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STRATEGIC MANOEUVRING¹

In an effort to overrule the ideological separation of dialectical and rhetorical approaches to argumentation, Frans van Eemeren and Peter Houtlosser present an integrated pragma-dialectical perspective for the analysis and evaluation of argumentative discourse. After having explained how strategic manoeuvring can be viewed as an attempt to reconcile dialectical obligations and rhetorical ambitions, they focus on the demarcation point between sound and derailed strategic manoeuvring and the conditions under which particular types of strategic manoeuvring must be considered an offense against the rules for critical discussion.

Keywords: argumentation, fallacy, pragma-dialectics, rhetoric, strategic manoeuvring.

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1. A critical approach to argumentation

Apart from demonstration, explanation, inquiry and several other rational activities, reasoning also plays a major role in argumentation. Because argumentation is fundamentally aimed at convincing other people of one's views, the study of argumentation is, when viewed from a social perspective, in fact one of the most important domains of the study of thinking. As all of us know, argumentation is not only essential to democratic decision-making but to any form of intellectual discussion and civilized debate. This is why the study of argumentation requires our undivided attention, irrespective of whether we favour a formal or informal approach. We simply have to reflect upon the ways in which we can analyse argumentative discourse methodically and how we can distinguish between argumentation that is acceptable to a reasonable judge and argumentation that is not.

As we envision it, the study of argumentation starts from a series of observations that constitute an appropriate point of departure for developing a comprehensive theory of argumentative discourse. The first observation is that argumentation is a *functional mode of communication*, i.e., a purposive verbal activity that is best described as the performance of a speech act. Second, argumentation takes place in a *context of disagreement*, whether real or projected, and argumentation is an attempt to resolve the disagreement. Third, by their linguistic behaviour and other actions the parties involved in the disagreement explicitly or implicitly take on certain commitments and they can be held *responsible for these commitments*. Fourth, argumentation can only serve its purpose of resolving a disagreement properly if it is in accordance with *critical standards of reasonableness*. Argumentation theorists should not be interested only in the effectiveness of argumentation in persuading an audience; the *raison d'être* of the study of argumentation rather is the methodical analysis and critical evaluation of argumentative discourse.

The study of argumentation thus has a normative as well as an empirical dimension and can, in our opinion, best be seen as part of the broader enterprise of *normative pragmatics* (van Eemeren 1990). Inspired by the philosophy of critical rationalism, the normative dimension of the study of argumentation is in our approach primarily fleshed out with the help of insight from formal and informal *dialectics*. For filling in the empirical dimension we frequently appeal to insight from rhetoric and

from modern approaches to discourse analysis as developed in linguistic *pragmatics*. Our approach to argumentation can therefore be characterized as *pragma-dialectical*. The normative dimension of pragma-dialectics is given shape by treating argumentation as part of a *critical discussion* that is optimally designed to resolve a difference of opinion by testing the acceptability of the 'standpoints' at issue dialectically. The empirical dimension of pragma-dialectics involves viewing the moves that are made in the discourse pragmatically as speech acts purported to be instrumental in resolving the difference of opinion.

The model of a critical discussion is a theoretical device to define a procedure for testing standpoints critically in the light of commitments assumed in the empirical reality of argumentative discourse. The model provides an overview of what argumentative discourse would be like if it were optimally and solely aimed at methodically resolving a difference of opinion about the tenability of a standpoint. It specifies the various stages that can be distinguished analytically in the resolution process and the types of speech act that can be instrumental in each particular stage. In the *confrontation* stage of a critical discussion the difference of opinion is defined. In the *opening* stage, the discussion roles are established as well as the various kinds of commitments that are accepted at the starting point of the discussion and can serve as a frame of reference during the discussion. In the *argumentation* stage, which is the most crucial to the resolution process, arguments and critical reactions are exchanged. In the *concluding* stage, finally, the result of the discussion is determined.

In real argumentative discourse, at every stage of the critical discussion projected in the discourse, specific obstacles can arise that may be impediments to the resolution of the difference of opinion. These impediments are to a large extent identical with the wrong discussion moves that are traditionally known as *fallacies*. The pragma-dialectical rules for conducting a critical discussion provide a procedural definition of the general principles of constructive argumentative discourse and are designed to prevent such obstacles from interfering with the resolution process. The pragma-dialectical discussion rules do not only pertain to argumentation proper, but they aspire to cover all stages of a critical discussion and all speech acts performed in any of these stages. They reflect the necessary conditions for resolving a difference of opinion by means of argumentative discourse.

The rules for ensuring critical reasonableness as developed in pragma-dialectics not only claim to be 'problem-valid' in the sense that they con-

tribute to doing the job they are designed for, that is, resolving a difference of opinion on the merits. They should also, at least to a considerable extent, be based in argumentative reality in the sense that would-be arguers who want to resolve their differences of opinion in a reasonable way have a pragmatic rationale for accepting these rules as their guiding principles. This pragmatic rationale is not derived from any external source of authority or metaphysical necessity, but depends entirely on intersubjectively accepted evidence of their suitability for resolving a difference of opinion on the merits (van Eemeren and Grootendorst 1988).

2. Strategic manoeuvring in argumentative discourse

In a pragma-dialectical analysis, argumentative discourse is, in a cyclic process of tracking down the disparate elements of the various discussion stages in the discourse, 'reconstructed' as an attempt to resolve a difference of opinion. This reconstruction results in an *analytic overview* of the resolution process – a representation of the discourse in terms of a critical discussion (van Eemeren and Grootendorst 1992: 93-94). The analytic overview constitutes the basis for a critical evaluation. It clarifies the difference of opinion at issue and the positions of the participants. It identifies the procedural and substantive premises that serve as the starting point of the discussion. It surveys the arguments and criticisms that are – explicitly or implicitly – advanced, the argument schemes that are used, the argumentation structures that are developed. It also determines the conclusion that is reached. Because the model of critical discussion provides a survey of all speech acts and combinations of speech acts that operate in the various stages of the resolution process, it serves as a heuristic and analytic tool for the reconstruction of the speech acts that are relevant to resolving a difference of opinion but remain implicit or opaque in the discourse (van Eemeren, Grootendorst, Jackson and Jacobs 1993).

People engaged in argumentative discourse are characteristically oriented towards resolving a difference of opinion and may be regarded as committed to norms instrumental in achieving this purpose – maintaining certain standards of reasonableness and expecting others to comply with the same critical standards. This does not mean, however, that these people are not interested in resolving the difference *in their own favour*. It may even be assumed that their argumentative speech acts are designed to achieve precisely this effect. There is, in other words, not only a 'dia-

lectical,' but also a 'rhetorical' aspect to argumentative discourse. As we have shown in several publications, the pragma-dialectical reconstruction of argumentative discourse can in fact be strengthened considerably if rhetorical considerations are taken into account in the analysis and its justification (van Eemeren and Houtlosser 1998; 1999; 2000a; 2000b; 2001; 2002a; 2002b).

We favour a combination of rhetorical and dialectical lines of analysis that amounts to a systematic integration of rhetorical considerations in a dialectical framework of analysis. Argumentative discourse, whether it takes place in writing or orally, is aimed at conducting a reasonable discussion, but this is generally not the arguers' sole aim. Their dialectical effort to resolve the difference of opinion in accordance with the standards for a critical discussion is usually combined with a rhetorical attempt to have things their way. In actual practice, this means that in every stage of the resolution process, from the confrontation stage to the concluding stage, the parties, while being presumed to hold to the dialectical objective of the discussion stage concerned, may also be presumed to be out for the optimal rhetorical result at that point in the discussion. In their efforts to reconcile the simultaneous pursuit of these two different aims, which at times may even seem to go against each other, the arguers make use of what we have termed *strategic manoeuvring*. This strategic manoeuvring is directed at diminishing the tension between pursuing at the same time a 'dialectical' as well as a 'rhetorical' aim.

A pragma-dialectical analysis may benefit in at least three ways from using this conception of strategic manoeuvring in the analysis of argumentative discourse. By getting a clearer view of the rhetorical aspects of the discourse, a better and more comprehensive grasp is gained of what may rightly be called 'argumentative reality.' By achieving a more thorough and subtle understanding of the rationale behind the various discussion moves, the analysis of the argumentative discourse becomes not only more profound but also more cogently justified. Last but not least, as we shall explain later on, a more realistic insight in the strategic design of the discourse leads to a more mature sense of the whys and wherefores of the various fallacious moves that may occur in ordinary argumentative practice.

It is important to realize that in this way a long-standing gap between the dialectical and the rhetorical approach to argumentation, which according to Toulmin (2001) has become an *ideological division*, can be narro-

wed, if not bridged. During the past three centuries dialectic and rhetoric have generally been regarded as two incompatible paradigms, each conforming to a different conception of reasonable argumentation. Within the humanities rhetoric has become a field for scholars in communication, language and literature. And due to the further formalization of logic in the nineteenth century, dialectic almost disappeared from sight. Although in the second half of the twentieth century the dialectical approach to argumentation has been taken up again, there is still a yawning conceptual gap between those theorist who opt for a dialectical approach and the protagonists of a rhetorical approach.

In our opinion, the sharp and infertile division between dialectic and rhetoric can only be overcome if dialectic is in the way we have indicated – which is more or less in line with the ideas of the humanist scholar Agricola (1539/1992) – viewed as a theory of argumentation in natural discourse and rhetorical insight is fitted in with this dialectical approach. By thus conceiving dialectic pragmatically as discourse dialectic, a conception of dialectic is promoted that differs in various ways from the conceptions favoured in Aristotelian and formal dialectics. Rhetoric, on its part, is in pragma-dialectics viewed in a traditional vein as the theoretical study of persuasion techniques. There is no reason to assume that the rhetorical norm of artful persuasion is necessarily in contradiction with the ideal of reasonableness that lies at the heart of pragma-dialectics. Why would it be impossible to comply with critical standards for conducting argumentative discourse when one attempts to shape one's case to one's own advantage? In practice, argumentative moves that are considered rhetorically strong by a critical audience will in fact almost certainly be in accordance with the dialectical norms that pertain to the discussion stage concerned. We cannot see that there is any real objection to a careful integration of rhetorical insight into the pragma-dialectical method of analysis.

An understanding of the role strategic manoeuvring can play in resolving differences of opinion can be gained by examining how the opportunities available in a certain dialectical situation are used to handle that situation in the way that is most favourable for a certain party. Each of the four stages in the resolution process is characterized by a specific dialectical aim. Because all the parties want to realize this aim to their best advantage, they may be expected to make the strategic moves that serve their own interest best. In this way, the dialectical objective of a particu-

lar discussion stage always has a rhetorical analogue. Because it depends on the dialectical stage one is in what kind of advantages can be gained, the presumed rhetorical objectives of the participants in the discourse must be specified according to stage.

In the confrontation stage, for instance, the dialectical objective is to achieve optimal clarity concerning the issues that are at stake in the difference of opinion. Rhetorically, the parties will aim to direct the confrontation in the way that is most beneficial to them by making an attempt to achieve a definition of the disagreement that highlights the issues they themselves want to discuss. The dialectical objective of the opening stage is to establish an unambiguous point of departure for the discussion that consist of intersubjectively accepted procedural and material starting points. The rhetorical aim of each party is to arrive at a point of departure that serves its own interest best. The strategic manoeuvring of each party will therefore, among other things, be directed at establishing the most opportune allocation of the burden of proof. In the argumentation stage, testing of the tenability of the standpoints at issue will be the primary dialectical objective and the rhetorical aim will be to make the strongest case or to launch the most effective attack. In the concluding stage the dialectical objective is to establish whether the protagonist's standpoint or the antagonist's doubt can be maintained in the light of the criticisms and arguments advanced. Viewed rhetorically, each party will attempt to claim victory and its strategic manoeuvring will be designed accordingly.

Strategic manoeuvring can take place on various levels: in making an expedient choice from the options constituting the *topical potential* associated with a particular discussion stage, in selecting a responsive adaptation to *audience demand*, and in exploiting the appropriate *presentational devices*. To put it simply, in all stages of the discussion both parties may be expected to select the material they can handle well or that suits them best, to develop the perspective on the matter that is most agreeable to their audience, and to present their contributions in the most effective way.

The 'topical potential' associated with a particular dialectical stage can be regarded as the set of relevant alternative moves available to a party in that stage of the resolution process. As Perelman and Olbrechts-Tyteca rightly emphasize, apart from endowing elements with a 'presence' by selecting them, deliberate suppression of presence is, of course, also a noteworthy phenomenon of choice (1969: 116, 119). As regards choo-

sing from the topical potential, strategic manoeuvring in the confrontation stage aims for the most effective choice among the potential issues for discussion – restricting the ‘disagreement space’ in such a way that the confrontation is defined in accordance with a certain party’s preferences. In the opening stage, strategic manoeuvring attempts to create the most advantageous starting point, for instance by eliciting helpful ‘concessions’ from the other party or calling such concessions to mind. In the argumentation stage, starting from the list of ‘status topes’ associated – as Hermagoras of Temnos explained – with the type of standpoint at issue, a strategic line of defence is chosen that involves a selection from the available *loci* that best suits the speaker or writer. In the concluding stage, all efforts will be directed towards achieving the conclusion of the discourse desired by the party concerned, for instance by pointing out the consequences of accepting a certain complex of arguments.

For optimal rhetorical result, the moves that are made must in each stage of the discourse in such a way be adapted to ‘audience demand’ that they comply with the listeners’ or readership’s good sense and preferences. Argumentative moves that are entirely appropriate to some may be inappropriate to others. In general, adaptation to audience demand will in each discussion stage consist in an attempt to create the required empathy or ‘communion.’ According to Perelman and Olbrechts-Tyteca, a speaker or writer’s effort is as a rule directed to “assigning [...] the status enjoying the widest agreement to the elements on which he is basing his argument” (1969: 179). This explains why, in the opening stage, the status of a widely shared value judgement may be conferred on personal feelings and impressions, and the status of a fact on subjective values. In the argumentation stage, strategic adaptation to audience demand may be achieved by quoting arguments the listeners or readers agree with or by referring to argumentative principles they adhere to.

For getting rhetorical moves optimally across, the available ‘presentational devices’ must be put to good use in a strategic way. The phrasing and stylistic framing of the moves should be systematically attuned to their discursive effectiveness – exploiting the Gricean maxims of Manner in a specific and deliberate way. Rhetorical figures are specific modes of expressing things that make them present to the mind; they can therefore be exploited as presentational devices. Among the rhetorical figures that can serve argumentative purposes are, of course, classical ones such as rhetorical questions and *praeteritio* – drawing attention to something by saying that you will refrain from dealing with it. And a figure such as

conciliatio – in one interpretation, adopting the opponent's premises to support one's own position – can be brought to bear to prepare the way for convincing the opponent in the argumentation stage.

The three aspects of strategic manoeuvring we have distinguished run parallel with important classical areas of interest: the topics, audience-orientation, and stylistics. Although the three aspects can be distinguished analytically, in actual practice they often work together. We only say that a fully-fledged *argumentative strategy* is being followed if the strategic manoeuvring with respect to choosing from the topical potential, adapting to audience demand, and exploiting presentational devices converge. Argumentative strategies in our sense are methodical designs of moves for influencing the result of a particular dialectical stage, or the discussion as a whole, to one's own advantage, which manifest themselves in a systematic, coordinated and simultaneous exploitation of the opportunities afforded in that stage.

3. Fallacies as derailments of strategic manoeuvring

In pragma-dialectics, argumentative moves are only considered sound if they are in agreement with the rules for critical discussion. Any violation of any of these rules obstructs the aim of dispute resolution and the move concerned is then considered fallacious. Clear criteria are required to determine methodically for all the moves in all the stages of the resolution process whether or not it is a violation of a certain rule and may thus be regarded fallacious. Our concept of strategic manoeuvring as an attempt to alleviate the potential tension between arguing perfectly reasonably and having things one's own way can be of help in clarifying the problems involved in identifying such criteria.

Although all the moves made in argumentative discourse may be regarded as designed both to uphold a reasonable discussion attitude and to further a party's case, this does not mean that these two objectives will always be in perfect balance. On the one hand, arguers may neglect their persuasive interests for fear of being perceived as unreasonable; on the other hand, in their assiduity to win the other party over to their side, they may neglect their commitment to the critical ideal. Neglect of persuasiveness comes down to bad strategy – or even to a blunder (Walton and Krabbe 1995). It harms the arguer but not the adversary and is therefore not 'condemnable' in the sense of being fallacious. A party, however, whose strategic proceedings allow its commitment to a reasonable

exchange of argumentative moves to be overruled by the aim of persuading the opponent, may victimize the other party. Then the strategic manoeuvring has got ‘derailed,’ and is condemnable for being fallacious. All derailments of strategic manoeuvring are fallacious.

This view of the fallacies explains why in actual argumentative practice fallacies are often not immediately *apparent* or *manifest*. A party that manoeuvres strategically will normally pretend to uphold at all times a commitment to the rules of critical discussion. Thus, an assumption of reasonableness is conferred on every discussion move (see also Jackson, 1995). This assumption is operative even when a particular way of manoeuvring violates a certain discussion rule and is thus fallacious. Echoing Aristotle’s definition of a fallacy as cited by Hamblin (1970: 12), we may say that the manoeuvring then still ‘seems’ to obey the rules of critical discussion, although in fact it does not. If the rule violation is deliberate, it is imperative for the party that is guilty of the violation to convey quite clearly that its commitment to reasonableness still stands, because if it were clear that this is not so, any persuasive effect of the move would immediately be lost. If the violation is unintentional – the move is simply a mistake – it is nevertheless still a fallacy in the pragma-dialectical sense: even if the move concerned seems dialectically acceptable to the offender and is also rhetorically strong, it is in fact not reasonable. Of course, such an unintended infringement is not irreversible. Once the other party has pointed out that an offence against reasonableness has been committed, the offence may be instantly repaired.

Our view of fallacies as derailments of strategic manoeuvring can be of help in developing criteria for identifying fallacious argumentative behaviour. In our view, each form of strategic manoeuvring has, as it were, its own continuum of sound and fallacious acting. Fallacy judgments are in the end always context-bound judgments of specific instances of situated argumentative acting. This predicament, however, does neither mean that there must, of necessity, always remain a grey – or even dark – zone, nor that no clear criteria can be established in advance to determine whether a particular way of strategic manoeuvring goes astray. Particular ‘types’ or ‘categories’ of strategic manoeuvring can be identified, and for each of these types specific conditions can be formulated that need to be fulfilled if the manoeuvring is to remain dialectically sound. Certain instances of strategic manoeuvring can then be recognized as sound while other instances of strategic manoeuvring can be pinned down as fallacious because the relevant conditions are not satisfied.

4. Conclusion

What was the point of the paper we just presented? We claim to have shown how a fundamental problem in the study of argumentation, i.e., distinguishing between sound and fallacious argumentative discourse, can be clarified by viewing the fallacies as derailments of strategic manoeuvring. Our approach differs considerably from how this 'demarcation problem' has so far been dealt with by other argumentation theorists. Biro and Siegel (1992) and Johnson (2000), for instance, give precedence to absolute epistemological considerations; Willard (1995), for one, goes by empirical and relativistic social considerations. Instead, we proposed a systematic integration of normative and descriptive insight that enabled us to treat fallacies as faulty forms of strategic manoeuvring. In fallacious strategic manoeuvring, in spite of the maintenance of a general commitment to reasonableness, a rule for critical discussion has been violated. This violation takes place because the speaker or writer's rhetorical interests have gained the upper hand over the dialectical interests and certain constraints pertaining to a specific type of strategic manoeuvring are ignored.

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