Commentary

Comments on 'Don't Say That!'

ANDREA ROCCI

Faculty of Communication Sciences, University of Lugano,
Via G. Buffi 13, Lugano CH 6900, Switzerland
E-mail: andrea.rocci@lu.unisi.ch

1. INTRODUCTION

Before entering into more technical commentary over some of the main topics of Van Laar's fine paper, I wish to emphasize two aspects of the paper that I have much appreciated.

The first is quite general: van Laar's paper is a very effective illustration of how the scope of a normative *dialectical theory* of argumentation exceeds the scope of *logic* in evaluating the reasonableness of discourse moves that are not inferential in nature but are nevertheless relevant with respect to the goal of resolving a dispute.

The second reason of appreciation is more contingent, one would say more dependent to the social, political, and cultural *kairòs*. The kind of strategic manoeuvring addressed by Van Laar is clearly relevant to current dilemmas of the public debate on culture, religion and freedom of speech in the Netherlands, in Europe and elsewhere. A dialectical analysis and evaluation of these dilemmas such as the one proposed by van Laar, while well aware of the limits imposed by its theoretical object, represents a real contribution to a better understanding of what is at stake when individuals, communities and institutions set limits to debate.

1.1. *Pushing Dialectics to its Limits*

It is common to see argumentation as concerned with the *study of inferences* in natural language (and eventually as the criticism of inferential errors in such reasoning), so that the scope of argumentation is that of an *informal* logic – which may be conceived either descriptively or normatively. In fact, both Toulmin (1958) and Perelman and Olbrechts-Tyteca (1958), in the end, and despite their dialectical focus, maintained that the fundamental way in which argumentation exceeds logic has to do with the *nature* of the inferential links.

On the contrary, dialectical approaches, and the Pragma-Dialectical in particular, showed that, in order to evaluate arguments we need to exceed logic in another sense by evaluating the reasonableness of moves that don't necessarily involve drawing an inference but are nevertheless relevant to the goal of resolving a difference of opinion.

From my point of view – the point of view of a linguist interested in the pragmatics of dialogue – it is interesting that this kind of evaluation cannot be approached without resorting to pragmatic concepts such as *commitments* and *joint goals* and more precisely *commitment to joint goals* (Clark, 1996).

Let us look at the critical discussion from this angle. A normative framework such as the critical discussion, to the extent to which it is a participants' normative framework, has to be described in terms of joint commitments of the participants. These commitments, which define the critical discussion, once activated by appropriate speech acts – such as the act of advancing a standpoint – become a part of the common ground of the dialogue – namely that part of the common ground that Hamblin (1970) called the *commitment store*. The goals to which participants are jointly committed define the specific form that conversational cooperation takes in the dialogue: the *dialogue game* being played (Rocci, 2005).

Interestingly, as the dialogue unfolds the commitment store is updated by new obligations that the participants have incurred into as a consequence of their speech acts. As a result, the definition of what represents a cooperative contribution is changed. Speech acts that in earlier phases of the dialogue would have been cooperative with respect to the dialogue game no longer are, and vice versa.

Is it legitimate to see a critical discussion in these terms? Or, being an ideal framework, the critical discussion should be viewed as a set of external criteria that an analyst can apply to a dialogue in order to evaluate it, but does not explain how people think of what they are doing?

In fact, the latter view of the critical discussion is clearly excluded by the notion of *strategic manoeuvring*. Strategic manoeuvring emerges from the need of reconciling the *dialectical goals* and the *rhetorical goals* of the participants. Dialectical and rhetorical goals differ sharply from the point of view of dialogue pragmatics: dialectical goals are joint goals the participants are mutually committed to, rhetorical goals are private, individual goals; they may or may not be known to other participants but are not part of the definition of what it means to be cooperative in a certain dialogue. The notion of strategy emerges from the perceived need of satisfying these two kinds of goals. If the rules of critical discussion were not understood as reflecting the joint goals of the participants (and drawing their

logical consequences), the notion of strategic manoeuvring would be incomprehensible.

The dynamic unfolding of the dialogue game is represented in Pragma-Dialectics by the stages of the critical discussion, and, within each stage, by the *dialectical profiles*.

What are dialectical profiles from the point of view of a pragmatic theory of dialogue? They take the outer shape of a grammar of dialogue generating all the dialectically sound dialogues for a given stage of the discussion.[1] In their algorithmic form, they resemble the interaction protocols used in Artificial Intelligence, to model certain specific types of 'dialogue' between artificial agents (cf. for instance the English auction protocol detailed in Fornara and Colombetti, 2003).

In fact, beyond this grammar-like appearance this construct hs a deeper meaning: dialectical profiles model the evolution of dialectical obligations in a developing common ground – in a commitment store. In that sense they refine the rules of critical discussion by modelling the precise form taken by dialectical obligations as speech acts are performed and their commitments added to the common ground.

We can say that in his analysis of the confrontation stage van Laar pushes the dialectical approach to its limits in two directions.

On the one hand, Van Laar's paper pushes the approach to its *finer details* – using dialectical profiles to develop the fine grained implications of dialectical commitments in their dynamic unfolding.

On the other hand, it pushes dialectic to its external limit by looking at cases where *reasonableness* of behaviour in view of adjudicating a difference of opinion is confronted with other considerations and goals assumed to be shared by the participants: preserve interpersonal relationships, defend peace, do not imperil the lives of others, do not damage the economy, etc. Last but not least, the goal of solving the dispute between two participants on the specific standpoint has to be seen in the context of other dialectical goals relative to disputes with other participants, over different standpoints. In this respect, Van Laar rightly stresses the *external* and *meta-* nature of the confrontational strategic manoeuvring where the antagonist charges the protagonist of advancing a standpoint that has harmful consequences.

1.2. *Pragmatic Dilemmas of Debate*

As we have seen, the choice of the particular kind of strategic manoeuvring that Van Laar examines is not simply theoretical but it is also motivated by its relevance to current dilemmas of public debate in civil society in Europe.

While in the ideal model of a critical discussion the freedom rule states that arguers cannot be barred from advancing a standpoint,

juridical systems do impose limitations on the freedom of speech in certain areas.

A clear example is represented by laws which make negationism a criminal offense[2] or those sanctioning racist discourse or other forms of "hate speech". Such laws have the effect of excluding certain standpoints from the public debate. Scholars who examined the theoretical justification for measures against "hate speech" have mostly moved the attention from the propositional level to the pragmatic dimension: speech is a kind of social action, which produces effects at the illocutionary and the perlocutionary level and hate speech inflicts damage on the concerned subject (cf. Butler, 1997). One line of reasoning, in particular, emphasizes the perlocutionary consequences of the act of putting forward such standpoints.

However also the propositional level deserves attention. It should be noted that in the case of negationism and similar legally excluded standpoints, what is excluded is one attitude towards the proposition, as the opposite attitude is considered to have been proven beyond reasonable doubt. Propositions like *The so-called Holocaust never happened* or *Ethnic group X are of an inferior racial stock* are considered both blatantly false as propositions and dangerous in their perlocutive effects when asserted. In short, these standpoints are seen as *dangerous lies* by the statal community outlawing them.

The contexts of dialogue examined by van Laar in his paper have a clear relation with the classic case of "hate speech". In the main example the attempt to block the protagonist from advancing the standpoint takes the form of an allegation of "hate speech": *You are stirring up hatred against foreigners*. Yet, there are a number of differences with respect to the classic case examined above: (a) the cases concern *attempts* to prevent protagonists to advance a certain standpoint, rarther than standpoints excluded by law, (b) the dialogues typically involve cultural and religious differences, (c) the propositional content of the standpoint is not necessarily considered blatantly false by the party trying to block the protagonist. The focus seems to be entirely on the consequences of the act of advancing the standpoint. In discussions concerning culture and/or religion the mention of the negative consequences of advancing the standpoint may be even combined with the suggestion that the issue is undecidable and is better left unsettled. In any case there is no presupposition that the matter has been settled once for all for the alternative standpoint.

While a dialectical approach such as the one outlined by van Laar cannot solve alone the dilemmas associated with the possible pragmatic negative consequences of advancing a standpoint, it does offer relevant theoretical tools that allow us to go beyond purely logical

considerations on the one hand and pure consideration of the utterance's perlocutionary effects on the other.

Consistently with the pragma-dialectical framework, the soundness conditions that van Laar posits for this kind of confrontational strategic manoeuvring are designed to determine whether the manoeuvring is consistent with the goal of resolving the very dialogue in which it appears – concerning the same standpoint or a reformulation of it. These conditions are very difficult to meet.

Real world dialogue games often deal with more than one standpoint at a time and can be thus considered as bundles of critical discussions partially woven together. Moreover, they also involve joint commitments that are not dialectical in nature, such as those concerning the relational aspects of dialogue (e.g. the commitment to politeness). It is natural to assume that, within the bundles, the joint goals are at least partially ranked with respect to a teleological hierarchy. A further question that van Laar does not explore would be to consider cases where the resolution of a discussion is sacrificed to preserve a broader *dialogue*. It seems important, also from a practical decision making viewpoint, to look at the features of the dialogue that is preserved at such a cost: is it an argumentative discussion concerning another standpoint deemed more important? Is it some form of negotiation? Or just a form of polite relational dialogue?

1.3. *Remarks on the Soundness Conditions for the Confrontational Manoeuvring based on Pointing to Negative Consequences of Advancing a Standpoint*

In this last section I will deal with some punctual questions related to details of van Laar's contribution.

(I) As observed above, one important feature of the confrontational manoeuvring analysed by van Laar is represented by its *metapragmatic* nature. While *occasioned* by the confrontation stage – by the performance of speech acts relevant in that stage – the manoeuvre is not part of the confrontation itself. It consists of an argumentative intervention that takes as its object the *act* of advancing a standpoint and results in another (critical) discussion about an evaluative/incentive standpoint about whether is good/bad to advance the original standpoint.

Here we can draw a distinction between the *soundness of the metadiscussion* and its *relevance to the original discussion* – to its confrontation stage. Of van Laar's soundness criteria, 1–4 concern the *relevance*, while criteria 5 and 6 concern the *soundness* of the metadiscussion.

(II) Soundness condition (3) states that the armful consequence should pertain to the discussion at issue and not to another one. According to van Laar, in the case of Fortuyn's interview, the journalist's

manoeuvring would be irrelevant because it concerns the possible discussion between Fortuyn and the *foreigners*, and not the interaction with the journalist.

Here, however, van Laar does not consider an interesting complication due to the nature of the media that constitutively address multiple publics through the staging of discussions (in interviews, in televised debates, etc.): the discussion between Fortuyn and the journalist is instrumental to another virtual discussion between Fortuyn and a public *including* Islamic readers. So, the move, in the end, might not violate so clearly rule (3).

(III) Of the three cases of possibly dialectically relevant manoeuvring singled out by van Laar two involve broadly psychological considerations: these are the case of the "insulting" presentation of the standpoint, and the case of the inappropriate circumstances for advancing the standpoint, which would make it psychologically impossible to the antagonist to productively discuss the standpoint. Here it becomes crucial to determine who is responsible of the psychological state: actual or pretended oversensitivity can transform the manoeuvring in a sort of emotional *argumentum ad baculum* ("Don't say that: you make me cry!").

When the distress is caused by the context rather than formulation the only dialectically sound choice seems to be suspending the discussion to resume it in a more favourable context. However, this case becomes dialectically more problematic if the discussion is adjourned *sine die* as sometimes seems to be the case in debates involving cultural and religious issues: until the political climate would change, until a truly democratic culture would develop in those countries, etc.

NOTES

[1] I refer to the tree-shaped normative profiles, the linear descriptive profiles used for argument analysis and criticism are not considered here. See Krabbe (2002) for this distinction and for a broader discussion of *dialogue profiles*.

[2] Several European countries, including Germany, Lithuania, Poland and Switzerland have passed laws which make denial of the Holocaust a criminal offense punishable by prison sentence.

REFERENCES

Butler, J.: 1997, 'Sovereign Performatives in the Contemporary Scene of Utterance', *Critical Inquiry* **23**(2), 350–377 (Winter).

Clark, H. H.: 1996, *Using Language*, Cambridge University Press, Cambridge.

Fornara, N. and M. Colombetti: 2003, Defining Interaction Protocols using a Commitment based Agent Communication Language, In: *AAMAS'03*, July 14–18, 2003, Melbourne, Australia.

Hamblin, C. L.: 1970, *Fallacies*, Methuen, London.

Krabbe, E. C. W.: 2002, 'Profiles of Dialogue as a Dialectical Tool', in F. H. van Eemeren (ed.), *Advances in pragma-dialectics*, pp. 153–167, Sic Sat/Newport Press, Amsterdam, Vale Press, Virginia.

Perelman, C. and L. Olbrechts-Tyteca.: 1958, *La nouvelle rhétorique. Traité de l'argumentation*, Presses Universitaires de France, Paris.

Rocci, A.: 2005, 'Connective Predicates in Monologic and Dialogic Argumentation', in M. Dascal, F. van Eemeren, E. Rigotti, S. Stati, and A. Rocci. (eds.), *Argumentation in dialogic interaction*, cit., pp. 97–118.

Toulmin, S. E.: 1958, *The Uses of Argument*, Cambridge University Press, Cambridge.