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Frans H. van Eemeren: Strategic Maneuvering in Argumentative Discourse. Extending the Pragma-Dialectical Theory of Argumentation

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The second volume of the bookseries *Argumentation in Context*, published by Benjamins, constitutes a dense monograph providing the first comprehensive and systematic exposition of the extended pragma-dialectical theory previously outlined by van Eemeren and Houtlosser in several papers and book chapters.¹ This work is perfectly in line with the scope intended by the hosting bookseries focusing on the study of context-bound characteristics of argumentative discourses. In fact, even though it is not devoted to any specific context or to any specific activity type, the volume is systematically aimed at specifying the philosophical tenets, the theoretical and methodological principles and the analytical and practical procedures allowing to investigate the real argumentation realized in different contexts and within more or less institutionalized argumentative practices.

The dedication to the memory of Peter Houtlosser “former student, coauthor and friend”, appearing on p. v, witnesses the living memory of a dear friend, but it also underlines the relevance of Peter Houtlosser’s contribution to the research program “Strategic maneuvering in argumentative confrontations: Norms and criteria, manifestations and effects”, of which this volume declaredly represents the conclusion. As it clearly emerges from the *Preface*, Frans van Eemeren is not at all a solitary researcher: his scientific endeavors always originate and develop in the dialogue with his collaborators. He remembers: “Peter accepted my invitation to extend the pragma-dialectical approach to argumentation that Rob and I had developed with a rhetorical dimension”. Several other members of the author’s research team, beyond Rob Grootendorst and Peter Houtlosser, are mentioned in the *Preface* and throughout the volume in relation to different contributions. True to the dialogical style of his research activity, in all chapters of the volume, the author is

¹ See, in particular, van Eemeren and Houtlosser (2000, 2002).

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manifestly engaged in an intense scientific debate with an impressive number of scholars, all over the world.

The work is informed by a compact and lucid design. The first and the tenth, and last, chapter constitute the framework of the monograph. At the beginning, the purpose is presented and justified: integrating the standard pragma-dialectical theory with the study of the persistent concern for effectiveness that always accompanies real argumentation by means of the concept of strategic maneuvering. In the last chapter, an agenda for further research is construed, mainly orienting the further elaboration of the concept of strategic maneuvering. An atmosphere of work in progress pervades the monograph: “rather than being the last word on the matter, however my proposals are meant to be the starting point for further theorizing” (p. 264). Among the most urgent challenges at the five fundamental levels of pragma-dialectical research program (philosophical, theoretical, empirical, analytical and practical) I limit myself to mentioning, regarding the first level, the focus on the role that the philosophy of action can play in dealing with values and value hierarchies in strategic maneuvering (p. 267) and, in relation to the theoretical level, the need of general and specific criteria (the latter applying to specific communicative contexts) for judging the soundness of the moves of strategic maneuvering (p. 268). In relation to this level, in my opinion, the exploration of another research vein might be envisaged in the extended pragma-dialectics: the search for more detailed and articulate analytical instruments for the treatment of argument schemes.²

The new theoretical perspective outlined in the first chapter is elaborated in the following two chapters. In the second, the key-concepts of reasonableness and effectiveness are analyzed in depth and considered in their relations. The integration of strategic maneuvering does not twist the pragma-dialectical approach as its fundamental concept and value—namely reasonableness—with the dialectical rules entailed by it, which are aimed at the resolution of the concerned difference of opinions on the merits, are wholly preserved: “In all stages of argumentative discourse the two aims of maintaining reasonableness and achieving effectiveness go together in every move that is made” (p. 40). Yet maintaining reasonableness represents the priority as the co-arguers will primarily be interested—or will at least pretend to be primarily interested—in having the difference of opinion resolved on the merits (p. 42). The third chapter investigates, both in the history and in contemporary scientific debate, the two disciplinary perspectives of dialectic and rhetoric focusing on reasonableness and effectiveness respectively. The integration of strategic maneuvering in the pragma-dialectical approach is also aimed at overcoming the traditional “sharp and infertile division” between dialectic and rhetoric persisting in the current studies in argumentative discourse. Moreover,

² The role of the inference relation between the premise and the conclusion is certainly considered by the author, who, however, stresses that a pragma-dialectical regulation of argumentative discourse must also take into account all other argumentatively relevant speech acts of this discourse, somehow hinting that these speech acts risk to be neglected: “This view of argumentative discussion process implies that a pragma-dialectical regulation of argumentative discourse in a procedure that fosters the resolution of differences of opinion on the merits cannot be limited to the inference relation between the premises (interpreted as ‘concessions’ of the other party) and the conclusion of the reasoning involved, but must cover all speech acts performed in the discourse that are pertinent to the resolution process” (p. 33).

bringing about the inclusion of rhetorical insight into a dialectical approach, the concept of strategic maneuvering also represents an effort to bridge the gap between the two disciplinary perspectives and to create a basis for fruitful collaboration (pp. 88–89).

Building on the theoretical basis thus construed, the following three chapters are intended to focus on as many levels of analysis of the rhetorical component: the intrinsic constituency and functioning of strategic maneuvering, the relationship between strategic maneuvering and the macro-context of the communicative activity type and the strategic role actually played by argumentative moves.

In the fourth chapter the concept of strategic maneuvering is “refracted” into three aspects, which should not be considered as elements or components (p. 93), nor as dimensions. They, indeed, represent different, complementary, elaboration procedures focusing on as many moments of the construction process. In fact they correspond to three different types of choices in each of the four stages, concerning the topical selection, the handling of audience demand and the use of presentational devices respectively (see Fig. 4.2. on p. 97 for a synthetic scheme). In this chapter, the first aspect (topical potential) is mainly considered in relation to the argumentation stage and the theoretical contributions offered by the classical and medieval tradition are consequently focused on and discussed (pp. 101–108). For the second aspect of strategic maneuvering (adaptation to audience demand: “the requirements that must be fulfilled in strategic maneuvering to secure communion”), which is connected with the meta-theoretical principle of socialization, the first emerging problem is the identification of the relevant audience. In relation to specific contexts, it might not coincide with the immediate addressee, but it could, additionally or primarily involve other, third, parties (pp. 108–109). Another crucial problem considered by the author is the difficulty of identifying the audience and determining its views and commitments depending on the fact that the addressed audiences are not always homogeneous. Various strategies for adjustment to audience demand in the different stages are presented and discussed; in particular the relevance of the Aristotelian notion of *endoxa* (p. 111), which is interpreted as the “normal”, is underlined for the role it plays, together with the exploitation of the concessions made by the other party in the opening stage, in adapting argumentation to audience demand.³ As argumentation always implies making an appeal to the other party’s reasonableness, with the audience playing the theoretical role of the warrant of argumentative validity, the problem of the proper ontological status both of particular and universal audience becomes crucial and is investigated mainly by considering the position of Tindale (2004) and his reflections on Perelman’s and Bachtin’s insights. In particular, Crosswhite’s and Tindale’s identification of the judgments of a universal audience with the principles of reason, mirrored by logical principles and rules, appears convenient to the author too.⁴ The presentational

³ Footnote 45 remarks that “if *endoxa* also include normative commitments, the differences regarding *endoxa* between certain groups of people point to their representing different subcultures (or even cultures)”.

⁴ More precisely: “Tindale (p. 157) leans to Crosswhite (1996, p. 115), who conveniently assumes that what we mean by the judgments of a universal audience are the principles of reason as seen in logical principles and rules, so that it is logic in the end that gives us “real universalizability”” (p. 118).

choices made by speakers within their communicative-linguistic repertoire enable them, through the use of different variants, to activate different pragmatic meanings in relation to the “same “referent, thus cooperating, together with topical choices and adjustments to audience demand, “to “framing” one’s argumentative moves in a communicatively and interactionally functional way” (p. 119). According to Dascal and Gross (1999), such different choices (variations) may take place at two levels: at the level of language varieties or registers and at the level of semantic, syntactic, prosodic variants within the chosen register. Both levels of stylistic choices “serve the purpose of framing the argumentative move that is made in such a way that it introduces a particular perspective” (p. 119–120). The communicative and argumentative role of framing is underlined: “If it is successful, framing creates social facts” (p. 126). The concept of ‘frame convergence’ is also mentioned, with which Sara Greco Morasso (2009, p. 78) identifies in mediation a decisive step in the process of conflict resolution (p. 127).

Focusing on another aspect of argumentation as an empirical phenomenon, the fifth chapter considers the numerous communicative practices in which real argumentation takes place and the specific kinds of institutional contexts in which these practices are activated. Due to the context dependency of such communicative practices that serve the purposes that are entailed by the mission of the institution (p. 129), the possibilities of strategic maneuvering of argumentative discourse are somehow determined by the preconditions prevailing in the practice concerned. Therefore, the relationships between strategic maneuvering and the macro-context of a communicative activity type are investigated. The position adopted by the author is, for some important aspects, reminiscent of the perspective introduced by Walton and Krabbe (1995), interpreting the conversational contexts of arguments in terms of “dialogue types” (p. 132). In fact both approaches strongly stress the teleological nature of the communicative practices within which argumentative interactions take place. For van Eemeren “these communicative practices are generally connected with specific kinds of institutional contexts in which they serve certain purposes that are pertinent to the “raison d’être” of the institution” (p. 129)⁵; following Lorenzen and Lorenz (1978), dialogues were interpreted by Walton and Krabbe (1995) as game-like activities, defined by a goal and by rules determining how this goal can be reached in an acceptable way. Analogously, in Walton (1998, p. 29) a dialogue is defined as “a purposive joint activity”. The main difference regards how dialectical norms are specified and disciplined by the context. In Walton and Krabbe (1995, p. 2) dialogue types are supposed to fulfill a (determining) normative function in the sense that “a good argument is one that contributes to a goal of the type of dialogue in which that argument was put forward”. In other words, the context, understood as dialogue type, is supposed to fulfill a normative function: each dialogue type generates a peculiar normative model for the arguments occurring in it. The problem arises (p. 138) of how context bound norms are determined and to what extent various dialogue types are properly argumentative. Moreover, one of these types, namely persuasion dialogue, is

⁵ Interestingly, by speaking of ‘raison d’être’, not only communicative activities but also institutions are conceived of in teleological terms.

identified with the pragma-dialectical concept of critical discussion, which, however, is intended to be an ideal model of any sound argumentative interaction (no matter to what context it is related) and not a particular type of dialogical context. An articulate characterization of communicative activity types is proposed (pp. 138–144), which specifies the domain⁶ (legal or political, interpersonal ...) and the genres (adjudication, deliberation, mediation ...) to which communicative activity types pertain, also considering the concrete speech events (like “1960 Nixon-Kennedy television debate”) through which each communicative activity type is indeed fulfilled. A methodologically relevant contribution is given for the characterization of the argumentative features of communicative activity types (pp. 146–151): the author specifies, for four genres of communicative activity type (adjudication, deliberation, mediation, negotiation), the argumentatively relevant institutional conventions they impose in relation to each stage of critical discussion. Now, activity types indeed impose certain institutional preconditions on the strategic maneuvering, but they may also offer some opportunities to it. Presenting a case studied by Andone (2009), in which a politician succeeds in defending himself (through a dissociation) against an accusation of inconsistency by distinguishing between the principle and the practice of adopting a certain measure, the author shows how strategic maneuvering can be effective for an ending of the difference of opinion in favor of the arguer (pp. 159–162).

The sixth chapter develops an analytical procedure for determining the strategic function of argumentative moves. In relation to each of the four categories of strategic maneuvering corresponding to the stages of critical discussion (Chap. 2.6), four factors are used as parameters in the analysis: (1) the results that can be achieved by making the move concerned, that may be singled out from the spectrum of options available in the component of analytic overview that is pertinent at the point of the resolution process; (2) the routes that can be taken in the realization of this move; (3) the conditions imposed by the institutional context, i. e. by the communicative activity type in which the strategic maneuvering intervenes; (4) the commitments of the parties constituting the argumentative situation, i.e. the situational conditions under which the maneuver must operate. By taking together the results of the considerations concerning each of these parameters the basis is construed for the identification of the strategic function of the various modes of maneuvering in each of the four categories corresponding to the stages of critical discussion. Even though each move involves all of the three aspects of strategic maneuvering, in particular cases one particular aspect may prevail on the others (“may be more prominently manifested than the others” (p. 165)). E. g., the conspicuous use of an argument from authority shows the emergent role of topical choice, but the explicit choice of the other party’s argument (*conciliatio*) would mainly represent an adaptation to audience demand. Chapter 6 indeed offers a rich

⁶ In relation to footnote 20 (p. 139) it should be remarked that the notion of domain as “sphere” (like the legal or commercial domain) to which a certain activity pertains cannot be wholly identified with the notion of interaction field as it is defined in Rigotti and Rocci (2006), which rather focuses on the actual social environment, coinciding with a precise institutional entity (like a certain state, a certain hospital or a certain corporation). The domains are the classes to which the interaction fields belong.

exemplification throughout which the articulate procedures necessary for determining the strategic function of argumentative moves are gradually illustrated.

In the seventh chapter fallacies are treated whose importance vividly emerges if the improvement of social argumentative practices is pursued. As Hamblin has shown, logical standard treatment moves from a definition of fallacy (*arguments that seem valid but are in fact not valid*) presupposing that a fallacy is in every case an argument, while several, both traditional and new fallacies, like *many questions* and *ad verecundiam*, are not defective argumentative moves. In fact they are invalid but for other reasons. In the author's view, a systematic and consistent treatment of fallacies is only possible if they are considered within the frame of a general and consistent normative perspective on argumentative discourse: "A theory of errors cannot be constructed independently of a theory of correctness" (p. 192). Fallacies are then interpreted as violations of rules of critical discussion. Thus, an argumentative move represents a fallacious move if it "constitutes an obstacle to resolving a difference of opinion on the merits" (p. 194). In this new perspective traditional fallacies often prove merging more than one fallacious move and "new" fallacious moves are discovered (like "declaring a standpoint sacrosanct" or "evading the burden of proof"). Moreover fallacies are seen as results of derailing strategic maneuvers: as they violate one or more of the ten rules in order to prevail in the discussion, all derailments of strategic maneuvering turn out to be fallacies; the inverse statement, that all fallacies can be viewed as derailments of strategic maneuvering, leads to exclude the possibility of rhetorically unmotivated fallacies (p. 198).

Chapter 8 handles strategic maneuvering in relation to the crucial dialectical obligation of the burden of proof. No problem arises for the attribution of this obligation in a non-mixed difference of opinion, while in a mixed difference of opinion, where the two parties have advanced opposite standpoints and both have the obligation to defend their own standpoint, the order in which the standpoints are defended must be decided (p. 218). In fact such an order is dialectically irrelevant but may be rhetorically important, at least for the advantages deriving from knowing the arguments advanced to defend the opposite standpoint. Now, the dialectical profile can establish when and how the order of defense becomes relevant, but cannot decide what order should be adopted (p. 223). A basic role in this decision is played by the institutional practices in which the discussion takes place, but not all institutional practices formally establish how issues of order should be decided. In these cases, the notion of pragmatic status quo, understood as the list of premises that the parties involved in the discourse explicitly or implicitly accept (pp. 226–227), represents the starting point for the construction of a decision procedure. In general, the violation by the standpoint of the prevailing pragmatic status quo entails the commitment of defense of the standpoint, which is however to be kept distinct from Hamblin (1970)'s notion of burden of initiative. Only the latter concerns the order in which the standpoint must be defended (p. 229) as it coincides with the obligation to defend the standpoint at a particular juncture. In the given example (p. 224), where one speaker's initially presumptive assertion later acquires the status of standpoint because of the other speaker's opposition, the burden of initiative to defend one's own standpoint may be up to the first speaker only after

the second speaker has defended his opposition to (his violation of) the initial assertion, which was formerly part of the pragmatic status quo. Beyond the decision procedure concerning the order of defense, possible derailments of strategic maneuvering in relation to the burden of proof in the different stages are considered. In the last section of the chapter the slogans of Carlsberg and Trouw are analyzed: “Carlsberg, probably the best beer in the world”; “Trouw, perhaps the best newspaper in the Netherlands”. As usual in advertisement, in both slogans evaluative standpoints are put forth in order to justify the implicit prescriptive standpoints, claiming that the concerned products should be purchased (p. 235). An effect of oddity is produced in both slogans by the presence of a modifier whose very nature of “descriptive modal qualification” is incongruous with the evaluative nature of the standpoint. Now, this oddity should not be considered a mistake (p. 238), as it represents a precise derailing rhetorical strategy aiming at suggesting that the standpoint may be verified objectively through, indeed improbable, assessment procedures that would probably confirm the standpoint (pp. 239–240).

The ninth chapter faces two particular problems: how to respond to a presumed inconsistency and to a presumed fallaciousness. The first part centers on the conditions allowing to justify an accusation of inconsistency and the ways of responding to it: having established that an inconsistency takes place when a starting point is accepted *and* denied “in one and the same critical discussion” (p. 246), and that the second horn of the contradiction cannot be placed but on a different, previous, occasion, we can speak of inconsistency only if this previous occasion and the current argumentative interaction are reconstructed as two contributions to the same critical discussion. The specific conditions that allow such a reconstruction are identified and are highlighted by means of a fitting example drawn from Dutch politics. The second part of the chapter touches a delicate aspect of the relationship of rhetoric and dialectic: it aims to identify appropriate, constructive, strategies for “re-railing” repairable derailments that are perceived in the other party’s strategic maneuvering. Two strongly different approaches, suggested by Krabbe (2003) and by Jacobs (2000) respectively, are first presented and discussed and a third “middle course” is proposed. In Krabbe’s approach the fallacy can only be overcome through a fallacy criticism initiating a metadialogue (a sub-discussion making a point of order) (p. 258), in which the party to which the fallacy is imputed is defied to defend it against the accusation of fallacious maneuvering and is thus engaged in a critical sub-discussion. The original critical discussion can subsequently be recovered only if, in accordance with the results of the discussion, either the fallacious move or the fallacy criticism are withdrawn. Adopting an approach characterized by van Eemeren as rhetorical, Jacobs upholds the legitimacy of responding to a perceived fallacy with a non dialectical move, that, being emotional (therefore non-rational), risks to be fallacious, provided that it goes “to restore the balance between the parties’ positions”, thus “encouraging full and open exploration of alternative standpoints” (Jacobs 2000, pp. 278–279). The middle course proposed by van Eemeren adopts a more dialectical strategy trying to re-rail the other party to reasonableness by observing that *in this current particular move* the other party is derailing from its general commitment to reasonableness. In other words, the strategy suggested aims at delimiting the relevance and the scope of the

conflict. Here a notion of reasonableness is activated as appropriate management of the relevance of a part in relation to its whole. In my opinion, each of the three approaches might prove sound and effective in appropriate contexts. Also exploiting emotions in the sense of inducing emotions in relation to the concerned situation is legitimate provided that such emotions are ... reasonable. Now, this last point obliges me to briefly reconsider throughout van Eemeren's monograph the intricate, but profound and theoretically challenging notion of reasonableness.

At the very beginning of the monograph, the motto "In the end, reasonableness prevails", echoing the truly optimistic Aristotelian declaration in the first pages of *Rhetoric*,⁷ may be read as an extremely concise representation of the extended pragma-dialectical theory expounded in the volume. Indeed, it not only identifies with reasonableness the most fundamental notion and the highest value of argumentation within van Eemeren and Grootendorst's dialectical approach, but, by envisaging the ultimate prevailing of reasonableness, also comprises and justifies the new more comprehensive perspective of strategic maneuvering. In such a perspective (see above in relation to Chaps. 2–4), by reconciling dialectic and rhetoric, reasonableness is challenged to adopt strategies for prevailing.

Reasonableness indeed figures in the constituency of argumentation for different aspects. The first informal definition we encounter in this monograph characterizes argumentation "as basically aimed at resolving a difference of opinion about the acceptability of a standpoint by making an appeal to the other party's⁸ reasonableness" (p. 1). The theoretical definition proposed on p. 29 specifies the role of the other party as that of judge: "Argumentation is a communicative and interactional (speech) act complex aimed at resolving a difference of opinion before a reasonable judge by advancing a constellation of reasons the arguer can be held accountable for as justifying the acceptability of the standpoint(s) at issue".

The normative dimension is also identified with the "goal of resolving a difference of opinions on the merits by critically testing the standpoints at issue for their acceptability before a rational and reasonable judge" (p. 266). The exigency of acknowledging the relevance of reasonableness beyond the cognitive sphere, by

⁷ The usefulness of rhetoric is explained by Aristotle with the fact that things that are true and things that are just are by nature stronger than—get the better of—their opposites, so that, if decisions are not made in the due way, the defeat can only depend on the speakers and theirs is the blame (Ross ed., 1959: 1355a 21–24).

⁸ Interestingly, the reasonableness of the other party, who is challenged to critically verify the reasons brought in support of the standpoint, is the first emerging aspect of the connection of argumentation with reasonableness. Indeed the involvement of the other party's reason represents one of the constitutive conditions of argumentation: a difference of opinion is not truly resolved if the acceptance takes place without the scrutiny of the other's reason even if the argument is itself valid. In other words, the uncritical acceptance of a perfectly reasonable argument is unreasonable. However, the relevance of the other party's reasonableness does not necessarily entail (as claimed by Lumer 2010) any form of consensualism: the truth of the premises of an argument is not created by their acceptance, but their acceptance is requested for a sound and reasonable argumentative interaction: "Granting that 'conventional validity' based on intersubjective agreement is indeed a prerequisite for reaching a conclusive judgment concerning the acceptability of argumentative moves, I would like to emphasize that, because of its overriding importance, determining their 'problem solving validity should come first'" (p. 137). The 'coming first' of the problem solving validity is not always upheld throughout the monograph; see pp. 220–221, in particular footnote 17.

fostering it as a value also pertaining to other fields of human activity, leads us to establish that the subject to which the standpoints pertain “can be descriptive as well as evaluative or prescriptive” (ibid.). In fact, restricting the pertinence of argumentation to merely cognitive domains of discourse would legitimate the exclusion of important social spheres, like political, and especially democratic, discourse, from the realm of behaviors that are critically tested through argumentative practices in terms of reasonableness. Significantly, in this connection the statement of Schumpeter (1950, p. 263) is quoted who calls the will in democracy “the product and not the motive power of the political process” (p. 3).

Reasonableness moreover grounds our critical attitude because it is the source of the normativity of critical discussion: in the pragma-dialectical approach, a philosophical component is elaborated in which a philosophy of reasonableness is developed; in the theoretical component starting from the ideal of reasonableness, “a model for acceptable argumentation is devised”. This critical conception of reasonableness “is associated with the (Popperian) “critical rationalist” philosophy of reasonableness which takes as its guiding principle the idea of critically testing all claims that are made to acceptability” (p. 5). So far, it emerges that the notion of reasonableness is called upon to guard all constitutive and crucial knots of sound argumentative interactions, but its peculiar content remains uncertain. Contrasting it to the apparently close notion of rationality can bring to light important differences. This is what is done by the author in footnote 9 on p. 29, which is in this connection insightful:

In ordinary language use the word “reasonable” is not limited to verbal behavior but covers also non verbal behavior... The scope of ‘reasonableness’ seems to be wider than that of ‘rationality’. One can, for example, speak quite well of ‘reasonable desires’, but not so easily of ‘rational desires’.

The example that is proposed exceeds the domain of behaviors, both verbal and non verbal. Desires indeed belong to a class that embraces emotions (fear, rage...), feelings, interests and other psychological states like suspicion, doubt, confidence beside many other non-rational facts of human experience. And, if the category of reasonableness can be predicated of such facts, they acquire citizenship in argumentation theory, and strategic maneuvering amounts to taking into account a considerably wider area of human experience.

Finally, my reading of Frans van Eemeren’s impressive and challenging monograph raises a rather candid question: does not reasonableness entail the commitment to put it into being? In the case of an affirmative answer, strategic maneuvering would not simply represent an enrichment, but a due integration.

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