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Volume 37, numéro 4, 2017

URI : <https://id.erudit.org/iderudit/1042918ar>

DOI : <https://doi.org/10.22329/il.v37i4.5002>

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Éditeur(s)

Informal Logic

ISSN

0824-2577 (imprimé)

2293-734X (numérique)

[Découvrir la revue](#)

Citer cet article

van Eemeren, F. (2017). Argumentation Theory and Argumentative Practices: A Vital but Complex Relationship. *Informal Logic*, 37(4), 322–350.  
<https://doi.org/10.22329/il.v37i4.5002>

Résumé de l'article

L'article retrace le parcours de la théorie pragma-dialectique et son champ élargissant d'application, étape par étape, à partir d'un modèle abstrait de discussion critique jusqu'aux complexités du discours argumentatif actuel. Il décrit comment les pragma-dialecticiens ont au début employé une approche contextualisée, empirique et formalisée et maintenant ils font bon usage des instruments analytiques de la théorie en identifiant des modèles argumentatifs prototypiques dans des types d'activités communicatives spécifiques dans les différents domaines de communication. Cela signifie que ils peuvent maintenant commencer à répondre à la question cruciale sur les caractéristiques typiques de leur discours posée par les avocats intéressés, les politiciens, les universitaires et par les autres praticiens de l'argumentation

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# Argumentation Theory and Argumentative Practices: A Vital but Complex Relationship

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**Abstract:** To illustrate the development of argumentation theory, the paper traces the journey of the pragma-dialectical theory as it widened its scope, step by step, from an abstract model of critical discussion to the complexities of actual argumentative discourse. It describes how, having contextualized, empirical and formalized their approach, pragma-dialecticians are now putting the theory's analytical instruments to good use in identifying prototypical argumentative patterns in specific communicative activity types in the various communicative domains. This means that they can now start answering the crucial question about the typical characteristics of their discourse asked by interested lawyers, politicians, academics and other practitioners of argumentation.

**Résumé:** L'article retrace le parcours de la théorie pragma-dialectique et son champ élargissant d'application, étape par étape, à partir d'un modèle abstrait de discussion critique jusqu'aux complexités du discours argumentatif actuel. Il décrit comment les pragma-dialecticiens ont au début employé une approche contextualisée, empirique et formalisée et maintenant ils font bon usage des instruments analytiques de la théorie en identifiant des modèles argumentatifs prototypiques dans des types d'activités communicatives spécifiques dans les différents domaines de communication. Cela signifie que ils peuvent maintenant commencer à répondre à la question cruciale sur les caractéristiques typiques de leur discours posée par les avocats intéressés, les politiciens, les universitaires et par les autres praticiens de l'argumentation

**Keywords:** communicative activity types, communicative domains, critical discussion model, pragma-dialectics, strategic manoeuvring

### 1. Argumentation theory in its current state

At the festive start of the new PhD programme for philosophy and argumentation theory at the University of Windsor I would like to speak about the vital but complex relationship between argumentation theory and argumentative practices. I hope that my speech will succeed in demonstrating the topicality of starting this PhD programme.

Together with Rob Grootendorst, I started studying argumentation in the early 1970s. As reasoned discourse to justify a view that is not yet accepted, or even rejected, argumentation is always immediately connected with resolving existing or potential differences of opinion. Since, in our view, the commitment to resolve differences of opinion on reasonable grounds—“on the merits”—is a defining characteristic of a civilized society, argumentation has a crucial role in every area of public life. As a matter of course, Grootendorst and I were not out to put an end to all differences of opinion, once and for all. We considered a continual flux of opinions indispensable for all intellectual, social and cultural progress, and proceeding in a sensible way from the one difference of opinion to the next a prerequisite.

We were not only attracted to the study of argumentation by the great practical relevance of argumentation theory but also by the challenging need to bring to bear insights from various disciplines in developing such a theory—from logic and philosophy to linguistics, communication studies, discourse analysis and rhetoric. In our view, an adequate argumentation theory is to combine normative and descriptive insights into argumentation to provide appropriate methods for analysing, evaluating and producing oral and written argumentative discourse in genuine argumentative practices. This means that argumentative practices have always been the starting-point as well as the end point of our theorizing. Because of the complexity of dealing adequately with real-life argumentative practices, we realized from the beginning that, in order to develop a practically relevant argumentation theory, a comprehensive research pro-

gramme needs to be carried out, consisting of various components (van Eemeren 2015a).

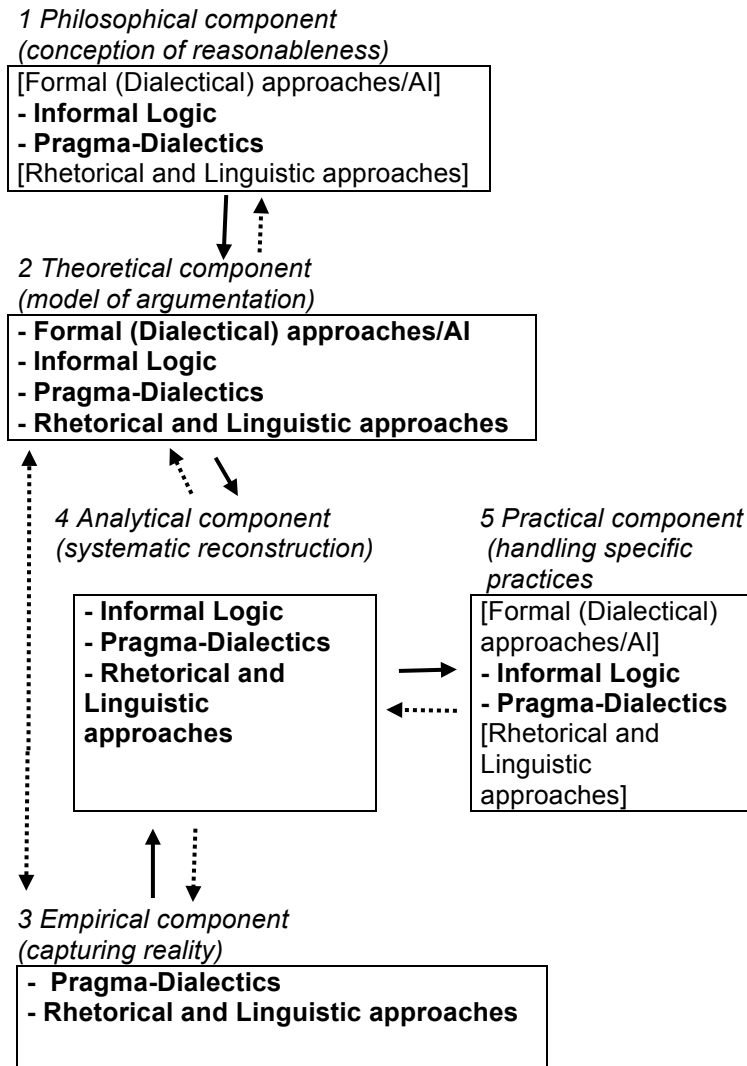


Fig. 1 Current contributions to argumentation

To allow for well-founded treatments and improvements of argumentative practices, the *practical component* of the research programme has to be based on a theoretical model that does justice to all relevant aspects of sound argumentative discourse. The model of argumentation developed in the *theoretical component* of the research must therefore be in agreement with a well-considered reasonableness conception, duly accounted for in the *philosophical component*. Since argumentative discourse is not a theoretical construction but a phenomenon from real life, the research programme also needs to include an *empirical component* concentrating on the factors and processes playing a part in actual argumentative discourse. In carrying out the research programme, its descriptive and normative dimensions get reconciled by reconstructing real-life argumentative discourse as described in the empirical component in the pivotal *analytical component* from the normative perspective of the model of reasonable argumentative discourse articulated in the theoretical and philosophical components.

From the mid-1970s onwards, I have seen it as part of my task to provide, usually in collaboration with others, regular overviews of the state of the art in the study of argumentation, describing the contributions that have been made to it from various disciplinary angles and research traditions.<sup>1</sup> For your convenience, in Figure 1 I have specified which approaches to argumentation theory currently contribute to which components of the research programme. Next to *Informal Logic*, originating in Windsor, and my own approach called *Pragma-Dialectics*, also *Formal (Dialectical) approaches* (including *Artificial Intelligence*) and *Rhetorical and Linguistic approaches* are contributing.<sup>2</sup>

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<sup>1</sup> See for the most recent overview van Eemeren et al. (2014).

<sup>2</sup> See in van Eemeren et al. (2014) Chapter 7 for Informal Logic, Chapter 10 for Pragma-Dialectics, Chapter 6 for Formal Dialectical approaches, Chapter 11 for Artificial Intelligence, Chapter 8 for Communication and Rhetoric and Chapter 9 for Linguistic approaches.

## 2. From standard to extended theory

The greatest challenge argumentation theorists are faced with is reconciling the normative and the descriptive dimensions of argumentation theory. Let me explain briefly by way of illustration how we have tried to deal with this challenge in giving shape to our pragma-dialectical approach—other approaches have approached the problem in other ways. To create a benchmark that can serve as a template, we first developed an ideal model of argumentative discourse, named a *critical discussion*. This model does not describe an existing reality but portrays an optimally reasonable argumentative discourse exclusively aimed at resolving a difference of opinion on the merits.

The model of a critical discussion is “dialectical”, because it provides rules instrumental in resolving a difference of opinion in a reasonable way by means of a regulated exchange of argumentative moves. It is also “pragmatic”, because the argumentative moves made in a critical discussion are defined as speech acts (or visual acts) that are functional contributions to the various stages of the resolution process. Next to a *confrontation stage*, in which the difference of opinion comes into being, the model of a critical discussion distinguishes an *opening stage*, which defines the procedural and material starting points, an *argumentation stage*, devoted to the exchange of reasons and critical reactions, and a *concluding stage*, in which the outcome of the discourse is established.

In the late 1970s, when we presented our model of a critical discussion, with the four stages, the constructive moves and the rules that are to be observed, to interested practitioners of argumentative discourse, such as lawyers, policy-makers and academics, understandably, they came up with a sceptical but crucial question: “But how can your model of a critical discussion tell us what is characteristic of the way we argue in our specific argumentative practices in the legal, the political or the academic domain?”. Sometimes followed by: “And how does it help us to improve these practices?” However significant this question

and its follow-up were, we had to admit that we could not provide an adequate answer because we had not the faintest idea about the distinctive features of the various argumentative practices, let alone about how particular deficiencies should be tackled.

In order to be able to answer the questions relevant to the practitioners of specific argumentative practices in the future, we developed a “masterplan” for the implementation of our research programme that involved moving systematically from the abstract model of a critical discussion to the intricacies of argumentative reality (van Eemeren 2015c). This step by step coping with complexity is expressed by moving from the centre gradually to the more and more inclusive concentric circles in Figure 2 on page 328.

Since the litmus proof of any normative theory of argumentation is whether it singles out the defective argumentative moves traditionally known as *fallacies* effectively, its capacity to distinguish between sound and fallacious argumentative moves is decisive for its so-called “problem-validity”: its suitability to serve its purpose. This problem-validity test applies, of course, also to our theory. Our primary step in establishing the connection of pragma-dialectics with argumentative reality therefore consisted in checking whether the theory we proposed can indeed handle the fallacies.

The rules for critical discussion we designed cover all four stages of a critical discussion and apply both to the protagonist of a standpoint and to the antagonist. By our definition, every violation of any of the rules, in whatever discussion stage it is committed and by whichever party, constitutes a fallacy. In testing the problem-validity of the pragma-dialectical theory, we succeeded in demonstrating that the various types of fallacies included in the traditional list of fallacies handed down to us by history are all excluded by the standards of reasonableness expressed in our rules. In addition, a number of so far unrecog-

nized other fallacies could be identified (van Eemeren & Grootendorst 1992: 93-220).

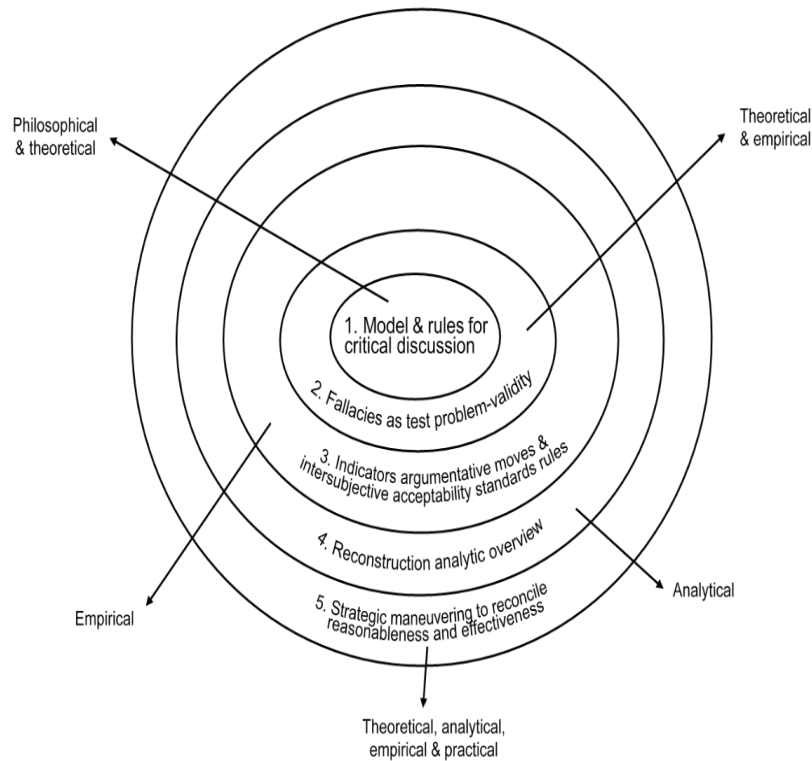


Figure 2 From standard to extended pragma-dialectics

Our second step in establishing the connection between the theory and argumentative reality involved empirical research concerning the function of argumentative indicators and other factors in the recognition of argumentative moves, qualitative research (van Eemeren et al. 2007) as well as quantitative research (van Eemeren et al. 1989). In addition, we investigated experimentally the intersubjective acceptability to ordinary arguers of the standards for reasonableness incorporated in the



rules for critical discussion. Because there proves to be general agreement between ordinary arguers' acceptability judgments and the theoretical standards, this research makes clear that the pragma-dialectical standards investigated may all be regarded "conventionally valid" (van Eemeren et al. 2009). Follow-up experimental research into factors contributing to hiding the defectiveness of fallacies is still going on (van Eemeren et al 2012).

Our third step in connecting the theory with the intricacies of argumentative reality is the development of a method for reconstructing real-life argumentative discourse (van Eemeren & Grootendorst 1992: 13-89). Since for various reasons argumentative reality does not need to correspond with the ideal model of a critical discussion, in the analysis of argumentative discourse irrelevant elements need to be deleted, implicit elements need to be added, dislocated elements need to be permuted, and equivalent elements need to be substituted. Carrying out these analytic transformations amounts to giving a systematic reconstruction of the argumentative discourse in terms of the model of a critical discussion. In further substantiating the pragma-dialectical approach we have tried to develop all the analytical tools necessary for carrying out such a systematic reconstruction, such as categorizations of standpoints, differences of opinion, starting points, argument schemes and argumentation structures. In various respects, these analytical tools are on a par with analytical tools proposed in other approaches, such as Informal Logic and the Rhetorical and Linguistic approaches.<sup>3</sup>

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<sup>3</sup> See van Eemeren (Ed. 2001) for an overview of other conceptions of the analytical tools. In Informal Logic important contributions to the development of analytical tools have, for instance, been made by Freeman (2011), Govier (1987), Hitchcock (2003), Johnson and Blair (2006), Walton (1996a,b), and Walton, Reed and Macagno (2008).

A fourth and rather fundamental step in taking the intricacies of argumentative discourse into account I initiated together with Peter Houtlosser in the late 1990s by acknowledging in the theorizing explicitly that in defending a standpoint argumentatively maintaining reasonableness may always assumed to be combined with pursuing effectiveness (van Eemeren & Houtlosser 2002, van Eemeren 2010). In every argumentative move made in argumentative discourse this “argumentative predicament” gives rise to continual *strategic manoeuvring* aimed at keeping the balance between simultaneously trying to realize these two goals. By including an account of strategic manoeuvring in the theorizing, the unfruitful division between dialectic and rhetoric stemming from the 17<sup>th</sup> century was aimed to be overcome. This is to be achieved by extending standard pragma-dialectics in such a way that a reconstruction of argumentative discourse can be given that is more refined, more realistic and better accounted for, so that a more appropriate point of departure is provided for a fair evaluation.

### 3. Three topical developments

Having sketched the evolution of the pragma-dialectical approach, it is important to emphasize that argumentation theory has also been advanced considerably by other approaches. Informal Logic, for instance, has contributed substantially to almost all components of the research programme and approaches starting from formal dialectical or rhetorical and linguistic angles have also had their share.<sup>4</sup> Whereas in formal and informal logical approaches the emphasis is primarily on the normative dimension, the rhetorical and linguistic approaches tend to focus on the descriptive dimension.

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<sup>4</sup> See van Eemeren et al. (2014) Chapter 7 for Informal Logic, Chapter 6 for formal dialectical, Chapter 8 for rhetorical and Chapter 9 for linguistic approaches.

Currently some new trends can be observed in argumentation theory that are not restricted to one particular approach. Next to a broadening of the scope by including "visual argumentation" in the theorizing, three major developments in the way argumentation is treated have emerged (van Eemeren 2015b). Each of them is in my view vital for enabling the discipline to realize its practical ambition. For this purpose, the three developments need to be coordinated and brought to bear in combination.

The first topical development taking place is "empiricalization" of the treatment of argumentation. Empiricalization of the treatment of argumentation involves ensuring the connection of argumentation theory with argumentative reality by examining systematically through qualitative and quantitative empirical research the factors and processes influencing the production, interpretation and assessment of actual argumentative discourse. In order to live up to its practical ambition, argumentation theory cannot be limited to normative philosophizing but should be a "positive science" dealing with what goes on in the real world. This means that argumentation theorists should be out to acquire well-founded insights into the factors and processes that actually play a part in the production, interpretation and assessment of argumentative discourse. Although the founders of modern argumentation theory, Arne Næss (1966), Stephen Toulmin (2003) and Chaim Perelman and Lucie Olbrechts-Tyteca (1969), all stressed the need for empirical research, in their own work they concentrated fully on the theorizing. Only more recently empiricalization has been taken up seriously by scholars who are systematically carrying out qualitative or quantitative research of argumentative discourse.

Qualitative research of argumentative discourse has already been conducted for a long time in the rhetorical tradition of American communication studies. This research, however, consists for the most part of "case studies" concentrating on the analysis of individual speeches or texts. However illuminating they may be, such studies can only be instrumental to the ad-

vancement of argumentation theory if they go beyond the understanding of a particular case.<sup>5</sup> More inclusive types of qualitative research relying on introspection and observation depict special qualities, traits or conventions of specific specimens of argumentative discourse or describe in an ethnographic vein ordinary arguers' (so-called "emic") concepts and norms.<sup>6</sup>

Quantitative research based on numerical data and statistics is required when claims of the "If X, then Y" type are to be tested. Since the 1980s such research has been carried out by pragma-dialecticians, but also by some American communication scholars (e.g., Hample & Dallinger 1987) and a few persuasion researchers focusing on argumentation (e.g., O'Keefe 2006). This research has concentrated, for instance, on factors in the presentation of argumentative moves that facilitate or hamper their recognition (e.g., van Eemeren et al. 1989). A recent step towards theoretically relevant empiricalization is the experimental testing of the intersubjective acceptability of theoretical (so-called "etic") norms of reasonableness (van Eemeren et al. 2009).

The second topical development consists of "contextualization" of the treatment of argumentation. This means that by taking account of the contexts in which the discourse takes place, in particular the more or less institutionalized "macro-context", a systematic differentiation is made between the various kinds of argumentative practices. In this way justice is done to the fact that, as a rule, the institutional circumstances in which argumentative discourse takes place influence to some extent the way in which the discourse manifests itself.

The approaches taken in present-day argumentation theory vary a lot in how they define the institutional macro-context and distinguish between argumentative practices. To allow for a

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<sup>5</sup> Zarefsky's (1986) rhetorical analysis of President Johnson's "war on poverty" is a case in point.

<sup>6</sup> See, for example, Doury (2009).

coherent treatment and a methodical comparison of argumentative practices however, their description and differentiation must take place in terms of functional and well-defined theoretical categories.

Contextual considerations have always been an integral part of the rhetorical approaches, starting in Antiquity with the distinction of different “genres” of discourse by Aristotle. In Perelman and Olbrechts-Tyteca’s (1969) “new rhetoric” the context is in the first place interpreted as “audience”, but still other rhetoricians (e.g., Tindale 1999) take also other contextual elements into account.

American communication scholars adopted in contextualizing argumentation in the 1970s Stephen Toulmin’s (2003) notion of “(argument) fields”. Generally they then used the term *argument fields* more broadly, viewing them as discourse communities or disciplines. Later argument fields seem to have been replaced by *argument spheres*, each argument sphere coming with specific argumentative practices.<sup>7</sup>

A new way of contextualizing argumentation was instigated by the dialecticians Douglas Walton and Erik Krabbe (1995), who differentiated between different kinds of *dialogue types*, each of them characterized by a specific initial situation, method and goal. The contextual dimension of argumentative discourse has also been incorporated in the pragma-dialectical theorizing, but this will be discussed later in this exposé.

The third topical development consists of “formalization” of the treatment of argumentation. Formalization involves achieving precision and rigour by realizing systematically an optimally formal shape and regulation for the most crucial parts of the theory. Because it is required for computerization, such formalization is of great practical significance.

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<sup>7</sup> See Goodnight (2012).

In line with the idea of “dialogue logic” promoted by the Erlangen School, formal dialecticians proposed formal rules for the verbal resolution of differences of opinion (Barth & Krabbe 1982). Examples of “semi-formal” parts of dialectical argumentation theories are Walton and Krabbe’s (1995) *profiles of dialogue*, consisting of tree diagrams of possible dialogues, and the pragma-dialectical *dialectical profiles* (van Eemeren et al. 2007: 17-19), consisting of sequential patterns of the kind of moves that are allowed at a particular point in the resolution process.

Formalization is realized most strongly however in formal applications of insights from argumentation theory in Artificial Intelligence (see van Eemeren et al. 2014: Chapter 11). The notion of “defeasible reason”, which allows for drawing tentative conclusions while keeping open the possibility that additional information may lead to their retraction, is then of preeminent importance. Connections have been made with the anticipation of defeating circumstances in the Toulmin model and the critical questions associated with the argument schemes as viewed by Douglas Walton.<sup>8</sup>

Only if all three developments of empiricalization, contextualization and formalization come to full fruition, is a sound basis created for practical (computerized) intervention in argumentative practices.

#### 4. Prototypical argumentative patterns

The crux of the crucial question we had to leave unanswered in the 1970s are the distinctive features of juridical, political, academic and other kinds of argumentative discourse. Further empiricalization, contextualization and formalization of our approach to argumentation enable us to show how the analytical

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<sup>8</sup> Verheij (2005), for instance, discusses how Toulmin’s model of argumentation has been formalized by using DefLog. In Bex, Prakken, Reed and Walton (2003), to mention another example, the concept of argument(ation) schemes is applied to the formalization of legal reasoning from evidence.

instruments developed in the extended standard theory can be brought to bear to tackle this question.

Since strategic manoeuvring does not take place in an idealized critical discussion but in the multi-varied practices of real life, after the extension of pragma-dialectics in dealing with argumentative discourse contextualization and increased empiricalization were mandatory. In all communicative domains specific argumentative practices have established themselves to meet certain institutional exigencies (van Eemeren 2010: 129-162). Parliamentary debates and election speeches in the political domain and conference presentations, monographs and book reviews in the academic domain are examples of such established practices. Each of these practices constitutes a *communicative activity type*, which is defined by its “institutional point”. The *institutional point* is the *raison d’être* or rationale of the activity—such as scrutinizing the merits and demerits of particular policies in the case of a parliamentary debate.

To realize its institutional point, each communicative activity type is to a greater or lesser extent conventionalized. Sometimes, like in a law case, this conventionalization is largely certified in formal rules and regulations. In other communicative activity types, like in a medical consultation, the conventionalization is less explicit and formal—or even fully implicit and informal, like in a friendly chat.

In pragma-dialectics, the conventionalization of a communicative activity type relevant to resolving a difference of opinion is recapitulated in an *argumentative characterization* (van Eemeren 2010: 146-151). This argumentative characterization describes how in a certain communicative practice the empirical counterparts of the four stages of a critical discussion are regulated. In a civil law case, for instance, the difference of opinion at issue in the initial situation representing the confrontation stage will be a *well-defined dispute*; the opening stage will be represented by *largely codified rules and explicit concessions*; the argumentation stage by *argumentation based on legally in-*

*terpreted facts and concessions*; and the concluding stage by a *motivated settlement by a judge*.

Depending on the specific institutional requirements, in the various communicative activity types the argumentative dimension is substantiated in different ways. Using in all cases the model of a critical discussion as a template in characterizing communicative activity types argumentatively creates a common point of reference that ensures coherence and consistency in the characterizations of the activity types and unity in the comparisons between them. Because the specific conventionalization of a communicative activity type imposes certain constraints on the argumentative discourse that is allowed to take place, the argumentative characterization is a suitable point of departure for determining the prevailing *institutional preconditions* for strategic manoeuvring.

Due to the different institutional preconditions, in the various communicative activity types the possibilities for strategic manoeuvring may vary to some extent. In some communicative activity types the participants will have more room for defining the difference of opinion in accordance with their own preferences than in others. Unlike in a friendly chat, in a law case, for instance, the definition of the dispute is fixed at the beginning. A similar variety may exist with regard to the choice of starting points, the utilization of argumentative means and criticism, and the sort of outcome aimed for.

In view of the institutional preconditions of a particular communicative activity type, in the various stages of the resolution process specific modes of strategic manoeuvring will be suitable to realizing its institutional point. Considering the characteristic kind of difference of opinion to be resolved, the characteristic type of standpoint at issue and the characteristic starting points the parties must act upon in reaching a characteristic kind of outcome, specific types of argumentation can be instrumental in a certain communicative activity type or cluster of activity types, such as symptomatic argumentation to cover by a



legal rule a verdict in a law case, pragmatic argumentation to point out the effectiveness of a policy in a parliamentary debate, and causal argumentation to establish the truth of a claim in a scientific discussion (van Eemeren 2017: 13-22).

Conducting argumentative discourse in agreement with the specific demands of the communicative activity type concerned results in different kinds of *argumentative patterns* in the various communicative domains. Each argumentative pattern consists of a particular constellation of argumentative moves in which, in order to deal with a particular kind of difference of opinion, in defence of a particular type of standpoint a particular argument scheme or combination of argument schemes is used in a particular kind of argumentation structure. On the “first level of defence”, where the main standpoint (or one of the main standpoints) is defended by the main argumentation, *basic argumentative patterns* manifest themselves. In basic argumentative patterns it is the type of standpoint at issue that primarily determines which types of argumentation are appropriate for its defence. Because each type of argumentation that is used evokes specific critical questions, more elaborate *extended argumentative patterns* can come into being which include also the next level and sometimes even further levels of defence.

Depending on the critical questions evoked by the argument schemes employed in the main argumentation, specific kinds of critical reactions may need to be anticipated or responded to when a reason in support of the main standpoint is defended as a sub-standpoint on the second level of defence. When, for instance, in a parliamentary debate pragmatic argumentation has been used in the main argumentation, the pertinent critical questions can be specified accordingly. The same goes for the use of some subtype of symptomatic argumentation in motivating a legal verdict and for the use of a subtype of causal argumentation in a scientific discussion. The defence of sub-sub-standpoints on the third level, etc., may be expected to proceed similarly.

Argumentative patterns immediately connected with the institutional preconditions for strategic manoeuvring pertaining to a specific communicative activity type or domain are called *prototypical argumentative patterns* (van Eemeren 2017: 20-22). Such argumentative patterns represent combinations of modes of strategic manoeuvring that are pre-eminently instrumental in realizing the institutional point of a communicative activity type in accordance with its institutional preconditions. The occurrence of prototypical argumentative patterns can be explained by the institutional preconditions pertaining to the communicative activity types concerned and they are characteristic of the argumentative discourses in a certain (cluster of) communicative activity type(s).

### **5. Identifying a prototypical argumentative pattern in European parliamentary debate**

Having established on theoretical grounds which argumentative patterns are functional and therefore likely to occur in certain communicative activity types, we need to find out by empirical observation whether these prototypical argumentative patterns *do* indeed occur in the argumentative discourses concerned. For this reason, during the past seven years, together with Corina Andone, Eveline Feteris, Bart Garssen and Francisca Snoeck Henkemans, I have carried out qualitative empirical research aimed at identifying prototypical argumentative patterns in various kinds of communicative activity types in the political, the legal and the medical domain.<sup>9</sup> By way of illustration, I will report about our identification of an argumentative pattern ensuing from the use of pragmatic argumentation in legislative debate in the European Parliament.

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<sup>9</sup> See the ten chapters about the notion of prototypical argumentative patterns and prototypical argumentative patterns in the political, the legal and the medical domain included in van Eemeren (Ed. 2017).

In *pragmatic argumentation* the prescriptive standpoint that proposal X should be carried out is defended by pointing out that carrying out X leads to desirable result Y—or in its negative variant that X should *not* be carried out because it leads to *undesirable* result Y. The argument scheme underlying this sub-type of causal argumentation is as follows:

- 1 Standpoint: X should (not) be carried out.
  - 1.1 X leads to positive (negative) result Y.
  - (1.1') (If X leads to a positive (negative) result such as Y, it must be carried out).

Pertinent critical questions evoked by the use of pragmatic argumentation are:

- (a) Does X indeed lead to Y?
- (b) Is Y really desirable (or, in the negative variant, undesirable)?
- (c) Does X not have any major undesirable side-effects (or, in the negative variant, desirable side-effects)?

This list of critical questions must be expanded if in a certain argumentative practice the circumstances call for it.<sup>10</sup>

When an arguer responds to critical questions (a), (b) or (c) or any of their sequels, or anticipates these questions being asked, the argumentation loses its “pragmatic” force of instantaneous problem-solving and turns into *complex problem-solving argumentation* with a more complex argumentation structure (Garssen 2017: 36). This happens, for instance, when the exist-

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<sup>10</sup> This could lead to the following sequel of critical questions:

- (d) Could Y not be achieved more easily or more economically by other actions?
- (e) Would another result (Z) not be even more positive (i.e. more desirable) than Y?
- (f) Could the negative (i.e. undesirable) side-effects not be prevented or suppressed?

ence of a problem or the effectiveness of the proposed solution is in doubt. In the political domain using pragmatic problem-solving or complex problem-solving argumentation is generally a functional and therefore likely way of defending the standpoint because in a policy proposal a prescriptive standpoint regarding a proposed action is at issue.

In identifying through qualitative empirical research the prototypical argumentative patterns that come into being in exploiting pragmatic argumentation in a legislative debate in the European Parliament, we make use of the analytical instruments developed in pragma-dialectics: the typologies of standpoints (descriptive, evaluative, prescriptive), differences of opinion (single or multiple and mixed or non-mixed), argument schemes (causal, comparison, symptomatic and their sub-schemes), and argumentation structures (single, multiple, coordinative, subordinative and their combinations) (van Eemeren & Grootendorst 1992: 13-102).<sup>11</sup> In carrying out this research we have identi-

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<sup>11</sup> Described in a semi-formalized way in terms of these categories and sub-categories, some of the prototypical argumentative patterns ensuing from the use of pragmatic argumentation in European Parliamentary legislative debate that can be identified based on the analysis of Garssen (2017) are:

*Pragmatic argumentation* [*prag*] for *prescriptive standpoint* [*pres*] on the 1<sup>st</sup> level:

- 1[*pres*] < 1.1[*prag*]

When statistical information required for demonstrating the existence of a problem is not available, in support of (*pragmatic argumentation* turned into) *complex problem-solving argumentation* [*prob*], on the 2<sup>nd</sup> level

- *argumentation by example* [*exam*]:

1[*pres*] < ((1.1a < 1.1a.1[*exam*]) & 1.1b)[*prob*]

When adequacy proposal for solving problem needs to be established, in support of (*pragmatic argumentation* turned into) *complex problem-solving argumentation* [*prob*], on the 2<sup>nd</sup> level:

- *argumentation by example* [*exam*]:

1[*pres*] < ((1.1a < 1.1a.1[*exam*]) & 1.1b)[*prob*]

- *causal argumentation from cause to effect* [*caus*]:

1[*pres*] < ((1.1a < 1.1a.1[*caus*]) & 1.1b)[*prob*]

- *causal argumentation from effect to cause* [*effe*]:

1[*pres*] < ((1.1a < 1.1a.1[*effe*]) & 1.1b)[*prob*]

fied, for instance, a prototypical argumentative pattern that is exemplified in the following contribution by Carl Schlyter, Swedish Member of the European Parliament for the European Greens, to the debate of labelling fruit juices on 13 December 2011:

*Mr President, I would like to thank everyone involved in the negotiations. At times, the negotiations were rather amusing. It could be considered strange that we have spent so many hours on such a limited subject as fruit juices, but at the same time, it was a question of rather important principles. Should we maintain the EU's high standard, where one exists, as opposed to the standard incorporated into international agreements? If we are to have a properly functioning single market, we must stop deceiving consumers.*

*During the negotiations, I brought these juice cartons with me and I am still bringing them with me right to the bitter end. Here is one example of juice packaging: high quality, full of lovely cranberries. The problem is that cranberries are not the main ingredient of the juice—it is apple. However, I do not see apple mentioned on the packaging or in the name. This is a product from France.*

*Here I have a product from Sweden/Finland. It is called raspberry/blueberry and there are raspberries and blueberries on the packaging. Hidden behind an enormous blueberry there is a very tiny apple. This is misleading, because this juice consists mostly of apple—it contains 10 times as much apple as raspberry and blueberry. Here is another fruit drink that is also sold on the European market. It has lovely strawberries and passion fruit on the packaging, but what do you think is the dominant fruit? It is apple, of course.*

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- *argumentation from authority* [auth]:  
1[pres]<((1.1a<1.1a.1[auth])&1.1b)[prob]

*Here is another one that is sold in six other countries in Europe. It states strawberry here, but do you think it contains any strawberries? Yes, it contains a very small amount of strawberries, but as usual it is mostly apple, and the apple on this packaging is hidden behind a symbol so that you can barely see it. This is misleading and fraudulent, and we are at last doing something about it. This is what I have been fighting for, and I am very pleased that this was the end result.*

The basic argumentative pattern of the argumentative discourse in a legislative debate in the European Parliament generally consists of a prescriptive standpoint [*pres*] supported by pragmatic argumentation [*prag*]. When the existence of the problem at issue is in doubt and statistical information demonstrating it is not available, in such a debate this argumentative pattern is prototypically extended by adding argumentation by example [*exam*] on one of the next levels, thus turning the pragmatic argumentation into complex problem-solving argumentation [*prob*]. In the case concerned, Carl Schlyter turns his pragmatic argumentation that the proposed legislation will solve the problem with food labelling in Europe into complex problem-solving argumentation by supporting the premise that there is indeed a problem by indicating that on many labels the ingredients are not properly indicated, which is misleading and fraudulent, and supporting this argumentation in its turn by a whole series of arguments by example:

- 1 The proposed legislation should be adopted.
  - 1.1a There is a problem with food labelling in Europe.
    - 1.1a.1a On many labels the ingredients are not indicated properly on labels.
    - 1.1a.1b This is misleading and fraudulent.
      - 1.1a.1a-b.1a ... n [*arguments by example*].
  - 1.1b Adopting the proposed legislation solves the problem.

This means that in Schlyter's argumentative discourse the following prototypical argumentative pattern is displayed:

$$1[\textit{pres}] < (1.1a < ((1.1a.1a \& 1.1a.1b) < 1.1a.1a-b.1a \dots \\ n[\textit{exam}]) \& 1.1b) [\textit{prob}]$$

In a debate in the European Parliament, in defending a proposal giving one clear example generally does not suffice. This can be explained by the institutional preconditions applying to such a debate. Members of the European Parliament are supposed to speak in the interest of Europe as a whole, not only in the interest of one particular country, let alone only in the interest of their own country.<sup>12</sup> This means that in their examples they always have to make clear that their intervention applies to most, if not all, European countries. Although Schlyter's intervention does not seem to centre around any specific country's interests, by choosing a series of examples from a variety of European countries he remains explicitly in line with this established tradition.

## 6. Dealing with the variety of argumentative practices

Having widened the scope of our theory, step by step, from an abstract model of critical discussion to the complexities of actual argumentative discourse, and having contextualized, empiricized and formalized our approach, we are now putting the analytical instruments developed to good use in identifying prototypical argumentative patterns in specific communicative activity types in the various communicative domains. At long last, in this way justice is done to the vital but complex relationship

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<sup>12</sup> This relates to the "secondary" institutional precondition, called "the European Predicament", that although Members of the European Parliament cannot ignore the specific interests of their electorate in their home country, they are supposed to speak in the interest of Europe as a whole (van Eemeren & Garssen 2010).

between argumentation theory and argumentative practices. This means that we can now start answering the crucial question about the typical characteristics of their discourse asked by interested lawyers, politicians, academics and other practitioners of argumentation in the late 1970s.

In recent research we have paid a great deal of attention to the identification of prototypical argumentative patterns coming about as a consequence of institutional preconditions for strategic manoeuvring in various political, legal and medical communicative activity types (see van Eemeren, Ed. 2017). It goes without saying that much more qualitative research of this type, concentrating also on *other communicative activity types and other communicative domains*, is required.

Another type of research into contextualized argumentative discourse waiting to be carried out is immediately connected with our qualitative explorations of prototypical argumentative patterns. It concerns the detection of “stereotypical” argumentative patterns. The fact that certain argumentative patterns are prototypical in certain communicative activity types does not necessarily mean that they also occur frequently in actual argumentative practices taking place in these activity types. Their frequency of occurrence compared to other prototypical argumentative patterns in the same communicative activity type or compared to their occurrence in other communicative activity types or domains needs to be investigated by means of quantitative empirical research of representative corpuses of discourse. Only prototypical argumentative patterns which occur relatively frequently in either of these two senses deserve to be considered *stereotypical argumentative patterns*.

Making an inventory of prototypical and stereotypical argumentative patterns paves the way for a more thorough and better-documented account of *context-independency* and *context-dependency* in argumentative discourse than earlier studies could offer. Unlike, for instance, Toulmin’s (2003) distinction between “field-invariancy” and “field-dependency”, this ac-



count will not merely be based on theoretical considerations but also confirmed by meticulous observation in empirical testing. In our account, theoretical considerations and empirical observations are in fact systematically interrelated.

Because of its explanatory role in accounting for the functional diversity of argumentative reality, in further examining the argumentative patterns the “strategic dimension” of argumentative discourse should also be given its due. Depending on the macro-context and its specific institutional preconditions, different strategic considerations are brought to bear by the arguers in their conduct of argumentative discourse. For this reason, different argumentative patterns may be supposed to reflect different *strategic scenarios*. This means that it needs to be investigated which manifestations of argumentative patterns are in specific communicative practices indicative of which strategic scenarios.

In addition, in explaining the differences between argumentative patterns coming about in the same or similar communicative activity types in different *cultural settings*, the arguers’ sociological or “ideological” background must be taken into account. In a Chinese cultural setting, for instance, in some communicative activity types the prototypical argumentative patterns may take a somewhat different shape than in a European or American cultural setting. Next to cultural differences, in the end it is also possible and worthwhile to trace individual differences in “argumentative style”. *Argumentative styles* manifest themselves in argumentative patterns that are characteristic of the strategic manoeuvring of particular individual arguers or groups of arguers.

Last but not least, the prototypical and stereotypical argumentative patterns detected in a communicative activity type or cluster of communicative activity types can be a useful point of departure for starting the *interventions aimed at improving argumentative practices* that a great many practitioners are so much interested in. These patterns provide goal-oriented guid-

ance in developing suitable “formats” or “designs” for performing the verbal activities concerned in an optimal way and appropriate methods for their production, analysis and evaluation. Taking this time the medical context of health communication as a case in point, by starting from observed prototypical patterns, more suitable formats can be designed for conducting argumentative exchanges in doctor-patient consultation, more adequate instructions can be provided for analysing health brochures, and more effective tools can be offered for evaluating medical advertisements (accompanied by well-considered advice for their authors). Particularly if the recommended procedures can be formalized and computerized, in this way the quality of such argumentative practices can be enhanced considerably.

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