has just been gaoled, works the same way : it point to relationships with people, and insists on the necessity not to consider them as 'going together'.
- iv.** As for instance the Chinese tautologies of irreducible difference (Wierzbicka, 1991, 427).

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