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Public Argument as Self-Preservation: A Critique of Argumentation Theory as a Democratic Practice

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In his keynote address at the 1995 Ontario Society for the Study of Argumentation, Frans van Eemeren stated that because "argumentative discussion is the main tool for managing democratic processes," argumentation should be "valued as the elixir of life of participatory democracy" (Hicks and Langsdorf, 1999, p. 139). Insofar as van Eemeren conceived democracy as a process that involves widespread participation in the management of civic affairs, he suggested that the study of argumentation is a public good. Although I also seek to advance the goals of participatory democracy, I urge scholars to reconsider the role of argumentation theory in civic life. Several concepts prevalent within argumentation scholarship invoke norms foundational to the goals of participatory democracy, but they do not always characterize the deliberation that emerges in response to public controversy. Specifically, several instances of public controversy covered by news media do not exemplify self-risking argument in which people reason collaboratively about issues of common concern. This paper explores two instances of public controversy that emerged in the aftermath of the attacks against the World Trade Center and the Pentagon on September 11, 2001, and concludes by advocating an agenda for argumentation scholarship that might provide further understanding of the praxis of contemporary arguments and promote egalitarian forms of deliberation for actually existing publics.

Self-Risk as the Condition for Democratic Argument

Models of democratic deliberation have sought to equalize power relationships that structure argumentative practice by calling for self-risking argument. Self-risking argument is characterized by mutual engagement, respect for all persons, and the ability to transform one's own perspective by considering the perspectives of interlocutors. (See Natanson, 1965; Ehninger, 1970, Goodnight, 1993; and Foss & Griffin, 1995.) Goodnight (1993) advocates a "responsible rhetoric" that can only be achieved "if there is enough confidence for at least two parties to take the risk of being wrong when acting together" and when "a mutual respect... emerges from the communicative relationship between interlocutors" (pp. 338-339). Such characteristics distinguish ethical argument from oppressive forms of communication in which people preserve their selves and their perspectives. By allowing for the possibility that one's own perspective may change through the process of bilateral communication, self-risking argument ostensibly equalizes the power relations between arguers and those

they seek to influence. Thus, the concept of self-risk is central to notions of public argument as a democratic practice.

Public Controversy in the News Media

Although the scholarship on self-risk provides a useful framework for thinking about the norms that constitute democratic deliberation, several instances of public deliberation illustrate the limitations of self-risk for understanding public controversy. This paper focuses on two instances of deliberation that emerged in news media in the wake of the tragedies on September 11, 2001. The first controversy appeared in the editorial pages of the *Houston Chronicle* between September 14, 2001, and January 20, 2002. The second controversy appeared in national broadcast news coverage of statements made on the television talk show, "Politically Incorrect" on September 17, 2001.

Although this paper examines news media as a site of public controversy, it does not suggest that news media are necessarily representative of the public. Habermas (1962) described how technical and marketplace models of public life have subsumed considerations of public concerns during the last half of the 20th century. His critique of the economic imperatives driving the production of mass media highlighted the commercial function of the mass media; thus, he suggested that we must be careful about attributing public concerns with the news media; indeed, news media may be interested in a much narrower audience.¹

In order to avoid collapsing the public with news media, this paper draws a distinction between public controversy and the public sphere. Most people living in late-capitalist democracies learn most, if not all of their information about public policy issues from the commercial news media even though a limited range of voices may gain a hearing within such media. As they represent clashes of interest regarding these issues, commercial news media become a site for identifying public controversy. Thus, the extent to which news mediated controversies reflect characteristics of self-risking argument may indicate the scope of democracy's presence in our lives.

Self-Preservation: Public Controversy in the Wake of September 11

On September 11, 2001, and for months thereafter, news media coverage put the attacks on the World Trade Center on the public agenda. Three days after the attacks on the World Trade Center and the Pentagon, the *Houston Chronicle* published an editorial written by Robert Jensen, a journalism professor at The University of Texas at Austin. Jensen (2001) implicated the role of United States' foreign policy in the attacks on September 11 and argued that the attacks were no more reprehensible than atrocities committed by the United States against countries in Central America, the Middle-East, and Asia (p. A27). This argument provoked widespread outcry. Editor of the *Houston Chronicle* David Langworthy (2002) told readers that his office received letters suggesting "virtual unanimity in opposition to Jensen's comparison of past U.S. government actions with those of the 9-11 terrorists" (p. 1). Although Langworthy indicated that many people challenged Jensen's ideas, most of the letters printed in the *Houston Chronicle* that objected to Jensen's article did not

respond to Jensen's argument; instead, controversy emerged over whether Jensen should have presented his argument in a public forum at all.

One letter to the editor of the *Houston Chronicle* claimed that Jensen's "extreme views should not be printed" while "the nation" mourned the attacks of September 11 (Swinney, 2001, p. A39). On September 19, Larry Faulkner, President of The University of Texas at Austin, also wrote a letter to the *Houston Chronicle* in response to Jensen's editorial. Even though he personally disagreed with Jensen's argument, Faulkner suggested that the public ought to respect Jensen's right to express his opinion because Jensen spoke "under the protection of the First Amendment of the U.S. Constitution" (p. A39). Faulkner then told readers that Jensen had become "a fountain of undiluted foolishness on issues of public policy" and instructed students to become "skilled at recognizing and discounting" arguments similar to Jensen's (2001, p. A39). Faulkner's condemnation of Jensen repudiated the ideals of mutual consideration of the interlocutors' perspective and of respect for alternative viewpoints. By urging students to eschew Jensen's argument, Faulker also indicated that self-risk should not be the norm for public argument; nor should it be a norm within higher education. Thus, his comments suggested that the ideal of free speech does not necessarily promote mutual understanding and common ground necessary for democratic deliberation.

The day before Faulkner's response to Jensen appeared in the *Houston Chronicle*, a similar controversy emerged following Bill Maher's comments during his late-night talk show program, "Politically Incorrect". On September 17, 2001, Maher objected to President Bush's statement that the terrorists who flew planes into the World Trade Center and the Pentagon demonstrated cowardice. Maher told audiences, "Staying in the airplane when it hits the building -- say what you want about it, it's not cowardly." Maher then added that the United States' military strategies, such as "lobbing cruise missiles from 2,000 miles away" did represent cowardice.

Maher's comments generated irate responses from public figures and corporate sponsors for ABC. On September 20, hosts of the national television morning news program *The Early Show* discussed Maher's comments. Bryant Gumbel (Gumbel & Clayson, 2001) concluded that Maher must not have meant for his comments to sound as provocative as they had been received. "About every individual who sits in--in this kind of position. You're always afraid that you are going to say something that you really didn't mean." Gumbel's suggestion that Maher's offensive statements were not intentional indicated that he thought the argument was, indeed, offensive and not worthy of consideration. Thus, Gumbel did not risk the possibility that Maher might have a legitimate argument.

Other news anchors did not attempt to find any justification for Maher's comments. During her discussion with Gumbel, Jane Clayson remarked, "Open mouth, insert large feet." Mark McEwen, the program's meteorologist, then spoke to an imagined Maher: "keep your big mouth shut." Clayson and McEwen then congratulated Sears and Federal Express for pulling their advertising from ABC following Maher's commentary. Clayson's and McEwen's support for Sears' and Federal Express' withdrawal of financial support for ABC indicated that the public should not only disregard Maher's provocative comments but should revoke his nationwide platform to express his

ideas. Instead of discrediting Maher's arguments on the basis of his reasoning, Clayson and McEwen suggested that Maher shouldn't speak at all.

The individuals who objected to Jensen and Maher presumed that their own responses did constitute reasonable discourse, whereas Jensen and Maher exemplified incorrigible speech. Thus, these individuals suggested that they did not need to consider perspectives that challenged prevailing attitudes about United States' foreign policy. These brief case studies indicate that self-risk is not a prevailing norm in deliberation about public policies within news media coverage. Although journalistic norms include the presentation of multiple points of view, critics of Jensen and Maher suggested that the public may not be engaged in consideration of multiple points of view; nor do these individuals express respect for their interlocutors. Furthermore, comments espousing individuals' removal from public consideration suggest that the norm of presenting multiple perspectives is in eclipse. Instead of representing self-risking argument, these examples characterized public controversy as a self-preserving exercise.

Critical Argumentation, an Exploration of Self-Preserving Discourse

Although self-risk does not necessarily describe public argument, my use of this concept to evaluate public controversies following September 11 suggests that the concept of self-risk in argumentation scholarship should not be abandoned altogether. Like notion of the public sphere, self-risk may be best regarded as a "normative, yet counter-factual ideal" (Fraser, 1997, p. 71). As a set of ideal conditions for enabling democratic deliberation, the concept may be a useful critical tool for assessing public controversies. The notion of self-risk in argument establishes an ideal to consider the possibilities of and the constraints that limit participatory democracy in contemporary societies.

Alternatively, scholarship interested in an ethical ideal cannot rest with identifying argument's absences; it must also explore the constraints that limit public deliberation. To understand why arguers preserve their initial perspectives during their engagement in public controversy, we need to determine what factors constrain the possibilities of self-risking argument in moments when the rights to express one's opinion is held as a public good.

A further examination of the contexts surrounding public controversy in the wake of September 11 indicates that perceptions of the differential status of interlocutors motivated self-preservation as an argumentative strategy during public controversy. Several letters to the editor of the *Houston Chronicle* suggested that they valued Faulkner's input because his identity was consubstantial with the University. Frank Miller (2000) stated, "My anger at the printing of Robert Jensen's Outlook article was soothed somewhat by the president of the University of Texas' gratifying response. I hope Jensen is removed from his position of inflicting his views on his captive audience" (p. A35). Miller drew attention to the positions of power that structure relationships within the university and suggested that Faulkner's repudiation of Jensen was significant because Faulkner held a position of authority over Jensen.

Miller also indicated that Faulkner's authority was important because Jensen also held a powerful position at the University. The idea that students are "held captive" by their professors implied that students' thoughts are determined by their professors' position. Miller's appeal to Faulkner to terminate Jensen's

job, as well as Miller's concern for coercive argument in higher education, emphasized how relations of status and hierarchy may constrain what may be said within the institutions in which individuals live and work. Thus, he indicated that individuals engage in self-preserving arguments when the status of interlocutors looms preeminently in the context of their deliberation. As Miller suggested, self-risk is not a part of public argument when interlocutors perceive a world in which unilateral influence predominates. Instead, interlocutors protect themselves against the arguments that challenge their notions of "common sense."

Sears and Federal Express' responses to Bill Maher's comments indicated why considerations of power constrain self-risk in public argument. By pulling their ads from ABC, Sears and Federal Express demonstrated that they did not think Maher's commentary provided a suitable climate for consumers. Predictably, the network cancelled Maher's program the following summer. Sears' and Federal Express' decision to drop their accounts with ABC highlighted the economic imperatives of the commercial broadcast media. Their decision suggested that the financial imperatives of the institutions that people live and work within constrain how people may deliberate with one another.

President Faulkner also faced institutional pressure that delimited what he could say in response to Jensen's editorial. Raising money from private donors and alumni is one of Faulkner's primary responsibilities. This role has become increasingly important as state legislatures have constricted funding for public universities while student enrollments have grown during the past (Hanley, 1996, p. 67). The imperative for Faulkner to maintain a favorable relationship with university sponsors provides a plausible explanation for the self-preservation he employed in response to Jensen's editorial. Given Houston's proximity to Austin, many *Houston Chronicle* readers are likely to be alumni, donors, or parents of students attending the university. By printing his response in Houston's local newspaper, Faulkner directed his response to a constituency who may have objected to Jensen's critique of United States' foreign policy. Faulkner was not interested in engaging an audience sympathetic with Jensen; instead, he sought to assuage *Houston Chronicle* readers who found Jensen's critique appalling. He did not encourage them to consider the merits of Jensen's argument because he sought to maintain their financial support.

Public deliberation over Jensen's and Maher's critique of United States' foreign policy elucidated the constraints on self-risk within public argument. Faulkner did not engage in self-risk following Jensen's editorial because he spoke for the university in a role that required him to raise funds from wealthy donors. Likewise, the hosts of *The Early Show* and ABC's executive producers had to maintain a climate amenable to corporate sponsors. Thus, they could not engage in controversial ideas that might offend potential consumers. These case studies indicate that an arguer's role within prevailing institutions has implications for his or her ability to foster open deliberation, even within those organizations of higher education and journalism that promote free speech as a hallmark of a democratic society.

Public Argument: An Oxymoron?

Institutional constraints placed upon arguers suggest that arguers are less likely to engage in self-risk when the stakes of such risk include more than

just one's perception of truth or justice; people are less likely to risk the possibility that their assumptions may be wrong when doing so has implications for their livelihoods and for the financial support necessary for the maintenance of the institutions that they represent. The preceding case studies also indicate that individuals are more likely to engage in self-preserving forms of argument when institutional goals are at stake. Indeed, it appears that an arguer's institutional affiliation often provides the exigency for engaging public controversy; therefore, the goals of the institution determine what they may say. Individuals who represent not only themselves, but the institutions that legitimize them as authoritative spokespersons, cannot risk the institution's identity because institutions do not have the flexibility that individuals have.

The constraints to self-risk in public controversy have implications for how we think about publics and publicity. Several critics of Jensen and Maher suggested that the ideal of open deliberation is a mirage; despite references to free speech as an inherent public good, these people preserved their perspectives and highlighted the role that power plays in the decision-making process. Arguments meeting the conditions for deliberative democracy also failed to materialize in public discourse because interlocutors didn't necessarily engage in public controversy for public purposes. My analysis of President Faulkner's response to Professor Jensen's editorial suggests that many people access channels of public argument, such as commercial news media, to reach a much narrower audience. It also indicates that representatives of larger institutions seek a hearing from publicly accessible channels for private, or institutional goals. Thus, the consequences of argument for broader publics may not be of central concern for arguers engaged in public controversy.

These observations indicate that scholarship theorizing self-risk and common ground does not adequately explain what happens when people engage in public controversy. Argumentation scholars interested in the possibilities and limitations of deliberative democracy need to turn their attention away from ideal methods of democratic argument to understand the praxis of prevailing arguments about public issues. More importantly, scholarship should begin to develop theories that explain why argument fails to represent the ideals of deliberative democracy. Put differently, scholars need to explore the conditions that sustain contemporary methods of argument and attend to issues that shape contemporary argument, such as audiences and interests that extract concerns about the public good from public controversies. As scholars interested in promoting deliberative democracy, we need to acknowledge the factors that constrain self-risk so that we may begin theorizing what we might do to overcome them. Through such scholarship, we may also provide our students with useful analytics for engaging their social worlds, not only as professionals, but as public citizens.

Note

¹Additional scholarship explaining how marketplace models of public life have proliferated with the commercialization of the mass media may be found in Oscar H. Gandy, "Dividing Practices: Segmentation and Targeting in the Emerging Public Sphere," in *Mediated Politics: Communication in the Future of Democracy*, ed. W. Lance Bennett & Robert Entman (Cambridge: Cambridge University Press, 2001), 141-159; and Robert McChesney, *Rich Media, Poor Democracy: Communication Politics in Dubious Times* (New York: The New Press, 1999).

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