

DISSOCIATION IN ARGUMENTATIVE DISCUSSIONS

A Pragma-Dialectical Perspective

Agnes van Rees

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IN ARGUMENTATIVE
DISCUSSIONS**

A Pragma-Dialectical Perspective

By

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Preface

This book represents the conclusion of ten years of research into dissociation. The results of this research have been published, bit by bit, in various media: journals, conference proceedings, anthologies. This monograph brings together these scattered papers. For this book, the papers have been rewritten, new material has been added, and the various parts have been grouped into a coherent whole.

I want to thank my colleagues in the Department of Speech Communication, Argumentation Theory, and Rhetoric of the Universiteit van Amsterdam most warmly for the critical and constructive comments that I have been so fortunate as to receive during all these years. Without the intellectual stimulus of the discussions with Frans van Eemeren, Peter Houtlosser (who, to my intense regret, did not live to see the appearance of this book), Francisca Snoeck Henkemans, Bart Garssen, Eveline Feteris, Jan-Albert van Laar, Jean Wagemans, and the other participants in the Friday research symposia in our Department, I would not have been able to deal with the complex problems that the various aspects of dissociation all too often posed. My gratitude also extends to the Amsterdam School for Cultural Analysis, particularly for the travel grants I was awarded, which made it possible for me to also submit the results of my research to the critical scrutiny of the international forum of argumentation scholars. Finally, I want to thank the two anonymous referees who read the manuscript of this book for their many useful suggestions for improvement.

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Introduction

In the Spring of 2005, in a number of Dutch newspapers an ad appeared for a new gossip magazine with the following text: ‘Sorry, Patty, Henny, Hannie’ – and a whole list of other names of well-known Dutch media personalities followed – ‘If you’re not *in*, you’re out! *InMagazine*. The weekly entertainment glossy about the real stars’. (*Metro* 27-05-2005). For Patty Brard, Henny Huisman, Hannie, and the others, the sting is in the tail: Apparently, there are ‘real stars’, whose comings and goings are reported on in *InMagazine*, and a category of people who maybe thought they were a star, but who in actual fact cannot pretend to anything more than a name that rings faintly familiar. And who would want to read about the likes of those? For the readers of the ad the message is clear: If you want to keep informed about the real stars, you must buy *InMagazine*.

The ad for *InMagazine* makes use of an argumentative technique that the argumentation theorists Perelman and Olbrechts-Tyteca, in their influential book *The New Rhetoric. A Treatise on Argumentation* (1969), termed *dissociation*. According to Perelman and Olbrechts-Tyteca, through dissociation, a notion that originally was considered by the audience as a conceptual unity is split up into two new notions, each of which contains only part of the original one, one notion containing the aspects of the original notion that belong to the realm of the merely apparent, the other one containing the aspects of the original notion that belong to the realm of the real. Dissociation entails conceptual reorientation, ‘remodeling our conception of reality’ (1969: 413). The readers of the ad for *InMagazine* might have thought that there was a simple, unitary notion of stardom and that they knew who was worthy to bear that name, but after reading the ad they knew better: apparently there are two types of stardom, the real stars, to which category only those personalities belong whose life is reported

upon in *InMagazine*, and the so-called, pseudo stars, the unfortunates whose name is not mentioned in that periodical.

Not just advertisements for gossip magazines use dissociation. Dissociation is a technique that is applied in a broad range of contexts.

Zarefsky (1984, 1997, 2004) and Schiappa (1985, 1993, 2003) have analyzed a great number of dissociations in political debates, from President Reagan who wanted to spread his social safety net only for ‘the real needy’, to President Bush Senior, who wanted to protect only ‘the real wetlands’ against expanding industrialization. But also in ethical issues, such as those concerning euthanasia and abortion, these authors showed, dissociations abound. And this is not just the case in high-minded ethical debates, but also in deliberations of ordinary people in every-day life, as was demonstrated by an elderly lady of my acquaintance who avowed to her daughter that she did not want (real) euthanasia – which her religion forbade her –; she merely wanted ‘a little injection to help her die’.

The law, too, is a prime area for the use of dissociation, as is shown by such long-standing dissociations as those involving a distinction between (real) murder and (mere) manslaughter and between (mere physical) action and (essential) intention, but also by new inventions, for example, the case of a press officer of the Department of Justice who declared that a shop keeper who had a cell built into his shop to fight shop lifting did not breach the law, as long as he did not call it a (real) cell but merely a detainment space. Another example is provided by Stahl (2002), who sketched the history of dissociations of the term ‘religion’ (establishing a division between ‘belief’ and ‘action’) in Supreme Court Jurisprudence about the free exercise of religion.

In science, also, dissociation is employed. As in the other areas of its use, the technique is used here to achieve further conceptual differentiation. One example is the dissociation in bio-medical science, discussed by Lynch (2006), which was applied to the notion of ‘stem cell’. The dissociation established a distinction between ‘real’, that is embryonic, stem cells, and ‘mere’ embryonal carcinoma cells (the latter were regarded as stem cells before the dissociation was introduced).¹

¹ According to Stahl (2002), the history of dissociations with regard to the notion of ‘religion’ (mentioned in the previous paragraph) illustrates ‘the power of dissociation as a phenomenon of knowledge production’ (p. 439).

Last but not least, Perelman and Olbrechts-Tyteca focus on the use of dissociation in philosophical contexts. They present an extensive treatment of the so-called philosophical pairs that are the result of dissociation.² ‘Any new philosophy presupposes the working out of a conceptual apparatus, at least part of which, that which is fundamentally original, results from a dissociation of notions that enables the problems the philosopher has set himself to be solved’ (1969: 414). Dissociation, then, also is a precondition for philosophical innovation.

Although, as we just saw, dissociation is an important feature of debate in many areas of life, public as well as private, as of now, with the exception of the one chapter in Perelman and Olbrechts Tyteca’s *The New Rhetoric*, not much theoretical attention has been paid to this technique in the argumentation theoretical literature. In handbooks about argumentation theory the technique is mentioned and defined, but it is not treated in any detail (see, for instance, van Eemeren, Grootendorst, & Snoeck Henkemans 1996). The same holds for the literature that more specifically treats argumentation schemes (Garssen 1997, 2001, Kienpointner 1992, Schellens 1985). To be sure, a number of studies treating instances of dissociation have appeared (see for example the publications of Schiappa and Zarefsky mentioned before and Grootendorst 1999), but these do not give a systematic theoretical treatment of the technique. A comprehensive argumentation theoretical study going beyond the single chapter of *The New Rhetoric* up till now does not exist. Still, there is reason enough for such a study.

To begin with, so far, dissociation has been studied mainly from a rhetorical perspective. Due to the strongly monological orientation of that perspective, aimed at the techniques that a speaker may use to persuade an audience, dialogical aspects of the use of dissociation until now have not been studied. In this book, I specifically focus on the use of dissociation in argumentative discussions. In order to do so, I apply the theoretical perspective of Pragma-Dialectics, the argumentation theory, developed by van Eemeren and Grootendorst (1984, 1992, 2004) and elaborated by van Eemeren and Houtlosser (1997, 2002a,b), that studies argumentation as part of a critical discussion, in which discussants jointly try to solve a difference of opinion.

² As these authors specify, philosophical pairs ‘follow from a dissociation’ (1969: 422) and the concepts that make up such a pair ‘result[ing] from a dissociation’ (1969: 423).

In the second place, Perelman and Olbrecht-Tyteca's seminal treatment deals primarily with examples of dissociation from the philosophical and literary spheres. Authors like Zarefsky and Schiappa mainly treat examples from the political arena. In this book, I discuss a broad range of examples, many from more every-day contexts. Dissociation is a pervasive persuasive technique that can be found in argumentative discussions from all realms of public and private life. The examples that I discuss in this book, come from such diverse sources as newspapers, television shows, websites, Parliamentary Reports, and ordinary conversations.

Apart from the use of dissociation in every-day argumentative discussions, there are various other aspects of dissociation that merit further study. First of all, we need to get a better understanding of the notion of dissociation. Perelman and Olbrechts-Tyteca's treatment is not always completely transparent. Further clarification of the notion of dissociation is what I undertake to do in Chapter 1 of this book. In Chapter 2, I use the extant literature on dissociation to explain the practical use that is made of dissociation in various contexts of argumentation. Next, the way in which dissociation becomes manifest in argumentative discourse must be elucidated. How we can spot the use of dissociation in argumentative discourse, is the subject of Chapter 3 of this book. Together these three chapters make up the first part of this monograph, giving a general idea of the notion of dissociation.

In the second part of this study, I consider the question how dissociation is used by the participants in argumentative discussions to solve a difference of opinion. First, in Chapter 4, I discuss the theoretical perspective of Pragma-Dialectics that forms the framework for answering this question, and the notion of critical discussion that is central to this perspective. Then, in the Chapters 5, 6, 7, and 8, I explore the use of dissociation in the various stages of a critical discussion. Both the dialectical (having to do with the rational resolution of a conflict of opinion) and rhetorical (having to do with winning an audience for one's point of view) aspects of the use of dissociation in these stages are treated.

Finally, in the third part of this study, I focus on the strengths and weaknesses of the use of dissociation in argumentative discussions. First, in Chapter 9, I examine the degree to which dissociation can be considered to be a dialectically sound argumentative technique.

In Chapter 10, I undertake to answer the question what makes dissociation persuasively effective. In a final chapter, I demonstrate the usefulness of the approach taken in this book by applying the concepts and insights gained to an extended example.

Part I

Dissociation

The first part of this book is dedicated to the questions what dissociation is and how the use of this argumentative technique in discourse can be identified. In Chapter 1, the concept of dissociation, as Perelman and Olbrechts-Tyteca introduce it, is further clarified and elaborated and compared to a number of related notions. Chapter 2 treats the uses made of dissociation in various fields of argument, as these are illustrated in a number of case studies in the literature about dissociation. Finally, in Chapter 3, building on the defining features of dissociation that have been identified in Chapter 1, various textual indicators for the use of dissociation are identified and illustrated.

Chapter 1

The Concept of Dissociation

The word dissociation, broadly speaking, means separation. ‘If you dissociate yourself from something or someone, you show that you are not connected with them; if you dissociate something from something else, you begin to regard the two things as separate from each other’, Collins Cobuild Dictionary of the English Language states. The term is used in chemistry for the decomposition of the molecules of a chemical compound. In psychology, the term refers to the process in which a coordinated whole of thoughts or emotions splits off from the rest of the personality. Perelman and Olbrechts-Tyteca (1969) introduce the term to refer to a technique used in argumentation. In their influential survey of argumentative techniques *The New Rhetoric: A Treatise on Argumentation*, they discuss two types of argumentation schemes, a group of schemes that rely on *association*, and *dissociation*.

In association, two distinct elements are connected by the speaker, enabling the audience to derive its judgment about one of the elements from a judgment about the other one. We can, for example, derive our judgment of an action from our judgment of the consequences of that action. In an argument in favor of that action, then, the speaker may connect that action with the beneficial consequences it supposedly has; in an argument against that action, the harmful consequences are invoked. For example, one may argue against smoking by pointing out the health risks smoking involves.

In dissociation, on the other hand, something which is regarded by the audience as a conceptual whole or unity is split up by the speaker into distinct elements. The single notion of ‘law’, for example, can be split up by dissociation into two distinct notions, the letter of the law and the spirit of the law. This separation of notions serves an argumentative purpose. The dissociation of the concept of law into the letter

and the spirit of the law, for instance, makes it possible to argue in favor of a ruling by contending that it is in accordance with the spirit of the law – or the letter, as the case may be, depending on which of the two is presented as having overriding force.

Perelman and Olbrechts-Tyteca point out that association and dissociation are complementary processes that imply each other. This is because the concepts resulting from dissociation may seem to take on an independent existence; these independent concepts, subsequently, may be linked in a process of association.¹ Yet, dissociation is not the same as breaking an association. After all, the elements that are connected in an associative scheme were considered to be separate units to begin with. Breaking their association just comes down to showing that these separate units have been connected mistakenly or incorrectly. In dissociation, on the other hand, a unity that up till then was considered to be an indissoluble whole is broken: a single notion, that was considered a conceptual unity and that is referred to by a single term, is split up into two new notions, which are referred to by two different terms. Dissociation, therefore, always entails a more or less fundamental restructuring of our conception of reality.²

Dissociation is always occasioned, according to Perelman and Olbrechts-Tyteca, by the desire to resolve an incompatibility, contradiction, or paradox. They give the example of a stick that feels straight, but, in a glass container of water, looks bent. This incompatibility can be resolved by a dissociation of those aspects of the stick that belong to appearance and those aspects of the stick that belong to the real. Appearance and reality are considered by Perelman and Olbrechts-Tyteca to be a so-called philosophical pair, the result of a dissociation of concepts. In fact, Perelman and Olbrechts-Tyteca contend that the dissociation that yields the philosophical pair appearance/reality is prototypical for all dissociation. In all cases of dissociation, even if on the surface there seems to be no clear appearance/reality distinction, a

¹ As a result, as these authors point out, it may happen that ‘one and the same pair of concepts is at one moment presented as the result of a dissociation and at another as two independent concepts between which there are characteristic links’ (1969: 423).

² Perelman and Olbrechts-Tyteca remark, though, that the very question whether we have to do with two separate elements or an indissoluble whole can be a point of contention.

distinction is made between the core, true, essential, or unique aspects of a notion that can be placed towards the pole of the real, and the peripheral, apparent, incidental, or multiple ones that can be placed towards the pole of the apparent, the former carrying a positive value, the latter a negative one. Examples of philosophical pairs resulting from dissociation, among many others mentioned by Perelman and Olbrechts-Tyteca, that follow the pattern of the pair appearance/reality, are: means/end, accident/essence, occasion/cause, letter/spirit, theory/practice, relative/absolute and form/content.³ To be sure, the order as given here may be also reversed: different positions are possible on what aspects are considered to belong to the real or core aspects of the notion: the means may be considered to be of more importance than the end, theory may be seen to take precedence over practice, form over content, etcetera.

In dissociation, then, the diverse aspects of a notion that result in an incompatibility are separated, resulting in two distinct notions, indicated by two terms, term I and term II, that, respectively, correspond to the apparent and the real. Dissociation always imposes a value hierarchy on the different aspects of the original notion that are separated and grouped under two new terms: the apparent aspects, grouped under term I, are devaluated with regard to the real aspects that are grouped under term II.⁴ As Perelman and Olbrechts-Tyteca state: 'Term II indicates what serves as a criterion of value, whereas term I indicates that which does not satisfy this criterion'.⁵ In other words, term I is considered to be less valuable or important than term II. Term II, involving the real, is considered to comprise the more important, central, essential aspects of the notion. As Perelman and Olbrechts-Tyteca phrase it: 'Term II is that which is authentic, true, real'; (...) 'term I designates an imaginary entity, an illusory construct, an inadequate theory' (1969: 437). And they point out that

³ As Jasinski (2001: 176) puts it: 'The various two-part schemes used in dissociative argument emanate from the fundamental opposition of appearance and reality'.

⁴ A simple test of whether we have to do with dissociation, accordingly, is whether we can suitably insert the qualification 'mere' or 'merely' before one of the two terms that result from the distinction.

⁵ Perelman and Olbrechts-Tyteca point out, however, that the precise criterion for the distinction is not always clear.

expressions characteristic of term II are: unpolluted, kernel, genuine, truth, while those which characterize term I are: impurity, superstructure, factitious, spurious, artificial, lie, mask, disguise, error (1969: 442). This distinction is reflected in the many regularly employed dissociation schemata that involve distinctions such as those between the manifold acts of a person (term I) and the unique essence of the person (term II), the ephemeral physical (I) and core intentional or mental (II) aspects of behavior, spurious (I) and real (II) manifestations of a category of things, peripheral (I) and central (II) meanings of a word.

How the original term giving rise to the dissociation is placed in this distinction between term I and term II may vary. To begin with, the original term may have no part to play any more after the dissociation. That happens when the original term is given up and two new terms are introduced for the two concepts resulting from the dissociation. Such is the case, for instance, in the dissociation applied to the original notion of 'the law', in which that term is replaced by two new terms, 'the letter of the law' and 'the spirit of the law'.

The original term can also be maintained, as denominator for one of the dissociated concepts, while for the other one a new term is introduced. In that case, of course, the original term receives a redefinition. The meaning of the original term is reduced, those aspects of the meaning of the original term that are subsumed under the new term being subtracted from the original meaning.

In its redefined sense, the original term can get either the status of term I or that of term II. An example of the latter is the dissociation between sponsors and opportunist sponsors made by the writer of a letter to the editor in his defense of an insurance company that sponsored the 2002 Dutch Olympic skating team. The company, in an ad in the national newspapers, had congratulated the Dutch skaters with their victory, even though sponsors were not supposed to use their sponsorship in their advertisements. The writer of the letter called the insurance company 'a solid sponsor' and reproached the spokesperson of the Dutch Olympic Committee, who had reprimanded the company, for not having seen the difference between 'bona fide patrons, who have made sports, and opportunist sponsors'. In this example, the term 'sponsor', the original term from which a part is split off in the dissociation, gets the status of term II; the split off concept of 'opportunist sponsors' gets the status of term II.

The original term also can get the status of term I. Perelman and Olbrechts-Tyteca cite as an example Gide's 'The felicity that I hold out to you excludes forever what you took for happiness'. As Perelman and Olbrechts-Tyteca assert: 'Happiness, in the initial sense of the word, becomes term I of the pair happiness/joy' (1969: 425). Another example is the dissociation that Dutch Eurocommissar Bolkestein employed when he had to rectify an accusation that he had previously directed at Dutch TV journalist Fons de Poel. Bolkestein had accused the journalist of having filed a fraudulent declaration against him with the Tax Authorities. Forced to rectify, he declared: 'I did not mean "fraudulent declaration" in the technical, fiscal sense of the word, but in the sense of cooperating in giving a patently false impression of things with regard to my tax declaration'. The original term, in this case, is degraded into a mere technical term, and thus relegated to the status of term I.⁶

In general, the original term is devaluated into term I whenever from the original term a 'real' or core variant is split off. An example is offered by the advertising slogan that was the basis of a long-standing advertizing campaign for a well-known Dutch brand of beer: 'There's beer, and there's Grolsch'. Beer, through this dissociation, is portrayed as inferior rubbish that is not the real stuff; the real, adult beer drinker will turn to Grolsch. The same pattern was used in an advertisement for bungalow parks: 'There's cabins and there's vacation homes; there's a swimming pool and there's the Aqua Mundo; there's playing grounds and there's the Discovery Bay; there's help and there's service: There's bungalow parks and there's Center Parks'. The second term is placed outside the realm of the first, original term, in an altogether different class, the original term being devaluated into a mockery of the real thing.

The value hierarchy established by the opposition between appearance and reality that is typical for dissociation is the basis of the

⁶ An alternative analysis of this example is possible, in which the technical sense of the term is taken to have the status of term II, that is, of the core, central meaning of the term. If that would be the case, it would mean that Bolkestein retracted his accusation that de Poel filed a fraudulent declaration against him. However, the reaction of the opposing party favors the analysis given in the text: de Poel's attorney attacks Bolkestein for doing the opposite of retracting his accusation.

argumentative potential of the technique. Because Grolsch is the real stuff, you will no longer buy other brands of beer that are more ordinary; because Center Parks are the *nec plus ultra*, you will no longer go to a mere bungalow park.

Perelman and Olbrecht-Tyteca's description of the contrast between term I and term II can easily be taken in an essentialistic vein.⁷ The authors themselves, however, emphasize that the predicate 'essential' above all expresses a positive value. Neither does term II always represent the 'true' meaning of a term; it often expresses no more than the interpretation that the speaker at that moment deems of greater importance. An example of this we saw in the dissociation that Eurocommissar Bolkestein employed, in which there is no pretence that the definition of the term 'fraudulous declaration' that he allots the position of term II represents the true meaning of the term; it represents merely the meaning that at that moment in time is preferred by the speaker.

Neither may we take it from Perelman and Olbrechts-Tyteca's definition that the notion expressed by term II is always positively valued in all respects. Term II can certainly express a notion that is negatively valued, as is instanced by the example of Maria Montessori's granddaughter, who defended her grandmother against an accusation of being vain with the dissociation 'She loved beautiful clothes, but was not vain'. Real vanity – in contrast to mere love of beautiful clothes – is an undesirable quality; that is the very reason why the accusation of vanity must be defended against. The positive evaluation of term II hinges only on its representing the aspects of a notion that are crucial, essential, or real, in opposition to term I, that merely covers the peripheral, incidental, or apparent aspects.

Although Perelman and Olbrechts-Tyteca usually call dissociation an argumentative technique, sometimes they also refer to dissociation as an argument scheme. The latter label is not tenable, however, as a number of authors have shown.⁸ In an argument scheme, a connection is brought about between an argument and a standpoint. For example, I may argue for the standpoint that my dog Spot is a good mole hunter by adducing that Spot is a Stabyhoun (a Frisian breed of dog). The

⁷ As, for one, Schiappa (1985, 1993) does. More on this in chapter 8.

⁸ Among others, Garssen (1997) and Grootendorst (1999).

argument scheme connecting standpoint and argument, in this case, is a symptomatic scheme: it is characteristic of Stabyhoun dogs that they are good mole hunters. Dissociation cannot be an argument scheme, because the technique applies to individual terms, while an argument scheme is a proposition in which different terms are connected to one another (in the example above, 'good mole hunter' and 'Stabyhoun'). Dissociation merely can change the conceptual basis of one of the terms of an argument scheme.⁹

Dissociation can be applied both to the subject and to the predicate term of a proposition. An example of dissociation in the subject term is the dissociation between religion and faith that a writer of a letter to the editor made to answer the question whether Dutch Prime Minister Balkenende was right in claiming that religion connects people. Not religion, but faith connects people, she argued (*Trouw* 15-04-2006). An example of dissociation in the predicate term is the dissociation employed by Maria Montessori's granddaughter when she said that her grandmother was not vain, but simply loved beautiful clothes. An example of a statement in which both subject and predicate term are dissociated is the double dissociation, analyzed by Grootendorst (1999), that the Vatican Committee for Religious Relations with the Jews introduced in order to refute the accusation of anti-Semitism raised against the Roman Catholic church: In the period preceding and during the Second World War, it was not the church but its members who acted, and their actions were not anti-Semitic, but anti-Judaic.

In summary, dissociation is an argumentative technique in which, in order to resolve a contradiction or incompatibility, a unitary concept expressed by a single term is split up into two new concepts unequally valued, one subsumed under a new term, the other subsumed either under the original term, which is redefined to denote a concept reduced in content, or under another new term with its own definition, the original term being given up altogether.¹⁰

⁹ Konishi (2002, 2007), also, views dissociation as an argument scheme, but his notion of argument scheme is different from the one employed here.

¹⁰ Various elements of this definition can be found in the various definitions that other authors give on the basis of Perelman and Olbrechts-Tyteca's work. Van Eemeren, Grootendorst, and Kruijer (1978) define dissociation as follows: 'The speaker introduces a new term aside the old one that does no longer cover all differentiations and in this way performs a dissociation that serves

On the basis of the definition of the concept of dissociation just given, dissociation can be distinguished from a number of other, related, notions. First of all, dissociation can be distinguished from the notion ‘semantic shift’, introduced by Depperman (2002) to designate the Babel that arises when different participants in a discussion use the same term (for instance, ‘freedom’) in a different sense. Semantic shift differs from dissociation in several respects. Firstly, the multiple meanings with which the term is used suggest that no single, unitary concept actually is in use.¹¹ Moreover, none of the participants makes an effort to separate one meaning from the other one or to achieve some clarification in any other way, like through a precization (see below). Nor does anyone try to resolve the contradictions that result from using the term in different meanings (for instance, ‘the consumptive society limits *vs.* extends my freedom’) through reserving the term for one of the meanings while excluding and devaluating the others, as would be the case if someone would introduce a dissociation.¹²

In semantic shift, one term is used with different meanings. The opposite happens in euphemism. In euphemism, the usual term for a particular concept is replaced by another one, with less pejorative connotations than the original one. In euphemism, contrary to what is the case in dissociation, the denotative content of the term does not change; it is merely designated by a different term. However, in one special type of case, euphemism does overlap with dissociation.

his argumentative purposes’ (p. 284). Schellens (1985) regards dissociation ‘as introducing differentiations within a concept, comparable to an activity like precization of concepts’ (p. 59). Van Eemeren, Grootendorst, and Snoeck Henkemans (1996) say that dissociation comprises ‘introducing a separation in a set of elements that previously the auditorium regarded as a unity. In practice this means that a certain concept is distinguished from the concept of which previously it was a part’ (p. 144). Garssen (1997), finally, describes dissociation as follows: ‘By claiming that certain elements that the auditorium reckons to belong to a certain concept do not belong to that concept, the meaning of the word that expresses that concept is reduced: dissociation results in a redefinition of a term’ (p. 72).

¹¹ The participants themselves may not be aware of this fact, but to an outside observer it would be obvious.

¹² Depperman also points out that this is not a case of dissociation. But he uses the term in a different sense from the one in this book; he uses it to refer to a lack of cohesion.

That happens when the euphemism is placed alongside the original term and is contrasted with, and distinguished from it. Examples can be found in the adjuration of the elderly lady to her daughter, quoted in the Introduction to this book, that she did not ask for euthanasia, but merely for a little injection to help her die, and in the advice of the press officer of the Department of Justice to the shopkeeper who wanted to have a space built into his shop to lock up shop lifters, also quoted in the Introduction, to claim that the space is not a cell but a detainment space. In cases like this, the original term with the bad connotations is not replaced by the new term, but retained alongside it. It gets assigned the status of term II, the core of the notion, with the euphemism taking the place of term I. Even though, in actual fact, it is not clear how the content of term II differs from that of term I, all the same, through the contrastive juxtaposition, the impression is created that there is a difference. Thus, when euphemism is used like this, all the characteristics of dissociation are present.

Distinction, as we have seen, is inherent to dissociation. Distinction, in itself, like dissociation, can be used for argumentative purposes, as Goodwin (1991, 1992) has convincingly shown. Nevertheless, we can distinguish dissociation from mere distinction. Although dissociation always involves a distinction, not all distinctions are dissociative. The difference is that, through dissociation, a number of aspects is placed *outside* a given domain, while through a non-dissociative distinction they are kept *within* a given domain. This is the consequence of the fact that, in dissociation, the alternatives are valued differently. For instance, the non-dissociative distinction between Newtonian physics and post-Newtonian physics (discussed by Goodwin 1991, in his exploration of the similarities between distinction and dissociation) distinguishes between two variants of physics that in principle are of equal value, albeit that the one serves to explain other phenomena than the other. The distinction would become dissociative if one of the two variants would be valued differently from the other one, and as a consequence, would no longer be considered true physics, that is, would be placed outside the domain of physics proper. A typical example of a dissociative distinction is the slogan of the Dutch brewer mentioned earlier in this chapter: ‘There’s beer and there’s Grolsch’. A distinction is made between beer and Grolsch in which the latter is placed outside the category of beers and gets valued differently (higher) from the members of that category. As a consequence of the

fact that a number of aspects is placed outside the domain of a given notion, dissociation, in addition to distinction, always involves redefinition of a term, which is not the case in a simple, non-dissociative distinction.

The above considerations also apply to a deep form of distinction that is discussed by Dascal (2007). In his investigation of the phenomenon of dichotomy, he examines polarizing distinctions that are at the basis of opposing positions in debate. Some of the dichotomies that he mentions resemble the philosophical pairs treated by Perelman and Olbrechts-Tyteca as the result of dissociation, such as objective/subjective, observation/interpretation, absolute/relative, reality/imagination, theory/praxis, science/technology, and law/law enforcement. However, as was the case with ordinary distinctions, not all dichotomies necessarily involve dissociation. Dichotomies like left/right, equality/inequality, collectivism/individualism, self/other, and friend/foe, also mentioned by Dascal, merely form simple oppositions that do not involve dissociation.

To be sure, in dichotomy, as in dissociation, there always is difference in value attached to the two terms of the dichotomy. That is why it is useful in debate. However, this in itself does not make dichotomy identical with dissociation. The value scale that is involved in dichotomy often is solely one along the lines of desirable/undesirable. Such is the case in the simple oppositions mentioned above. Only when also a value scale along the lines of appearance/reality is involved, the dichotomy is based on dissociation. Only in the latter case, one of the terms is placed *outside* the domain to which the original term belonged. This is what happens, for instance, in the dichotomy, examined by Dascal in his discussion of Toulmin's defense of action research as a participatory form of social science, between real (hard) science versus all the other forms of research not recognized as true science by the instigators of the dichotomy.¹³

¹³ In cases like this, Dascal's definition of dichotomy does not completely apply. According to his definition, dichotomy is 'an operation whereby a concept, A, is divided into two others, B and C, which exclude each other, completely covering the domain of the original concept'. In dissociation, and thus in dichotomies that are based on dissociation, the original concept, to be sure, is divided into two others that exclude each other (covering, respectively, those aspects of the

Distinction also is part and parcel of another process, that of precization, a term coined by Naess (1966). More in particular, precization entails a distinction between different interpretations of a term, and thus this notion contains important aspects of what goes on in dissociation. According to Naess' definition, precization makes clear that a formulation T0 has two reasonable interpretations, T1 and T2, each containing fewer interpretations than T0, such that T0 is only tenable if it is interpreted as T1 and untenable if it is interpreted as T2 (or *vice versa*). For example, in the utterance 'This book is rather thin', the term 'thin' can be taken in two ways: physically thin (but not necessarily content wise) or poor in ideas (but not necessarily physically small). A precization would make these two interpretations explicit. Yet, dissociation can be distinguished from precization. An important difference is that precization does not involve a different valuation of the different interpretations. No effort is made to attribute to either one of the two interpretations the status of the core or real meaning of the term. That has to do with the fact that precization is merely an instrument of clarification; it has no argumentative function, like dissociation does have. Moreover, precization merely describes existing usage. Dissociation creates new usage (after all, before the dissociation, the term had only one meaning). In addition, if the original term is retained, dissociation stipulates that the term covers only one of the various interpretations. In that respect, what happens in dissociation bears closer resemblance to Naess' idea of stipulative definition: a language user stipulates that T0 be interpreted as T1. Dissociation does, indeed, always involve a stipulative definition (or redefinition in the case of an existing term). Only, that is not the whole story. Dissociation also always involves a distinction; in dissociation, a second term is introduced, with its own definition, covering the aspects of the original term that are split off from that term, while, moreover, the concepts that are designated by the two terms are assigned a different value.

original notion that pertain to the real, and those aspects that pertain to the apparent), but the result is that one of the resulting notions (the one comprising those aspects of the original notion that pertain to the apparent) is placed outside the original concept, A, which now is reduced to the aspects that pertain to the real.

This brings us, finally, to the notion of persuasive definition, as it was introduced by Stevenson (1944). In a persuasive definition, according to this author, the descriptive meaning of an existing term is changed, while its emotive meaning is retained, with the aim to change the attitude of the audience.¹⁴ In Stevenson's original example of a persuasive definition, a speaker reproaches his opponent, who takes culture to mean as much as literateness, for emphasizing merely the outer form, the shallow hull of civilization: 'In the true and full sense of the term, "culture" means imaginative sensitivity and originality' (1960: 211). Clearly, the speaker, along with giving a new content to the term culture, while keeping the positive connotation of the original term, introduces a dissociation separating true culture from the merely outer tokens of culture. In the distinction between real and spurious aspects of a notion with an argumentative purpose, persuasive definition and dissociation are one and the same thing. However, dissociation does not necessarily involve a persuasive definition. In the first place, dissociation can be applied to terms that have no clear emotive meaning. For example, a neutral term like 'storm' can be subjected to dissociation: 'That is no storm; that is merely wind force 9. Real storm makes people go wild'. Moreover, the emotional coloration of a term can change through the redefinition that is inherent to dissociation.¹⁵ An example is the dissociation that Roland Barthes in *Le Plaisir du Texte* makes between *plaisir* and *jouissance*, pleasure and enjoyment in reading, in which he defines the former as an all too easy sense of well-being and the latter as an experience that can come with uneasiness or feelings of lust and pain. The positive connotations of the term '*plaisir*' are not retained; to the contrary, as a consequence of Barthes' redefinition, the term gets a negative coloration. The defini-

¹⁴ The merits of Stevenson's definition are subject to discussion. Urmson (1968), for one, points out some serious flaws of Stevenson's conception of meaning.

¹⁵ Perelman and Olbrechts-Tyteca also point this out. Other objections they raise against Stevenson's notion of persuasive definition are more psychological in nature: they are of the opinion that dissociation does not always need have a persuasive reason, but can be the result of an inner conviction. This remark does seem strange, however, dissociation being introduced by Perelman and Olbrechts-Tyteca as an argumentative technique, which makes it by definition aimed at convincing an audience.

tion involved in dissociation, thus, may be a persuasive definition (in the sense that Stevenson gave to this term), but this need not necessarily be the case. The two terms are not synonymous.

Dissociation, then, takes its own place among a number of related notions. In practice, it will not always be easy to make the distinction. In principle, however, the distinguishing features are clear. Firstly, in dissociation, two speech acts are performed: a conceptual distinction and a definition of one or more terms. Dissociation involves distinction, because a notion that, up to that point, had been considered as a unity is split up and the various aspects of the original notion are subsumed under two new notions. Dissociation involves definition, because the two new notions that are distinguished are indicated by two new terms, each with its own definition.¹⁶ Secondly, the two terms are placed in a value hierarchy, the one being considered more essential, important, or central than the other. Thirdly, dissociation is meant to resolve an incompatibility or contradiction. A statement containing a proposition in which the reduced version of the original concept occurs can now be denied, while a statement containing a proposition in which the split-off concept occurs can now be asserted (or the other way around), without running into a contradiction.

In this chapter, then, it has become clear what dissociation is and what the basis of its argumentative potential is. In the second part of this book, we shall see how this argumentative potential can be used by an arguer to convince his opponent of his point of view. But first, in the next two chapters, we shall look at the uses dissociation is put to in a variety of contexts and at how it can be tracked down in actual discourse.

¹⁶ One of which may be the original term, however with a reduced content. Because of this redefinition, we may speak of a new term, here, too.

Chapter 2

The Uses of Dissociation

Although virtually no systematic theoretical treatments of dissociation as an argumentative technique are in existence, a number of case studies of the actual use of dissociation have been published. These case studies treat examples from various fields of discourse, such as philosophy, the law, politics, and science. In this chapter, I will quote a number of these examples from the literature, together with some other ones, to elucidate the practical use to which dissociation can be put in these various fields.

2.1 Philosophy

As noted, Perelman and Olbrechts-Tyteca illustrate the use of dissociation mainly with examples from a philosophical context. In this context, the first and foremost source of examples of dissociation that springs to mind, of course, is Plato. Many of Plato's dialogues revolve around one or more dissociations. In the *Gorgias*, for example, which deals, among other things, with rhetoric, Plato applies a well-known dissociation to the notion of art, separating from it the notion of 'routine' or 'knack'.¹ The latter notion he has Socrates designate as 'flattery', the simile of art. Rhetoric is allocated by Socrates to this latter activity, 'that is not very reputable':

SOCRATES: The activity as a whole, it seems to me, is not an art, but the occupation of a shrewd and enterprising spirit, and of one naturally skilled

¹ I quote from the Hamilton and Cairns (1994) edition.

in its dealings with men, and in sum and substance I call it ‘flattery’. Now it seems to me that there are many other parts of this activity, one of which is cookery. This is considered an art, but in my judgment it is no art, only a routine and a knack. And rhetoric I call another part of this general activity (*Gorgias*, 463b).

SOCRATES: There are then these four arts which always minister to what is best, one pair for the body, the other for the soul. But flattery perceiving this (. . .) has divided herself also into four branches, and insinuating herself into the guise of each of these parts, pretends to be that which she impersonates (*Gorgias*, 464c).

The purpose of the dissociation separating true art from mere flattery, of course, is to thoroughly discredit rhetoric, earlier in the discussion called by the young Polus ‘the noblest of arts’. Ultimately, Plato uses the dissociation as a spring-board for distinguishing between the good life and the merely pleasant life.

The *Phaedrus* is another example of a dialogue that revolves around a number of dissociations. In this dialogue, too, rhetoric is an important subject of discussion. In the first part of the dialogue, Phaedrus and Socrates exchange speeches on love. In the ardent speech on love that Socrates makes in this first part of the dialogue (247–250), he employs a group of dissociations, distinguishing true being, true beauty, true knowledge, true justice from the earthly semblance of these things. Later on, in discussing the presumed advantages of books and writing over speaking and dialogue, Socrates attacks the argument that writing is good because it improves memory, by applying a dissociation to the notion of memory:

SOCRATES: What you have discovered is a recipe not for memory, but for reminder. And it is no true wisdom that you offer your disciples, but only its semblance, for by telling them of many things without teaching them you will make them seem to know much, while for the most part they know nothing, and as men are filled, not with wisdom, but with the conceit of wisdom, they will be a burden to their fellows. (*Phaedrus*, 275)

In fact, in this passage, in addition to the dissociation separating memory from reminder (or, as Socrates calls it a little further on, remembrance), a dissociation is made separating true wisdom from the semblance or conceit of wisdom. These dissociations are followed up a little later by yet another dissociation, that separating dead discourse from living speech; only the latter is the discourse that ‘goes

together with knowledge, and is written in the soul of the learner'. The whole group of dissociations serves to underscore Plato's preference for dialectic above rhetoric and for the pursuit of truth and goodness, rather than of pleasantness.

Not just Socrates, speaking for Plato, also other participants in the dialogues employ dissociation, incidentally. In the *Laches*, the discussion turns around the question what virtues the young should be taught. Socrates takes the position that we do not know what virtue truly is. As an example he takes the notion of courage, a quality that is perfectly familiar to everyone present (especially since his co-conversationalists are renowned generals), forcing them to admit that they have no real knowledge of it. At one point during the discussion, Nicias, in an effort to define the notion of courage, dissociates true courage from mere fearlessness (*Laches*, 197b), a dissociation, however, which Socrates, subsequently, mercilessly shows to lead to untenable results. Nevertheless, in spite of the fact that Socrates undercuts the usefulness of this particular dissociation, in this example, as well as in the ones treated in the previous paragraphs, we can see that dissociation is used as an instrument of conceptual clarification and as a way of gaining a better understanding of things. But above all, of course, in the Platonic dialogues dissociation is used to prove Plato's philosophical point.

In fact, according to Perelman and Olbrechts-Tyteca, whole philosophical systems can be represented by relationships of philosophical pairs that are the result of dissociation. The thought of Spinoza's *Ethics*, for example, according to these authors, can be represented in the following table of pairs:

<u>inadequate knowledge</u>	<u>image</u>	<u>imagination</u>	<u>universal</u>
adequate knowledge	idea	understanding	individual
<u>abstract</u>	<u>contingency</u>	<u>change</u>	<u>body</u>
concrete	necessity	immutability	reason
<u>passion</u>	<u>slavery</u>	<u>duration</u>	<u>joy</u>
action	freedom	eternity	beatitude
			<u>superstition</u>
			religion

All these pairs are organized according to the prototypical appearance/reality pair, the second term (the one under the line) creating the criterion for the application of the value hierarchy in which the two terms are placed.

Perelman and Olbrechts-Tyteca point out that the two terms that result from a dissociation may be subjected to further dissociations. As an example they cite Schopenhauer's philosophy, in which the characteristic pair objectivity/will, according to them, is further subdivided: the term objectivity is split into the two terms things/ideas, while the term 'idea', in turn, yields the pair concept/intuition.

In philosophy, then, as Perelman and Olbrechts-Tyteca assert, the function of dissociation is that it 'expresses a vision of the world and establishes hierarchies for which it endeavors to provide the criteria' (1969: 420). The dissociations in Plato's dialogues provide a clear example of this. But, in fact, it applies to all philosophical innovation; according to Perelman and Olbrechts-Tyteca, there is no philosophy without dissociation: 'Any new philosophy presupposes the working out of a conceptual apparatus, at least part of which, that which is fundamentally original, results from a dissociation of notions that enables the problems that the philosopher has set himself to be solved' (1969: 414).

2.2 The Law

As Perelman and Olbrechts-Tyteca, in their chapter on dissociation, observe: 'Law is the favorite sphere of compromise, the technique for the resolution of incompatibilities', and they add: 'This effort to resolve incompatibilities is carried on at every level of legal activity. It is pursued by the legislator, the legal theorist, and the judge. When a judge encounters a juridical antinomy in a case he is hearing, he cannot entirely neglect one of the two rules at the expense of the other. He must justify his course of action by delimiting the sphere of application of each rule through interpretations that restore coherence to the juridical system. He will introduce distinctions for the purpose of reconciling what, without them, would be irreconcilable' (1969: 414). The law in all its areas of practice, then, is the prime arena in which dissociation may be put to use.

The classical example of dissociation in the interpretation of the law, of course, is that in which the notion of law, itself, is separated into two new notions: the letter of the law and the spirit of the law. Either of these notions, in judging actual cases, may be given the status

of term II, that is, the term that is considered to be crucial for deciding the case.

But apart from this very general dissociation, also specific terms of the law are subject to interpretation and dissociation. An example is provided by the dissociations applied to the term ‘religion’ in Supreme Court jurisprudence, as documented by Stahl (2002). Stahl traces the Supreme Court’s interpretation of the First Amendment’s free exercise of religion clause over the past two hundred years. Under the demand of this clause, the Supreme Court has had to deal with questions such as the practice of polygamy among Mormons, the use of religious garb in the military, Amish refusal of public schooling, and the use of peyote by the Native American Church.

The first occasion in which the notion of the free exercise of religion was subjected to dissociation was the 1879 *Reynolds v. United States* case. George Reynolds, a Mormon, had violated the federal anti-polygamy law. Chief Justice Morrison Waite, in the majority holding, while allowing the free exercise of religious belief, allowed the State to rule over religious practice, thus applying a dissociation to the notion of religion, separating it into two notions: religious belief and religious practice. Only the former was deemed by him to be subsumed under the First Amendment. Waite (as quoted by Stahl) declares: ‘Laws are made for the government of actions, and while they cannot interfere with mere religious belief and opinions, they may with practices’.

The belief-action split brought about by Waite, Stahl notes, created a prototype for all religious free exercise cases to come. At one point in time, however, this dissociation was deserted in favor of a different consideration, applied in the *Sherbert v. Verner* ruling of 1963. In order to decide whether a person could be withheld unemployment benefits if he or she were fired for the refusal to work on a Sabbath, Justice William Brennan did not apply the belief/practice split any more, but, instead, considered whether the interests of the State would be unduly infringed upon by allowing the free exercise of religion. This balancing of State and individual interests was subsequently referred to as the Sherbert Test. However, some thirty years later, the belief/action dissociation was reinstated in a case about the use of peyote by the Oregon Native American Church. Two men, Alfred Smith and Galen Black, who both worked at an alcohol rehabilitation centre, were fired, on the grounds of having committed the misconduct of participating

in an illegal peyote ceremony held by the Native American Church, and were consequently denied unemployment compensation. In the Native American Church, peyote is considered to be an incarnation of God. However, the use of peyote is prohibited by law. Justice Scalia, voicing the majority holding, ruled that an individual has the right to believe and profess whatever religious doctrines he or she desires and the government may not impose laws designed to impede or promote a specific religion. The peyote law neither forces a particular belief nor does it specifically target the Native American Church in an attempt to impede its operation. Scalia calls into question the legal health of a system that would make exceptions based on the Sherbert-Test criterion of individual and state interest. He reinstates a distinction between religious conviction and religious conduct:

Respondents urge us to hold, quite simply, that when otherwise prohibitable conduct is accompanied by religious convictions, not only the convictions but the conduct itself must be free from governmental regulation. We have never held that, and decline to do so now.

In this pronouncement of Justice Scalia, religion and its exercise are separated from its bodily enactment. Other Justices, incidentally, in their dissenting opinion, objected to this separation of belief and action ('Belief and action cannot be neatly confined in logic-tight compartments'), and preferred the Sherbert Test for the protection of individuals' rights.

Stahl concludes that dissociations 'May become bases for judgment, and assume the status of common sense until a legal exigence shocks the legal apparatus into adopting an alternative paradigm'. The case of the evolvement of legal thinking about the free exercise of religion, then, clearly demonstrates the pragmatic significance of dissociation for the judgment of cases.

Another example of the use of dissociation in the interpretation of the law is discussed by Schiappa (2003). This particular dissociation plays a central role in the abortion debate. It concerns the notion of personhood: does this notion include an unborn fetus, or should the latter be dissociated from the notion of personhood? An important part of the case of abortion opponents against establishing constitutional protection for abortion rights in the famous *Roe v. Wade* (1972) case was that the fetus should be recognized as a person under the Constitution. After all, if the Supreme Court recognized a fetus as

a person, then abortion must be prohibited because it deprives persons of their life and denies them equal protection under the law. Anti-abortion advocates, Schiappa points out, thus consistently presupposed personhood to apply to the fetus: 'Upon conception we have a human being; a person' and 'The unborn person is also a patient'. Abortion rights advocates, on the other hand, offered arguments as to why a fetus is not really a person. In the Court's decision, Justice Harry Blackmun ruled that the fetus must not be considered to be a person. In the later *Planned Parenthood v Robert P. Casey* (1992) case, however, Schiappa observes, Justice Sandra Day O'Connor argued that to impose one particular understanding of human life, personhood, and abortion would deny the fundamental liberties provided by the Constitution: 'At the heart of liberty is the right to define one's own concept of existence, of meaning, of the universe, and of the mystery of human life. Beliefs about these matters could not define the attributes of personhood were they formed under compulsion of the State'. Instead, Justice O'Connor emphasized the notion of the potential life of the fetus. Abortions after the point of fetal viability can be prohibited. The Court, Schiappa concludes, 'Increasingly has acknowledged that any choice of categorizing the fetus is going to serve particular interests and enact specific inequalities of power'. The case of the legal definition of personhood, then, provides another example of the pragmatic importance of the definitions that are inherent to dissociation.

One last example of dissociation in the interpretation of the law is also provided by Schiappa (2003). It plays a central role in the debate concerning the definition of the term 'rape'. Initially, the legal meaning of the term rape was nonconsensual heterosexual intercourse outside a marital relationship. Within marriage, rape was not possible, because a wife was considered to have given irrevocable consent when she consented to marry her husband. As Schiappa observes, the women's rights movement successfully challenged the male sexual prerogative theory underlying this definition. Presently, the legal definition of rape does no longer contain the proviso that the act occur outside of marriage; the term rape now designates all sexual intercourse obtained by the threat or use of force or that occurs when the victim is incapable of granting consent. However, according to Schiappa, many criminal justice officials have continued to distinguish between 'real rape', committed by sexual psychopaths preying

on strangers, and other sex crimes, considered less serious. Obviously, a dissociation like this does have considerable pragmatic relevance: as Schiappa points out, it decides whether or not full rights are given to married women, as well as to unmarried ones.

Not only in the interpretation of the law, also in the interpretation of the cases that are to be judged by the law, dissociation is employed. For the defense, as already one of the earliest rhetorical textbooks, the *Ad Herennium*, advises, it is of great importance to argue the *status definitionis*, in other words, how the act that the defendant is accused of, is to be defined in terms of the law. Dissociation is a useful instrument in this endeavor. It should come as no surprise, then, that in the practice of law, examples of the use of dissociation in the presentation and interpretation of cases abound. One example of the employment of dissociation in the definition of a potentially unlawful act is the advice that a spokesman of the Department of Justice gave a shopkeeper to call the cell he had built into his shop not a cell, but a detainment space, ordinary citizens being prohibited by law to build and keep cells, but no such prohibition existing for other kinds of spaces. Another example is provided by the case of President Clinton, who testified that what he and Monica Lewinsky had were not sexual relations, but merely inappropriate intimate contact. This case is analyzed in detail in the last chapter of this book.

In the legal field, then, in providing possibilities for the interpretation of the law and for the interpretation of cases in terms of the law, dissociation offers an important mode of judgment. It provides the argumentative grounds on which to decide a case, with all the pragmatic consequences for the parties involved that this decision may bring.

2.3 Politics

Obviously, the realm of the legal partially overlaps with the field of politics. Laws are made and changed in the political arena. The same issues that legal debate may arise around may become the case of political strife. Issues with regard to life and death, human dignity, and citizens' rights are reflected in the various positions that players in the political field may wish to take up. But also issues less immediately clearly of ethical import may become the focus of political debate, and here, too, dissociation may play a decisive role.

Schiappa (2003) discusses the example of the dissociation applied to the notion of 'wetlands'. In the scientific definition of wetlands, that, prior to 1989, guided the federal regulatory agencies' definitions of wetlands, the term denotes areas sufficiently saturated by water that only specially adapted plants can grow there. This includes both areas that are continually flooded and areas that know only seasonal or temporary periods of saturation and flooding. Wetlands are seen as valuable natural resources, creating a habitat for a wide variety of plants and animals, supplying natural flood controls, and providing an instrument for maintaining water quality. George Bush Sr., in his presidential campaign of 1988, fervently defended the installment of an appropriate regulatory definition of wetlands and promised that he would commit his administration to the goal of no net loss of wetlands and of halting the destroying of these valuable resources. His slogan was that 'All existing wetlands, no matter how small, should be preserved'. Farmers and developers, however, mounted increasing pressure against the protection of wetlands. Schiappa: 'The Bush administration found itself in a dilemma: Either Bush could modify his commitment to no net loss, thereby breaking a highly visible and useful campaign promise, or he could stand by the promise and risk alienating pro-business, pro-development constituents. Bush's "solution" was simple (...) a proposed redefinition of wetlands. By sharply narrowing the scope of the regulatory agencies' definition of wetlands, Bush would be able to claim that he kept his promise of no net loss of wetlands while allowing the development of areas previously designated as wetlands'. The Federal Manual for Identifying and Delineating Jurisdictional Wetlands of 1991 that specified this new definition decreased the area of land that would be considered as wetlands with as much as a third to one half.

The proposed redefinition met with intense opposition. As Schiappa indicates, by the opponents, the redefinition was seen as a cynical ploy; it was branded as 'political', in contrast to the existing 'scientific' definition. Advocates of the proposed redefinition, on the other hand, argued that the earlier definition expanded protection to far too many areas that were not 'true' wetlands. Bush, speaking to an agricultural organization with pro-development sentiments, declared: 'The new guidelines will distinguish between genuine wetlands which deserve to be protected and other kinds of land, including

your farmlands'. Both parties, then, applied a dissociation to the term wetlands, but each placed the two definitions in different places in the value hierarchy: by the Bush administration, the new definition was given the place of term II ('genuine'); by the opposition, it was allotted the place of term I ('political'). This case makes exceedingly clear that, if anywhere, in the political arena, the definitions underlying dissociation are, as Schiappa phrases it, 'interest-driven and saturated with questions of power and persuasion. (. . .). Power to define is power to influence behavior'.

Zarefsky et al. analyze a similar example of dissociation in the political field. President Ronald Reagan, in February 1981, defending his proposed cuts in the Federal domestic budget, claimed that what he called 'the social safety net' of programs for the 'truly needy' would not be affected. As Zarefsky et al. note, Reagan's rhetorical problem was how to implement a major departure from the past era of expanding social commitments, while reassuring selected segments of the population that the break from the past was not all that extreme. The dissociation in which the apparent needy are separated from the truly needy enabled him to proclaim that he is making a break from the past, in order to reassure his supporters. At the same time, it enabled him to reassure people who had a stake in the programs of the past, reaffirming the government's historic commitment to help those in need. This effect was strengthened because Reagan did not specify who were the truly needy or what characteristics distinguished true from apparent need. Zarefsky et al. show that during the year 1981, the term underwent several redefinitions that allowed the President to withstand the changing economic forces of the time. In the course of that year, the number of programs originally listed under the social safety net gradually was reduced and eligibility requirements were tightened. Zarefsky et al. conclude: 'Through interpretive ambiguity, dissociation, and subtle shifts in definition, Reagan mitigated, and yet also capitalized on, political opposition. His behavior during 1981 bears out the more general aphorism that the person who can set the terms of the debate has the power to win it'.

In the field of politics, then, as both these cases show, dissociation is a powerful instrument of exercising power and of using that power to further particular interests. In as far as dissociation involves definition – and it inherently does – Stevenson's (1944) adage is most pertinent here: 'To choose a definition is to plead a cause'. Through

dissociation, a new definition of the situation can be imposed. And such a new definition of the situation, as Zarefsky (2004) notes, may create the rhetorical space for action.

2.4 Science

As is the case in philosophy, science, among much else, involves the working out of a conceptual apparatus. In science too, innovation may be achieved through the further clarification and separation of notions, and, accordingly, dissociation may have an important part to play in this process.

Scientific evolution, needless to say, may present fuel for (renewed) debates about ethical dilemma's with far-reaching political and legal consequences. One example of dissociation in the field of science with such considerable practical import is analyzed by Schiappa (2003). This is the dissociation that results from the new definition of the notion of 'death' that evolved in medical science. Traditionally, death was considered to occur when the outward signs of being alive, that is, pulse and breathing, were no longer present. Scientific and technological advances in the late twentieth century, such as the ability to perform organ transplants and the development of life-support machinery, gave rise to a new definition of death. Death, now, was considered to consist in the absence of brain activity (while breathing and heartbeat might still be present as a *semblance* of life). This new dissociative definition, obviously, has clear ethical implications, opening up new possibilities for judgments about life and death and human dignity. For one thing, it may provide the grounds for taking decisions such as whether or not to no longer keep someone who is merely breathing but shows no brain activity, 'artificially' alive, and whether or not to remove vital organs from the body for transplantation. In the moral debates surrounding these issues, positions on what may be considered to be 'real' death (or 'real' life, for that matter), differ. On one side of these debates are those who consider brain death to be the decisive criterion (term II), on the other side are those who are of the opinion that only the cessation of breathing and heartbeat are.

Another example of scientific terminological innovation with ethical, political, and legal implications is provided by Lynch (2006), who

charts the development of the notion of stem cell in biological and biomedical research. Lynch shows how researchers employed a series of dissociations to create a 'real definition' of stem cells that would replace older models for mammalian development.

Stem cell research developed in the confluence of biological modeling, in which the genetically coded physical and biochemical properties of a model organism or cell type are examined, and developmental modeling, which strives to gain a better understanding of the earliest stages of mammalian development. The models to be developed, in order to be functional for their purpose, are to be genetically normal, avoiding mutations, and they should be derived from the earliest stage of development that can be isolated and sustained in the laboratory. Also, they must reveal how an organism's multitude of tissues and organs develop from a single cell.

The first model of early development, according to Lynch, evolved in the 1960s, and it consisted of embryonic carcinoma cells, called stem cells, isolated from tumors of the testes and ovaries of mice. In the mid-1980s, cells from human cancers were isolated. These stem cells were seen as a model system for the study of mammalian development: they helped reveal how a single cell could multiply and differentiate into the many types of cells in a body. Soon, however, scientists identified a new type of stem cell, embryonic stem cells. Embryonic stem cells (ES) and embryonic carcinoma cells (EC), in many respects looking and behaving similarly, initially were understood as belonging to the same category. Eventually, though, Lynch shows, through application of three philosophical pairs, the differences between them were ordered hierarchically, resulting in a dissociation of the notion of stem cell, so that the term stem cell was considered to refer only to ES cells, while relegating EC cells to an inferior position. First of all, ES cells came to be understood as genetically normal, while EC cells were seen as genetically aberrant. In the second place, ES cells came to be seen as originating in a more primal source, the inner cell mass of one of the earliest stages of embryonic life, while EC cells were viewed as coming from a secondary source, that is, tumors that appear at later stages of development. Finally, EC cells were considered inferior to ES cells in their ability to differentiate and thereby contribute to the development of an organism. Thus ES cells became to be seen as the real stem cell, while EC cells were considered to merely appear to be stem cells. Lynch quotes one scientist as saying 'Studies with EC cells

did eventually pave the way for the establishment of ‘true’ embryo stem cell cultures’.²

In science, too, then, dissociations have great pragmatic importance. In the first place, they serve the values and needs of the specific research program in which they are employed. In addition, they may have profound material consequences. As Lynch notes: ‘By redefining and reorganizing the objects vying to be models of development in the laboratory, dissociation also led to a reorganization of the social elements of science (. . .) new practices and equipment for isolating and growing stem cells had to be developed (. . .) new labs became the source for basic research materials’. Last but not least, dissociations in science may have far-reaching ethical implications, reaching into the spheres of politics, the law, and, even, philosophy. While many scientists, patients, politicians and other people view ES cells as potential cures for a great variety of diseases, as Lynch points out, religious conservative groups claim that ES cell research constitutes murder of developing life.

2.5 Conclusion

In this chapter, I have illustrated the use to which dissociation can be put in various fields of discourse. It has become clear that in all the realms of its use that we surveyed, dissociation serves to reconstruct the conception of the world of the audience and to do so in particular directions, serving certain interests and promoting certain views. As Zarefsky (2004) notes, dissociation, in imposing a definition of the situation, ‘affects what counts a data for or against a proposal, highlights certain elements of the situation for use in arguments and obscures others, influences whether people will notice the situation and how they will handle it, describes causes and identifies remedies, and invites moral judgments about circumstances or individuals’. Consequently, the pragmatic relevance of dissociation cannot be overestimated easily.

² Lynch observes that the appearance/reality pair does not necessarily have any essentialistic implications; it can be taken to merely reflect a psycho-social consensus among a group of language users – scientists, in this case – about how words are used and objects are categorized.

The relatively formal fields of discourse that I have examined in this chapter, apart from, as we had occasion to see, having substantive areas of overlap, also share a need for conceptual clarification, refinement, and innovation, in order that they may meet the challenges posed by new developments and exigencies in their sphere. This need, naturally, creates a niche for dissociation and it makes for the enormous pragmatic relevance of this argumentative technique when used in these fields. The same pragmatic relevance, however, is exhibited by the examples of dissociation from more mundane and every-day contexts that are examined in the remainder of this book. These examples, culled from newspaper articles, advertisements, television shows, internet forums, ordinary conversations, and so on, have as much impact on action, moral judgment, and the material and immaterial implications thereof, as the ones discussed in this chapter. In the remainder of this book, I focus more closely on how this impact concretely is brought about in the actual give-and-take of the argumentative discussions in which these examples of dissociation occur. But in order to do so, we must first, in the next chapter, get a better understanding of how dissociation manifests itself in argumentative discourse.

Chapter 3

Indicators of Dissociation

In Chapter 1 of this book, we took a closer look at the notion of dissociation. Dissociation, we concluded, is characterized by three features. Firstly, in dissociation, two speech acts are performed: a conceptual distinction and a definition of one or more terms. A notion that, up to that point, had been considered as a unity is split up and the various aspects of the original notion are subsumed under two new notions that are indicated by two new terms, each with its own definition. Secondly, the two terms are placed in a value hierarchy, the one being considered more essential, important, or central than the other. Thirdly, dissociation is meant to resolve an incompatibility or contradiction. A statement containing a proposition in which the reduced version of the original concept occurs can now be denied, while a statement containing a proposition in which the split-off concept occurs can now be asserted (or the other way around), without running into a contradiction.

The above characterization of dissociation can serve as a starting point for understanding how dissociation becomes visible in discourse. How can we establish that dissociation is used by a speaker or writer? Three groups of clues can be distinguished, each corresponding to one of the features typical of dissociation. The first group refers to the speech acts that are performed in dissociation: distinction and definition. The second group concerns the value hierarchy that is typical of dissociation. And the third group is connected to the aim of dissociation, resolving a contradiction. In what follows, I treat the clues in each group separately, even though in the actual examples often a combination occurs.

3.1 Speech Acts

In dissociation, two speech acts are performed: distinction and definition. Each of these speech acts can be signaled in the discourse.

3.1.1 Distinction

In dissociation, within a single, unitary concept, a distinction is made; the concept is split up. From a single unitary concept one or more parts or aspects are separated and are brought under a different denominator. Accordingly, all words and expressions signaling a distinction, such as ‘difference’, ‘distinction’, ‘not the same as’, ‘something else than’, may form a clue that dissociation is being used.

The speech act of making a distinction, like all speech acts, can be performed in different ways. First of all, the speech act can be performed explicitly, that is, through the use of a performative formula, like ‘I distinguish’. Secondly, the speech act can be performed implicitly, that is, without a performative formula, but by way of a sentence that has syntactic and semantic characteristics that make this sentence suitable for performing the speech act, for example, ‘There is a difference between X and Y’. Finally, the speech act can be performed indirectly, that is, by way of a sentence that has syntactic and semantic features that make this sentence suitable for performing another speech act than the one intended, for example, ‘I want to distinguish X from Y’, in which the speaker literally merely expresses a desire to distinguish, but in fact performs that speech act. Apart from these possibilities, the speech act of distinction can also be not performed as such, but merely presupposed. In all cases, the distinction can be signaled in the discourse.

In the case of explicit performance, the performative formula forms a clear indication. An example of explicit performance of a distinction is provided by the following text:

(1) *Q: Is the striving for a decent society not just as unattainable as the striving for a just society?*

A: I don’t think so. I make a distinction between a decent and a civilized society. In a civilized society nobody humiliates anybody. Sure enough, that is ambitious. But for a decent society, what matters are the social institutions. Those you can require not to humiliate people.

Een rechtvaardige vrede is een ramp <http://www.j-accuse.nl/index.html>

In this example, the notion of ‘a decent society’, used as a conceptual unit by the interviewer, is reduced to that of a society in which the social institutions do not humiliate people, while the idea of civil decency is relegated to the spit off concept of ‘a civilized society’. This is done by way of a dissociative distinction, performed by means of the performative formula ‘I make a distinction’.

In implicit performance, even though no performative formula is present, the syntactic and semantic features of the sentence, being eminently suitable for performing the speech act, provide a clear clue. An example of implicit performance of a distinction can be found in the following passage of an argument against the idea that shared nationality implies shared values:

(2) To be sure, in the debate about immigrants invariably ‘the Dutchman’ emerges as a mythical hero, an indestructible unity of nationality and indigenous culture. But that unity is not so indestructible, so indivisible (. . .).

It is strange that in the debate about multiculturalism so little attention is given to the meaning of being Dutch. (. . .) We should precizate the image of the Dutchman: there is a difference between our cultural and our constitutional nationality.

De Volkskrant 16-03-2002

In this example, a dissociation is performed on the concept of nationality. The core of this concept is reduced to that of constitutional nationality – only that is what makes the Dutchman into a Dutchman. Cultural aspects are split off from this notion of nationality. This is done by means of a dissociative distinction, introduced through and signaled by ‘there is a difference between’.

Indirect performance, if it is done through conventional means, also can be signaled clearly in the discourse. An example of indirect performance of a dissociative distinction is provided by the following text:

(3) Apart from the distinction between honesty as a local and as a global concept, therefore, I have to introduce a second distinction: between honesty as a formal and as a material concept. Suppose someone tells his minister that he had an extramarital affair and doesn’t dare to tell his wife for fear of a divorce. A couple of days later he discovers that everybody in his church knows about it. He approaches his minister. But the minister says he sees no problem. Brothers and sisters need to know these things in order to be able to forgive them. Even though the minister has been consistent in passing on the information, we would not call him honest.

<http://www.bezinningscentrum.nl/teksten/bert/inleidinintegriteit.htm>

In this example, the concept of honesty is limited to that of material honesty; formally being honest does not count as real honesty. This is done through a dissociative distinction, indirectly performed through the assertion that it is necessary to make that distinction: ‘I have to introduce a second distinction’. The assertion that it is necessary to perform a speech act is a conventional way of performing that speech act indirectly (Searle, 1975).¹

In the explicit, implicit, and indirect performance of the speech act of making a distinction, the rules and conventions of linguistic usage make it clear that this speech act is being performed. But also when the distinction is not made as such, but merely presupposed, there may be signals of it present in the discourse. An example can be found in the defense that Dutch Traffic Minister Jorritsma gave of her proposal to once again adapt the allowable noise levels for Schiphol airport. Parliament was of the opinion that adaptation comes down to tolerating that the standards are exceeded, and had the minister earlier not agreed that a policy of tolerance no longer was an option? Jorritsma counters by contesting that ‘tolerating *is something quite different from* anticipating a change of law which everybody thinks should be put into effect’ (*De Volkskrant* 22-1-1998). Jorritsma tacitly assumes, then, that there are two separate things, ‘tolerating’ and ‘anticipating a change of law that everybody thinks should be put into effect’, and she informs Parliament that the one is something quite different from the other. So the distinction itself is presupposed, but it is signaled by the expression ‘is something quite different from’.

Actually, the very fact that the existence of a distinction is presupposed can be expressed in the discourse. That is the case when the distinction is referred to by means of a noun phrase headed by a definite article, the use of the definite article carrying with it an existential presupposition. An example can be found in the letter to the editor that sprung to the defense of the insurance company that sponsored the Dutch Olympic Skating Team, cited in the previous chapter: ‘Apparently Blankert [the spokesperson of the Dutch Olympic Committee

¹ Fragment (2) provides an example of indirect performance of the speech act of making a distinction, as well. Through ‘we should precizate’, the author states that it is necessary to introduce a distinction between different interpretations of the image of the Dutchman.

that criticized the insurance company – MavR] does not recognize *the difference* between bona-fide financiers that have made sports, and opportunist sponsors’. The use of the definite article in ‘the difference’ carries the existential presupposition that there is such a difference.

Likewise, when two notions are referred to by means of a noun phrase headed by a definite article, the existence of a distinction between these notions is presupposed. Such is the case, for example, in the following statement, that introduces a genetic biologist’s argument against the viewpoint that we should reject human cloning because it leads to identical people (and thus loss of human dignity): ‘The discomfort at cloning of humans seems to me to be the product of a confusion between *the notions* “identical people” and “genetically identical people”’ (*De Volkskrant*, 11-04-1997). The use of the definite article in the noun phrase ‘the notions’ carries the presupposition that two distinct notions exist, of which the writer asserts that they are confused by opponents of human cloning.²

However, often the fact that the existence of a distinction is presupposed is not signaled at all, and only the result of the fact that a distinction is assumed becomes visible. This happens when an entity is simply classified as one thing and not another. The distinction between the two categories is assumed, but not mentioned or referred to in any way. An example can be found in the defense Maria Montessori’s granddaughter gave of her grandmother, cited in the previous chapter: ‘She loved beautiful clothes, but was not vain’. The presupposed distinction between physical and mental vanity that forms the starting point for placing Maria Montessori in the class of people who can be accused merely of the former, innocent variety, is in no way referred to. Obviously, in cases like this, we cannot speak any more of an indicator for making a distinction, and thus, possibly, for dissociation.³

Unfortunately, the presence of words and expressions indicating a distinction as such is not sufficient to indicate dissociation. After all,

² Incidentally, there is another clue here, as well; in addition to using the definite article to refer to the notions distinguished, the author, indirectly, declares that it is necessary to distinguish them, by saying that ‘a confusion’ between them exists.

³ Two other indicators of dissociation are present in this example, however, one of which will be treated later on in this section, and one of which will be treated in Section 2.3.

they do no more than indicate a distinction. In order for them to indicate dissociation, as well, the distinction needs to be one in which an existing unitary concept is split up, with one or more aspects being subsumed by a different denominator, and placed outside the original notion. The analyst has to decide in each instance whether that is the case. A clear example of a distinction in which an existing unitary concept is split up can be found in the following argument for banning jury sports from the Olympic Games:

(4) Jury sports must go back to the circus, ice show, or freak show. Everything is all right, as long as we are delivered from them during the real sports events. Sports are sports except jury sports, another word for unfair. Jury sports are sometimes quite nice to watch, but they shouldn't be made into competitive games.

De Volkskrant 15-02-2002

In 'Sports are sports, *except* jury sports' jury sports, by means of the word 'except', explicitly are placed outside the concept of competitive sports. The conceptual split is also signaled by the statements that jury sports must be kept away from 'the real sports events' and shouldn't be made into competitive games.

In addition, Perelman and Olbrechts-Tyteca point out a number of indirect indications for a unitary concept having been split up, and thus of dissociation: the use of paradox, tautology and opposition of synonyms. An example of paradox is: 'She loved beautiful clothes, but was not vain', in Maria Montessori's defense of her grandmother. An example of tautology is the 'Sports are sports' in the previous paragraph. An example of opposition of synonyms is: 'the difference between pleasure and enjoyment', in Roland Barthes' *Le Plaisir du Texte*, also cited in the previous chapter.⁴

3.1.2 Definition

Dissociation is also characterized by the fact that a new definition is introduced for one or more terms. After all, before the dissociation is made, the different aspects of the notion that originally was considered

⁴ Of course, in the latter phrase, there is also a clear indicator of a presupposed distinction: "the difference between".

a whole are expressed by a single term. The dissociation results in a new, reduced content for this term or replaces it by a new term with its own definition. Consequently, all references to definition can be a clue for dissociation.

Just like the speech act of making a distinction, the speech act of giving a definition can be performed explicitly, implicitly, and indirectly. An explicitly performed definition features the performative formula ‘I define “x” as “y”’. An implicitly performed definition is achieved by means of expressions like “x” is “y” and “x” means “y”. An indirectly performed definition contains expressions that literally only express the possibility or the wish to define, like ‘we can define “x” as “y”’ or ‘I want to define “x” as “y”’, or the need for a definition, like ‘we must define “x” as “y”’. All these expressions signal the fact that a definition is being given.

Explicit performance through the use of a performative formula can be found in the following example:

(5) In this light I define ‘the original meaning’ of a text as: ‘what it says in the text in the light of the information that we have about the time of its origin’. This definition implies that the original meaning of a text is not a characteristic of the text, but the result of a purposeful approach of the text by the reader, the reconstruction of the meaning of the text in the time of its origin. A historical interpretation of a text thus is not the retrieval of the one and only correct original meaning of the text, but the critical consideration of the current interpretations of a text by means of the information we have about the time of its origin.

www.library.uu.nl/digiarchief/dip/diss/2004-0205-103455/sam.pdf, p.2

By means of the performative formula ‘I define’, a definition of the term ‘original meaning’ is introduced, bringing about a dissociation separating ‘the retrieval of the one and only correct meaning’ inherent in the text – originally included in the meaning of the term – from the historical reconstruction of the meaning of the text at the time of its origin.

An example of implicit performance of a definition can be found in the commentary about jury sports quoted in the previous section. In ‘Sports are sports, except jury sports’, a (circular) definition of ‘sports’ is given, bringing about a dissociation between sports and jury sports.

An example of an indirectly performed definition is provided by the following text:

(6) Therefore, we must define growth and shrinkage differently: the Gross National Product now is a sum of economic activities, some of which enhance, but others of which harm our welfare (for instance pollution). Growth must be defined as growth of welfare, care, services, *et cetera*.

www.globalalternatives.nl/file/147

The assertion that it is necessary to define as in ‘we must define’ and ‘must be defined’, is a conventional way of performing that speech act indirectly (Searle, 1975). The indirectly performed definition in this example brings about a dissociation of the notion of growth, in which this notion is no longer conceived of as the sum of all economic activities, but is limited to that of growth of beneficial activities.

Just as was the case in making a distinction, when the speech act of definition is not performed as such, but presupposed, signals can be present for this being the case, as well. Here, too, the presence of the definite article can be a clue of the very fact that the definition is presupposed, this time in expressions like ‘in the sense of’. An example can be found in the assertion of Eurocommissar Bolkestein that was quoted in the previous chapter: ‘I did not mean “fraudulent declaration” in the technical, fiscal sense of the word, but *in the sense of* cooperating in giving a patently false impression of things with regard to my tax declaration’. Through the use of the definite article in ‘in the sense of’, Bolkestein presents the existence of a particular definition of the term ‘fraudulent declaration’ (indeed, of two definitions, among which, ironically, a completely new one) as an established fact.

The definition, as in the case of distinction, often is simply taken for granted without any indicator of that fact being present in the discourse. Again, Maria Montessori’s granddaughter’s defense of her grandmother can serve as an example. In saying that her grandmother loved beautiful clothes but was not vain, she tacitly takes it for granted that the term ‘vain’ only pertains to the mental aspects of the notion.

Just like in the case of distinction, the mere presence of an indicator for the speech act of giving a definition being performed or presupposed does not necessarily signal dissociation. For that to be the case, the definition must be accompanied by a dissociative distinction as outlined in the previous section. When mention is made, however, of the fact that we have to do with the *true* meaning of a term, as Perelman and Olbrechts-Tyteca point out, an unmistakable indicator of dissociation is present. But that is the subject of the next section.

3.2 Value

A second group of clues results from the fact that inherent to dissociation is the fact that the two dissociated concepts are valued differently. The one is considered to contain the more important, crucial, essential, or central aspects of the original notion, associated with the reality pole of the prototypical appearance/reality pair, than the other. That is why, as Perelman and Olbrechts-Tyteca point out, the presence of expressions like ‘real’, ‘pseudo’, and ‘true’ always points to dissociation, as does the presence of scare quotes, signaling specious application of a term.

Clear examples can be found in the banning of jury sports from ‘the real sports events’ and the distinction between bona fide or solid sponsors and mere ‘opportunist sponsors’, both quoted above. A nice example of the use of scare quotes is provided by Degano (2007). She discusses the following passage of an editorial in the British *Independent on Sunday* objecting to Tony Blair’s arguments in favor of the invasion of Iraq:

(7) In yesterday’s speech Mr. Blair widened his case in an attempt to appease rebellious members of his party. As well as making the familiar global arguments about the need to disarm Saddam, he put the moral ‘progressive’ arguments for the removal of the Iraqi regime. (. . .) He cited the atrocities committed by Saddam and warned of the potential horrors if there were no war against Iraq. The *Independent on Sunday* is a progressive newspaper, but we do not accept this argument as a justification for a pre-emptive strike against another country.

The author of this editorial employs a dissociation in which the pseudo progressiveness of Mr. Blair is separated from the real progressiveness of the newspaper. The dissociation is signaled by quotation marks enveloping the political position claimed by Mr. Blair.⁵

Perelman and Olbrechts-Tyteca also mention as an indicator of the application of the value scale associated with the pair appearance/reality the presence of the expression ‘technical meaning’. This expression may either be used to refer to term II, as opposed to the customary, lay, meaning of term I, or to term I. In the latter case, the

⁵ My analysis of this case differs slightly from that of Degano; in my opinion, she does not do full justice to the importance of the quotation marks.

expression represents a devaluation with regard to the full meaning of the term. This devaluation, as we saw earlier, is employed by Euro-commissar Bolkestein.

Another clue for the application of a value hierarchy like essential/incidental or central/peripheral, also mentioned by Perelman and Olbrechts-Tyteca, is the distinction between theory and practice. Which of the two is valued most, here, too, is not clear in advance. An instance of opinions in practice being valued over opinions in the abstract can be found in the following example.

(8) W: yeah well this is the Rotterdam point of view what I just told you

I: isn't it a bit strange that in a small country like The Netherlands such diverging opinions reign between two large cities?

W: eh well for the moment yes you assume that there is a difference of opinion it could very well be the case that in practice in the end it will lead to the same result

The fragment comes from a radio interview with the public relations officer of the Public Prosecutor of Rotterdam, Mr. Wesseling, in which he announces that Rotterdam, unlike Groningen, will not prohibit posting an offending poster by the artist Serrano whose work is exhibited in Groningen. An implicature of W's first utterance is that Rotterdam has an opinion of its own. When the interviewer questions the desirability of this, W distances himself from this implicature; he says that 'in practice' there is no difference of opinion between the two cities. Wesseling, thus, employs a dissociation separating opinions in the abstract from opinions in practice, promoting the latter to being decisive for having an opinion of one's own.

A devaluation of practice, on the other hand, we find in the following discussion fragment.

(9) D: practically speaking, really, I don't see my way through it

B: but, OK, that is practically speaking, how do you view it er, (.) policy-wise?

Previously to this exchange, B had made a policy proposal, which D here rejects. Then B applies a dissociation separating practical

implications of a policy from the policy itself, belittling the former in favor of the latter.⁶

In addition to value scales of the sort of essential/incidental and central/peripheral, often a second value scale is applied to the two members of the dissociated pair, in which the one member is valued as good or desirable, the other as bad or undesirable. Jury sports are deemed ‘another word for unfair’; pleasure is identified with ‘all too easy well-being’; real sponsors are called bona-fide and solid. However, the application of a second value scale like good/bad by no means is a necessary feature of dissociation. Neither is it an unequivocal indicator. At the most it can indicate a distinction, but whether the distinction is one that establishes a dissociation depends on the presence of a value scale that is along the lines of the prototypical appearance/reality division.

3.3 Contradiction

The final group of clues stems from the fact that dissociation serves to resolve a contradiction or paradox. Often it is the context that provides clues that make it possible to reconstruct the contradiction that the dissociation is intended to resolve. The Dutch soccer player Jonk, who answered ‘It is too bad, but too bad is something else than regret’ to an interviewer who questioned whether he did not regret his transfer to a British club, through this dissociation tried to resolve the contradiction that he did not regret leaving an excellent Dutch soccer club for a new, British, club in which he had to play way below his level, as the interviewer had just established. And the dissociation between stars and real stars in the advertisement for a new gossip magazine quoted in the Introduction of this book served to resolve the contradiction that a whole list of famous media personalities did not feature in this new gossip magazine about famous media personalities.

However, the contradiction can also be signaled by verbal indicators in the text. Remember that the contradiction that dissociation

⁶ Whether this dissociation is sound, of course, remains a matter for discussion. In many cases, it is at least questionable whether policy can actually be separated from practice.

is intended to resolve is resolved because dissociation enables the speaker to maintain that the statement in which the dissociated term occurs is true in one interpretation of this term and not true in the other one. Negation, then, may be a symptom of dissociation. Of course, the mere fact that a speaker denies that a statement is true is not sufficient to indicate dissociation. But particularly in cases in which the denial has to do with the application of a particular concept or the use of a particular term, and when that concept or term is replaced by another one that does not seem to differ clearly in meaning, it can signal dissociation.⁷

A clear example of explicit criticism of the use of a term can be found in the following fragment:

(10) The chief conductor, in spite of what he calls a ‘ban on public speaking’, told about a number of abuses in the company. (. . .) The spokesman for National Rail, though, says that it is not a question of a ban on public speaking for personnel, but the agreement is that personnel encounter the press through public relations officers appointed for that task.

NRC Handelsblad 08-01-2002

The spokesman of National Rail quoted in this passage refers explicitly to the statement by a chief conductor cited earlier that there is a ban on public speaking, against which the National Rail spokesman levels criticism specifically pertaining to the use of the term ‘ban on public speaking’. He denies that there is a question of such a ban and dissociates between a ban on public speaking and an agreement to encounter the press through public relations officers appointed for that task.

A specific indicator for a critical reaction to a statement is the presence of ‘but’ combined with a negation. ‘But’ indicates – apart from certain exceptions (Snoeck Henkemans, 1995) – that the speaker distances himself from a position. This is the case with both concessive and replacement ‘but’.

In a dissociation with concessive ‘but’, with the negation following the connective, the speaker concedes that he agrees with the statement that he criticizes in one of the dissociated interpretations, the one that

⁷ Note the observation of Perelman and Olbrechts-Tyteca cited above, that the presence of a paradox or of an opposition of synonyms can be an indication for dissociation.

is presented as marginal, but firmly distances himself from it in the other interpretation, the one that is presented as crucial. An example is provided by Maria Montessori's granddaughter's statement 'She loved beautiful clothes, *but* was *not* vain'.

With replacement 'but', with the negation preceding the connective, the speaker rejects the statement that he criticizes in one of the dissociated interpretations, and replaces it with a statement that features the other interpretation. An example can be found in Bolkestein's contention, quoted earlier, that he used the term 'fraudulent declaration' '*not* in the technical sense of the word, *but* in the sense of cooperating in giving a patently false impression of things with regard to my tax declaration', as well as in the National Rail spokesman's declaration quoted above. Of course, as was the case with the presence of a denial, the mere presence of a concessive or replacement 'but' is not sufficient to serve as a clue for dissociation. It is crucial that the criticism revolve around the applicability of a term or concept.

3.4 Conclusion

From the three central characteristics of dissociation, the fact that a distinction is made or a definition is given, the fact that the two terms resulting from a dissociation are valued differently, and the fact that dissociation serves to resolve a contradiction, three groups of clues for the presence of dissociation in discourse can be derived. Often, a combination of the three kinds of indicators is present. An example can be found in the movie *Air Force One*, in which the US President, played by Harrison Ford, gives a glowing defense of military intervention in the internal political situation of a foreign nation, by introducing the following dissociation: 'Real peace is not just the absence of conflict; it is the presence of justice'.⁸ In Harrison Ford's US President's

⁸ The movie dates from 1997, but turns out to have remained relevant. In many internet forums the quote is used to defend the US interventions in Afghanistan and Iraq. Actually, as Zarefsky (2004) points out, a similar dissociation was already used by President Kennedy in the nineteen sixties to promote his arms control program. An analogous dissociation also was employed by Martin Luther King Jr., in his 1963 Letter from Birmingham Jail: 'the Negro's great stumbling block in the stride toward freedom is not the White Citizen's

injunction, all three kinds of indicator can be found. A definition is given, the speech act being performed implicitly and signaled by 'is'; a value hierarchy is invoked, signaled by 'real'; and, finally, a contradiction, between the fact that there is absence of conflict in a country, and yet the President argues for armed intervention to restore peace in that country, is resolved. It is resolved by criticizing the use of the term 'peace' by those who claim that peace reigns in this particular country; this criticism is signaled by the presence of the negation. But sometimes, only one or two or none of the three kinds of clues are present in the discourse. In that case, the context must provide the additional information to make sure that all the conditions for the presence of dissociation are fulfilled.

Council-er or the Ku Klux Klanner, but the white moderate who is more devoted to "order" than to justice; who prefers a negative peace which is the absence of tension to a positive peace which is the presence of justice'. These various examples show how a standing dissociation can be used time and again, in new contexts, with new applications.

Part II

Dissociation as a Discussion Technique

The first part of this book was dedicated to the questions what dissociation is, how it is used in various fields of discourse, and how the use of this argumentative technique in discourse can be identified. In this second part, I elucidate how dissociation can be employed in argumentative discussions for enhancing or diminishing the acceptability of standpoints.

Perelman and Olbrechts-Tyteca approach dissociation, as they do the other argumentative techniques that they describe, from a rhetorical perspective, that is, geared to describing the working of the technique as it is used by a speaker trying to convince a silent audience. Consequently, their treatment is strongly monologically oriented; dialogical aspects of the use of dissociation are hardly treated at all. To be sure, Tindale (2006) argues that Perelman and Olbrechts-Tyteca employ a conception of rhetoric that does incorporate audience response. However, these authors' treatment of argumentative techniques, including dissociation, does not in any detail specify how the interaction between arguer and audience exactly evolves during an argumentative discussion, how the technique can be employed by both parties in the different stages of the discussion, and how this use of dissociation influences the further development of the discussion. That is why, in this part of the present book, in which I specifically focus on how dissociation can be used in argumentative discussions and what consequences the use of this argumentative technique has for the development of these discussions, a dialectical perspective, which systematically focuses on these questions, is needed to supplement Perelman and Olbrechts-Tyteca's approach.¹

¹ Such a perspective also is necessary for the evaluation of the use of dissociation in argumentative discussions which forms the subject of Part III of this

In order to describe and analyze the use of dissociation in argumentative discussions, I make use of the theoretical framework of Pragma-Dialectics. This theoretical approach to argumentation, developed by van Eemeren and Grootendorst (1982, 1992, 2004) and elaborated by van Eemeren and Houtlosser (1997, 2002a,b), views argumentation as part of a critical discussion, in which participants try to resolve a difference of opinion in a rational fashion. In their model of critical discussion, van Eemeren and Grootendorst describe the different stages that this process, analytically speaking, passes through.

The model of critical discussion is the starting point for my analysis of the use of dissociation and of the consequences of that use for the resolution of a difference of opinion in an argumentative discussion. I begin, in Chapter 4, with a brief overview of the pragma-dialectical approach to argumentation. Subsequently, four chapters follow, in which the use of dissociation in the different stages of critical discussion is described.

book. To be sure, Tindale (2006) claims that Perelman and Olbrechts-Tyteca's conception of rhetoric contains a normative dimension. However, the notion of the universal audience that represents this normative dimension remains extremely intractable, also if it is interpreted, as Tindale argues that it should be, as a notion situated in the audience in the particular argumentative situation. Apart from this, Perelman and Olbrechts-Tyteca do not specify in any detail how the use of dissociation can be evaluated. That is why, in Part III of this book that is concerned with the evaluation of the use of dissociation in argumentative discussions, I again supplement their treatment with a dialectical framework which specifies precise criteria for evaluation.

Chapter 4

The Model of Critical Discussion

In Pragma-Dialectics, argumentation is considered to be part of a critical discussion in which participants try to resolve a difference of opinion in a rational fashion. A difference of opinion rises when someone brings forward a standpoint and someone else raises doubt against that standpoint. The discussants can then decide to solve that difference of opinion in a rational fashion, that is, they can decide to jointly investigate whether the standpoint is tenable in the light of shared starting points. This investigation is carried out by way of a regulated procedure, in which one of the participants takes upon himself the part of protagonist of the standpoint and defends it against the critical scrutiny of the other participant, who takes the part of antagonist. This regulated procedure is called a critical discussion.

A critical discussion, analytically speaking, runs through a number of stages. Each of these stages can be characterized by the aims that are to be attained in the stage and the tasks that the participants perform in order to do so.

The purpose of the first stage, the confrontation stage, is to make the difference of opinion explicit. It must become clear which standpoints are disputed and what the exact shape of the dispute is. In the confrontation stage, one of the participants brings forward a standpoint and another one raises doubt against that standpoint. Subsequently, the former participant maintains this standpoint. The difference of opinion then is a fact.

The difference of opinion can take various shapes. It can be single, multiple, mixed and non-mixed. In a single dispute, only one standpoint, with regard to a single proposition, is brought forward and called into doubt, for instance, 'Dogs are man's best friend'. In a multiple dispute, the standpoint pertains to a number of propositions,

like ‘Dogs are man’s best friend, but they are not very intelligent, while cats are both more intelligent and more beautiful’. In a non-mixed dispute, doubt is raised against the standpoint, but no opposing standpoint is brought forward; the opponent merely questions whether the standpoint is tenable. In a mixed dispute, in addition to doubt, an opposing standpoint is brought forward, for instance, ‘Dogs are not man’s best friend’. Four types of dispute, then, may arise: single non-mixed, which is the elementary form of dispute, into which all the other forms can be analyzed, single mixed, multiple non-mixed, and multiple mixed.

The purpose of the second stage, the opening stage, is to distribute the roles of the participants in the discussion and to establish the starting points of the discussion. The participants decide who will take the role of protagonist of the standpoint that is at issue, in other words, who will take upon himself the obligation to defend that standpoint, and who will take the role of antagonist, in other words, who will systematically criticize that standpoint. In addition, the participants reach an agreement about the shared starting points that are the basis for investigating the tenability of the standpoint. These starting points concern, on the one hand, the rules according to which the participants will conduct the discussion; these van Eemeren and Houtlosser (2002b) call the procedural starting points. On the other hand, the starting points concern what these authors refer to as the material starting points, that is, the propositions that both participants accept and in the light of which the tenability of the standpoint will be considered. The opening stage, in actual argumentative discussions, often remains implicit.

The purpose of the third stage, the argumentation stage, is to test the tenability of the standpoint that has been brought forward in the confrontation stage in the light of the material starting points and by the rules of the procedural starting points that have been agreed upon in the opening stage. The protagonist defends the standpoint against the criticism of the antagonist by using the agreed-upon starting points to advance arguments for it; these arguments are connected to the standpoint they are meant to support by way of argument schemes. In *Pragma-Dialectics*, three main types of argument scheme are distinguished: argumentation based on a symptomatic relation, argumentation based on a causal relation, and argumentation based on a relation

of analogy.¹ In a symptomatic relation, the standpoint is defended by an argument that mentions characteristic features, signs, or symptoms of what is claimed in the standpoint, for example: Dogs need strict training, because dogs are wild animals and it is typical of wild animals that they need strict training. In a causal relation, the standpoint is defended by an argument that mentions either a cause or a consequence of what is claimed in the standpoint: Dogs need strict training, because strict training leads to obedience, and we want our dogs to be obedient. In a relation based on analogy, the standpoint is defended by an argument that mentions something that something referred to in the standpoint is similar to: Dogs need strict training, because so do children, and dogs are like children.

Each of these argument schemes is susceptible to particular critical questions that the antagonist can ask in response to the arguments that the protagonist has advanced. In turn, the protagonist can try to answer these critical questions and to meet the objections of the antagonist by bringing forward new arguments. These new arguments can serve to support the argument given earlier (subordinative argumentation), to complement the argument given earlier (coordinative argumentation), or to present an alternative to the argument given earlier (multiple argumentation).²

The purpose of the fourth and last stage, the concluding stage, is to assess the result of the critical testing and defense of the standpoint in the argumentation stage. Protagonist and antagonist jointly make up the balance. If they agree that the standpoint has been defended conclusively, the antagonist withdraws his doubt; if they agree that the standpoint has not been defended conclusively, the protagonist withdraws his standpoint. In either case, the difference of opinion has been resolved.

A critical discussion is a regulated procedure, which is conducted according to a set of rules. These rules, to which the participants may

¹ Other theories of argumentation recognize varying numbers of argument schemes, sometimes far greater than these three. However, as Garsen (1997, 2001) showed, these other schemes can be analyzed as sub-types of these three.

² Snoeck Henkemans (1992) has given an extensive description of the different types of argumentation structure and their functionality as a response to the criticism of an antagonist.

choose to commit themselves, are designed to enable the rational resolution of the conflict of opinion. For each stage, there are rules that specify how the moves in that stage have to be performed. In the confrontation stage, for example, participants may not obstruct each other in freely bringing forward standpoints and doubt. In the opening stage, the protagonist may not evade the burden of proof. In the argumentation stage, the participants may not shirk the commitments they have undertaken in the opening stage and may not act as if starting points are shared that are not so. Also, in the argumentation stage, there are rules that determine what a conclusive defense encompasses and what the consequences are of a conclusive defense. In the concluding stage, there are rules that determine what implications may and may not be derived from the results of the discussion. During the whole discussion, finally, there are rules for the use of language; the language must be clear and transparent enough in order for the participants to be able to resolve the dispute. Violation of any of these rules leads to a fallacy being committed.

The model of a critical discussion is an ideal model; it is not meant as a representation of how discussions in every-day life actually are conducted. The model is solely designed to serve as an instrument for analyzing and evaluating argumentative discussions from every-day reality in the light of the ideal of critical rationality that is embodied in the notion of critical discussion.

In order to analyze and evaluate discussions from every-day life in the light of this ideal, the discussion as it actually is conducted must be reconstructed in terms of the ideal model of a critical discussion. In this reconstruction, those elements that are relevant to the rational resolution of the difference of opinion are highlighted. That means that elements not relevant to that purpose are deleted, elements that are relevant but not expressed are added, elements that are relevant and present but not expressed clearly or uniformly are substituted by elements that are, and that the relevant elements are ordered according to what ideally would be required. The reconstruction results in an analytic overview that elucidates the standpoints that the various parties in the discussion bring forward, the way these standpoints are defended (arguments, argumentation structure and argument schemes employed), and the way in which the difference of opinion is solved.

The model of a critical discussion can be applied to all situations in which an argument is made. That is, it is not only applicable to explicit

discussions between two or more language users; it also can be used for analyzing and evaluating argumentation in monological situations. In Pragma-Dialectics, monologues are viewed as part of an implicit discussion. After all, also in arguments in monological situations, through the use of argumentation, a standpoint is defended against potential criticism of an audience. Because the standpoint is defended, the existence or possibility of doubt against it in the audience must be assumed. Moreover, the arguments are meant to convince the audience of the tenability of the standpoint. And these arguments are fashioned to meet the anticipated criticism of the audience. So the audience, also in a monological situation, can be viewed as an antagonist whose anticipated doubt and criticism is taken into account and responded to.

The model of critical discussion just sketched was developed by van Eemeren and Grootendorst (1984, 1992, 2004) to elucidate the dialectical procedure for resolving a difference of opinion in a rational fashion. Van Eemeren and Houtlosser (1997, 2002a,b) have expanded the model in order to account for the fact that in discussions in real life participants strive to reach not just dialectical, but also rhetorical aims. On the one hand, they try to resolve their differences of opinion in a rational fashion, but, on the other hand, they try to do so in their own favor. In order to reach both these objectives, participants engage in what van Eemeren and Houtlosser term 'strategic maneuvering'. In strategic maneuvering, the participants in each stage of a critical discussion strive to realize the dialectical aims that are central to that stage, but at the same time try to do so in a way that is rhetorically effective. This means that they make a selection from the topical potential of each stage that is favorable for their own position, that they adapt the moves that they make in each stage to the preferences of the audience, and that they choose a stylistic presentation that is optimally persuasive. In the confrontation stage, for instance, in which the dialectical goal of explicitizing a difference of opinion must be attained, they make a selection from the potential issues for discussion in such a way that they choose to bring forward those standpoints that they can defend most strongly and that best meet the preferences of the audience, and they present these standpoints in a formulation that offers the best chances for success. In the other stages *mutatis mutandis* the same applies: in the opening stage for the starting points participants choose, in the argumentation stage for the arguments they advance, and in the concluding stage for the conclusions they draw.

In strategic maneuvering in the different stages of a critical discussion, dissociation can play a significant part. Dissociation can enhance both the dialectical reasonableness and the rhetorical effectiveness of the various moves in each stage.³

In general, dissociation may add to dialectical reasonableness because, as we saw in Chapter 1, at the basis of dissociation there are two speech acts, distinction and definition, which belong to the type that van Eemeren and Grootendorst (1984) call usage declaratives, and which have the function of clarifying linguistic usage and structuring our conception of reality. Perelman and Olbrechts-Tyteca, in their extensive discussion of philosophical pairs that are the result of dissociation, have shown how dissociation may indeed be used to achieve greater precision and conceptual sharpness. That is why dissociation plays such an important role in philosophy, the law, and in science. In general, then, dissociation may serve dialectical reasonableness by enabling the speaker to execute the various dialectical moves in the successive stages of a critical discussion with optimal clarity and precision, making the statements in which it occurs optimally well-defined and well-delineated.

In general, dissociation may promote rhetorical effectiveness, because it is a technique through which a speaker may present a particular state of affairs in a certain light. As Zarefsky (1997, 2004) phrases it, dissociation may be used to define the situation. Again, it is the speech acts of definition and distinction inherent to dissociation that play a central role here. Through definition and distinction, we may create a certain conception of reality. In the words of Arne Naess (1966: 68), ‘the introduction of new concept terms opens the way to new possibilities for thought’. Classical rhetoricians like Aristotle and Cicero were well aware of the power of definition (Rubinelli, 2007). Through the *status definitionis* the speaker may present the situation in such a way as is most beneficial for his defense: What the defendant did was not murder, it was merely manslaughter. The distinction, of course, depends crucially on the definition of the terms involved.

³ This is not to deny the fact that each of these objectives may be attained at the cost of the other; rhetorical effectiveness may be improved at the expense of dialectical reasonableness, or vice versa. Part III of this book will provide examples of misfiring in these respects.

A striking example of the power of definition from another realm was described in a recent issue of the Dutch medical journal *Medisch Contact* (18-1-2007), which reported that some hospitals proudly announced a diminishing number of patients suffering from *decubitus* ulcers (the number of *decubitus* ulcers being a measure of the quality of a hospital). In the meantime, an increasing number of patients were said to suffer from ‘dampness sores’. In other words, the definition of *decubitus* was changed in such a way that a number of conditions that earlier fell under the label of *decubitus* was now subsumed under a different term, dampness sores. The authors made a comparison with the decreasing crime statistics in Rotterdam as a result of the change of the definition of offences. A great number of examples of the use of definition and distinction defining the situation in a way favorable to the speaker’s aims in political and ethical issues is discussed by Schiappa (2003).

In addition, dissociation may be rhetorically effective because the definition of the situation through dissociation is often performed in such a way as to rule out any further argument. It is often shaped as a categorical statement like “‘x’ is something completely different from ‘y’”. In this way, a factual state of affairs is posited that is hard to question. The distinction that the dissociation makes is presented as common knowledge and the two resulting notions are authoritatively declared different. This, for example, was the case in Maria Montessori’s granddaughter rather arch response to the accusation that her grandmother was vain and ambitious: ‘She loved beautiful clothes but was not vain’ and ‘she was driven, something different from ambition’. In cases like this, Zarefsky (1997, 2004) speaks of ‘argument by definition’, definition replacing argument.

Apart from these general dialectical and rhetorical effects of dissociation, dissociation may be put to use to reach specific dialectical and rhetorical effects, depending on the particular stage of a critical discussion in which it is used. Usage declaratives like definition and distinction, that are inherent to dissociation, may be used in all stages of a critical discussion. By the same token, dissociation can occur in all stages of a critical discussion. In the following four chapters, I describe how dissociation can be used in the different stages of a critical discussion, what dialectical aims can be reached through dissociation in these stages and how dissociation contributes to attaining these aims in a way that is rhetorically effective.

In discussing the examples of the use of dissociation in the various stages of critical discussion in the following chapters, I have reconstructed the discussions from which the examples originate as a critical discussion. The placement of these examples in one of the stages of critical discussion is the result of reconstruction, as well. Moreover, in each stage, there are different places in which dissociation can be used in the sequence of moves that is characteristic of that stage; my placement of the examples of the use of dissociation within the various stages, too, is the result of reconstruction. In my discussion of the examples, I schematically indicate these locations, making the dialectically required sequence of moves according to which each stage ideally evolves, if need be, more explicit than in the original example.

Chapter 5

The Confrontation Stage

The confrontation stage of a critical discussion consists of three successive moves: the protagonist brings forward a standpoint, the antagonist raises doubt against this standpoint or criticizes it by bringing forward an opposite standpoint, and the protagonist responds to this criticism, either by maintaining his standpoint or by withdrawing it.¹ In each of these moves, dissociation can be employed.

5.1 Bringing Forward a Standpoint

Dissociation may occur in the first move of the confrontation stage, in which the protagonist brings forward a standpoint.² Because dissociation involves a distinction, the specific contribution of dissociation to performing this dialectical move is that it serves to delineate a particular standpoint against the background of other possible standpoints. An example can be found in the following passage from an internet review of a Dutch comedian:

¹ Strictly speaking, one cannot speak here of protagonist and antagonist, since in the confrontation stage these roles have not yet been distributed. But since the discussant who brings forward a standpoint in practice usually is the one who takes on the defense and the one who brings forward doubt the one who fulfils the attacking role, for briefness sake, I use these terms in this context, too.

² This section is concerned with dissociation *occurring in* a standpoint in the confrontation stage of a discussion, not with a standpoint that, as a whole, *consists of* a proposal for dissociation. The latter will be treated in the next chapter.

(1) At this time, in which the country appears to have an urgent need for comedians, real originality is absent. [A number of examples follow that serve to support this claim – MAVR]

<http://www.sjaakbral.nl/recensies.html>

The author brings forward the standpoint that real originality among Dutch comedians is absent. This standpoint contains term II of a dissociation of the term ‘originality’, implicitly opposing it to term I, ‘originality which only is apparent’. Through this implicit opposition, the author delineates a specific standpoint against the background of other possible standpoints. Specifically, he does not claim that originality is completely absent; he only claims that real originality is absent. In fact, he implicates that some sort of originality may be present, but, that, if there is, it is not the real thing.

Schematically:³

P: +/p[t₂]

p: in this time, real originality is absent

t₂: real originality

The rhetorical gain of dissociation in the first move of the confrontation stage is that the particular standpoint that it helps to delineate is easier to defend. Through an expression such as ‘real’ or ‘true’, the standpoint becomes vague, because it is not clear what it is that distinguishes real originality from its fake equivalents. Thus, the protagonist can choose that interpretation that suits him best. In fact, as Zarefsky et al. (1984) showed with their analysis of Reagan’s use of the expression ‘the truly needy’, through this vagueness, the protagonist can maneuver to persuade radically different opponents, for example, in the case of Reagan’s defense of his proposal to curtail social security, both people who want to give financial support to the needy, and people who want to limit the use of social security. In addition, this

³ In this, as in the examples that follow in this part of the book, P refers to Proponent; O refers to Opponent; p (or q, or r) refers to the proposition that is expressed; t refers to the term in the proposition that is subjected to dissociation; +/means a positive standpoint towards the proposition; –/means a negative standpoint towards the proposition; ?/means doubt; → means if. . .then; means and.

vagueness makes it possible for the protagonist to immunize his standpoint against criticism. If someone points to a counterexample, for example, a number of obvious cases of originality in Dutch entertainers, the protagonist can always maintain that, in those counterexamples, no real originality is manifested. At the same time, through the dissociation, the protagonist can grant his potential opponents some ground: Dutch comedians do have something going for them, even if it only is the simile of originality. All this, moreover, is done on the basis of a distinction that is presupposed and thus presented as self-evident and uncontestable.

In the previous example, the dissociation helped to stake out a single standpoint. In the following example of dissociation in the first move of the confrontation stage, a multiple standpoint is delineated. Ms. Pudish, a parent who filed a complaint against the disadvantaging of female athletes, contended that the fact that as many as 60 cheerleaders, along with their friends and parents, would attend the boys' games, injecting a level of excitement and spirit that was missing from the girls' contests, 'sends the wrong message that girls are second-class athletes and don't deserve the school spirit, that they're just little girls playing silly games and the real athletes are the boys' (*New York Times* 14-01-2007). From this passage, a multiple standpoint ('sends the (...) message') can be reconstructed, as it is attributed by Ms. Pudish to the proponents of the present condition and criticized by her as 'wrong', namely, that boys are the real athletes and girls are second-class athletes playing silly games. In this standpoint, real athletes are dissociated from second-class athletes playing silly games. Again, the fact that dissociation involves a distinction makes for the specific contribution of the dissociation to the dialectical aim of the move of bringing forward a standpoint in this example. In this case, it enables the protagonist to delineate a multiple standpoint involving a clear-cut classification.

Schematically:

P: +/(p[t₂]. q[t₁])

p: the boys are the real athletes

q: the girls are second-class athletes playing silly games

t₁: second-class athletes playing silly games; t₂: real athletes

As in the first example of dissociation in this section, the rhetorical gain of the dissociation in this example is that the dissociation makes the standpoint one that is easier to defend and harder to attack; in this case, because of the vagueness of the criterion for being a real athlete. In addition, here, too, the distinction between the categories of the classification is presupposed and authoritatively presented as established. Interestingly enough, Ms. Pudish does not attack the dissociation as such; she merely objects to the boys being exclusively placed in the category of real athletes.

5.2 Bringing Forward Criticism Against a Standpoint

In the second move of the confrontation stage, dissociation may occur in the criticism brought forward by the antagonist when he criticizes the standpoint of the protagonist, specifically when that criticism consists of presenting an opposing standpoint. The antagonist then becomes protagonist of this opposing standpoint. The specific contribution of dissociation to performing this dialectical move, because it involves making a distinction between what is and what is not the case, is that the antagonist becomes protagonist of a *multiple* standpoint: not only does he bring forward the opposing standpoint, but he brings forward a particular other standpoint as well. The granddaughter of Maria Montessori, answering her grandmother's critics, not only claims that Montessori was not vain (in opposition to the standpoint that she was), but also that she loved beautiful clothes.

Schematically:

P: +/p[t]

O: +/p[t₁]. -/p[t₂]

p: Maria Montessori was vain

t: vain; t₁: vain in the physical sense; t₂: vain in the mental sense

The rhetorical effect of dissociation in this move is that the standpoint of the initial protagonist is not only negated, but, what is more, set aside and simply replaced by a standpoint that is more to the liking of the antagonist-turned-protagonist. This new standpoint, because

the distinction made in dissociation is between central and peripheral aspects of a notion, tones down the standpoint of the initial protagonist. Maria Montessori's granddaughter, replacing the allegation that Montessori is vain by the claim that she (merely) loved beautiful clothes, tones down the original accusation and thus removes the sting from it. A mere denial would, given the facts of the situation as the participants perceive it, be hard to defend. The dissociation offers a different perspective on those facts and thus opens the possibility for a defensible position. At the same time, the speaker meets the initial protagonist half way, by granting that, on a trivial aspect, he is right.

Because the standpoint of the initial protagonist is replaced by another one that gives a different interpretation of the situation, it ends up being dismissed without further ado. If Montessori's granddaughter would have defended her grandmother only through a denial of the allegations of her critics, that would have been merely the word of one party against that of the other, and one that would, given the facts of the situation as perceived by the participants, be at least questionable. Through the dissociation, Montessori's granddaughter makes it appear that her opponents are mistaken and she lends her own standpoint the status of a correction and of the better, if not, indeed, the last word on the matter. As a result, the opposing standpoint, that Maria Montessori was not vain, for which the speaker definitely does carry a burden of proof, seems no longer to be in need of any argument. Of course, what contributes to this effect in no small measure, is the fact that the distinction inherent in the dissociation is presupposed and thus presented as self-evident.

The rhetorical effects of dissociation in the second move of the confrontation stage described in the previous paragraphs make the technique particularly fit for use in situations in which the speaker wants to counter an accusation against himself or his associates. In the same way that Maria Montessori's granddaughter used dissociation to react against an accusation raised against her grandmother, the spokesman for Dutch Rail cited in Chapter 2 responded to an accusation that Dutch Rail personnel was subjected to a ban on public speaking: when he brought forward an opposite standpoint to this accusation, he employed a dissociation between a ban on public speaking and 'an agreement to encounter the press through public relations officers appointed for that task'. As in the former case, through the dissociation, the accusation is shown to be mistaken and replaced by

a less damaging description of the state of affairs that is presented as accurate, and thus the accusation dismissed without further ado.

The above extends to all standpoints that are in some way or another disagreeable to the antagonist. One last example is furnished by the reply of Dutch soccer player Jonk quoted in Chapter 2, who rejects the conclusion of his interviewer that he must regret his transfer to a new club that performs far worse than his old club, with a dissociation in which he separates finding something too bad from feeling regret: 'It is too bad, but too bad is something else than regret'. After receiving lots of money for a transfer that in other respects, too, must have seemed profitable, it most likely must be rather unpleasant for the top-league soccer player Jonk to admit that he made a wrong decision. Dissociation, here, too, offers a way out; Jonk attacks the standpoint that is disagreeable to him by not merely denying it, but by authoritatively replacing it by a more harmless version, while, at the same time, paying tribute to the obvious facts that the interviewer confronted him with.

5.3 Maintaining or Withdrawing a Standpoint

In the third move of the confrontation stage, the protagonist can use dissociation in his response to the criticism of the antagonist in two ways: to maintain his standpoint or to withdraw it (in the latter case, the discussion ends there and then).

5.3.1 Maintaining

An example of dissociation in maintaining a standpoint is provided by the rectification of Dutch Eurocommissar Bolkestein cited in Chapter 1. Bolkestein had accused TV journalist de Poel of filing a fraudulent declaration against him with the Tax Authorities. De Poel criticizes that standpoint, denying that he did file such a declaration. Bolkestein reacts to this criticism by implicitly admitting that de Poel did not make a fraudulent declaration in the technical, fiscal sense of the word, but at the same time persisting in his opinion that de Poel made a fraudulent declaration, in the sense of giving a patently false impression of things with regard to his (Bolkestein's)

tax declaration. The specific dialectical contribution of dissociation by means of which the protagonist, after his standpoint has been criticized, maintains it, is that he gives a particular interpretation of his original standpoint and maintains his standpoint in that interpretation, while withdrawing it in another one.

Schematically:

P: +/p[t]

O: -/p[t]

P: -/p[t₁]. + /p[t₂]

p: De Poel filed a fraudulent declaration

t: fraudulent declaration; t₁: fraudulent declaration in the technical, fiscal sense; t₂: fraudulent declaration in the sense of giving a patently false impression of things with regard to someone else's tax declaration

The rhetorical effect of the use of dissociation in maintaining a standpoint is that the protagonist can grant a concession on an interpretation of his standpoint that is presented as marginal, while taking a firm position on an interpretation that suits him better and that is presented as crucial. In this way, the protagonist can evade the criticism he received, by shifting to a standpoint that is easier for him to defend in the light of the criticism advanced against the original standpoint, while at the same time giving the impression that he is maintaining his standpoint and did not shift positions.

Another example can be found in a passage from the first presidential debate between President Bush Jr. and Senator Kerry (September 30, 2004). Bush accuses Kerry of changing positions on the war in Iraq and brings forward the standpoint that 'there must be certainty from the U.S. president'. Kerry counters that 'certainty' can get you in trouble and that it is better to acknowledge the facts and adapt your policy accordingly. Bush reacts to this opposition with a dissociation: 'I fully agree that one should shift tactics and we will (. . .). But what I won't do is change my core values'. The dissociation, in which mere tactics are separated from a notion of certainty which concerns core values, enables Bush, by granting a concession on a minor point, to move away from a standpoint that has been criticized and to present his standpoint in a form that is better able to withstand the criticism

that has been leveled against it. In the meantime, Bush makes it appear that he firmly maintains his original standpoint.

5.3.2 *Withdrawing*

Dissociation can also be employed by the protagonist when, after his original standpoint has received criticism, he gives it up. The specific contribution of dissociation to this dialectical move is, again, that it enables the protagonist to give a particular interpretation of his standpoint (which is presented as crucial) in which, this time, he withdraws it, while retaining it in another, irrelevant, interpretation. As a consequence, there is no longer a difference of opinion. An example of this can be found in the fragment cited in Chapter 2, from a radio interview with the public relations officer of the Public Prosecutor of the city of Rotterdam, Mr. Wesseling, in which he announces that Rotterdam, unlike the city of Groningen, will not prohibit posting an offending poster by the artist Serrano whose work is exhibited in Groningen. Implicit in Wesseling's utterance is the standpoint that Rotterdam has its own point of view – and that that is all right. When the interviewer questions the latter implication, Wesseling distances himself from his initial standpoint. Employing a dissociation of the notion of having an opinion, in which opinions in the abstract are separated from what is presented as the core notion of having an opinion in practice, he contends that 'in practice' there is no difference of opinion between the two cities; in other words, Rotterdam does not have its own point of view. The dialectical result is that the PR officer, after the initial standpoint to which he committed himself received criticism, gives it up, with the consequence that there is no longer a difference of opinion.

Schematically:

P: +/p[t]

O: ?/desirability p[t]

P: -/p[t₂]

p: Rotterdam has its own opinion
t: opinion; t₂: opinion in practice

The rhetorical effect of the dissociation in this move is that the protagonist backs out from his commitment to a standpoint that he initially put forward, but makes it look like this is not the case and he is not acting inconsistently, at all: after all, his initial standpoint regarded something else, which moreover comprised an unimportant aspect of the matter. In the crucial aspects of the matter, he agreed with the opponent from the beginning.

A similar, but far more pernicious, use of dissociation was made recently by former Minister and candidate leader of the Dutch Labor Party Jan Pronk, who had called Premier Jan Peter Balkenende a liar for the way in which he got the country involved in the Iraq war. Within the Labor Party, people were most unhappy with this qualification of a coalition partner and both from within and from outside the party, Pronk was severely criticized for his statement. Subsequently Pronk, in a meeting in which seven candidate leaders presented themselves to the members of the party, apologized for launching a personal attack on the Premier. At the same time, while distancing himself from his earlier accusation, he did attempt to avoid the appearance of inconsistency by making a dissociative distinction between personal and political lying (the former being allotted the position of term II, the latter that of term I), phrasing his apology in the following terms: ‘Employing a lie in politics doesn’t make you a liar’ (as reported in *NRC/Handelsblad* 06-09-2007). Extending an apology, he did admit to having implied the latter, and through his apology he withdrew this accusation. By means of the dissociation, however, he could make it appear that he had not switched standpoints: his initial standpoint merely concerned the less damaging political aspect. In the meantime, of course, the dissociation enabled Pronk to keep the idea alive that Balkenende had employed a political lie.

Dissociation, being an argumentative technique specifically aimed at resolving inconsistencies, is highly suitable for use in cases like the above, in which the risk of being subjected to an accusation of inconsistency is an obvious possibility. A nice example of such an accusation and the use of dissociation to escape it, is also provided by former Dutch Education Minister Ritzen, who initially wanted to rule out student participation in the university administration, but, under pressure from Parliament, eventually allowed room for a student member in the administrative board of the Faculty. When a Member of

Parliament called him to book for this inconsistency, he responded by introducing a dissociation between students participating in the university administration (which he earlier had opposed), and students taking part in the university administration (which he now approved). The former was something entirely different from the latter, he argued, because only in the latter case, students were responsible solely to the Dean and not to the student population. In other words, his initial standpoint concerned an entirely different matter, and therefore he could not be accused of inconsistency.

The same tactics were used by Conservative MP William Hague in an interview with Jon Sopel on the BBC Politics Show, November, 12, 2006. When his interviewer accused the Conservative Party of changing positions on the issue of identity cards, Hague replied as follows:

(2) Sopel: You supported identity cards back in December 2004, less than two years ago.

Hague: I and Michael Howard supported the principle of those. Subject to how the details were worked out. The details are not impressive and the grasp of detail and the ability to control the costs of the current government is so terrible that it's not a scheme that we can support.

Sopel points out that the Conservatives changed positions: less than two years ago, they supported identity cards, now, they oppose them. Hague responds to Sopel's accusation of inconsistency by employing a dissociation between the principle and the practice of the measure of introducing identity cards. As far as the principle is concerned, his position remains unchanged. However, his present position has to do with something different and far more important: the details of putting the idea in practice. In fact, even at the time, the details were a prime consideration. So he has not changed positions at all.

As we have seen in this chapter, then, in the confrontation stage of a critical discussion, dissociation may serve to delineate a particular standpoint, distinguishing it from other potential standpoints, in such a way that the standpoint becomes one that is the most favorable for the protagonist, with which he can best evade criticism without seeming inconsistent, and which is easiest to defend. It also may serve to get rid of standpoints that are less welcome in an effective way, by replacing

them in an authoritative way with another standpoint, that is more to the liking of the speaker. In other words, dissociation in the confrontation stage is an excellent means for manipulating the 'disagreement space' (Jackson, 1992) in which the discussion will be conducted.

Chapter 6

The Opening Stage

In the opening stage, among other things, the discussants jointly establish the material starting points for the discussion, that is, the concessions on the basis of which the standpoints at issue will be defended in the argumentation stage. Dissociation can be used in proposing material starting points and in attacking these proposals. It can also be used in reacting to criticism of a starting point. In actual argumentative discussions, the opening stage seldom is explicitly executed. In these discussions, we usually find the proposed material starting points and the criticism against these proposals in the argumentation stage, in the arguments that are brought forward and in the criticism that is raised against the tenability of these arguments.

6.1 Proposing Starting Points

When dissociation is used in proposing a starting point, it may take two shapes: the dissociation may appear as a dissociated term in a proposition that is proposed as a starting point, or the dissociation may, itself, be the very starting point that is being proposed; in the latter case, the starting point consists of a definition or distinction involving a dissociation.

When a discussant employs a dissociated term in the proposition he proposes as a starting point, dialectically, something similar happens to what happens when, in the confrontation stage, a protagonist uses dissociation in presenting a standpoint; only, this time, this happens on the sublevel of proposing starting points. The dialectical result of this use of dissociation by the protagonist in the opening stage is that the protagonist delineates a specific starting point for the defense of his

standpoint against the background of other possible starting points. An example of this use of dissociation is the ad of the new gossip magazine *InMagazine* quoted in the Introduction, which contains the slogan ‘*InMagazine*, the weekly entertainment glossy about the real stars’. Through the dissociation in this starting point, in which the magazine is characterized as being about the real stars, the magazine is implicitly opposed to other gossip magazines, which are about people who only can pretend to be stars, and this opposition forms the basis for the defense of the standpoint that we should buy the new magazine (this standpoint being inherent to the fact that the discourse as a whole is an ad).

Schematically:

P : +/p

O: ?/p

P : $q[t_2] \cdot (q[t_2] \rightarrow p)$

p: you must buy *InMagazine*

q: *InMagazine* is about the real stars

t_2 : real stars

The rhetorical effect of dissociation in proposing a starting point is that it enables the protagonist to choose a starting point that serves him best in the defense of his standpoint, and to rule out other possible starting points that suit him less well. Of course, there are other magazines on the market that keep the reader up-to-date about the lives of famous media personalities. However, choosing that piece of information as a starting point would not be very helpful in defending the standpoint that the audience should buy *InMagazine*. For defending that standpoint, it is more useful to choose a starting point in which the coverage of the life of *real* stars is attributed to the magazine that one wants to sell. Moreover, through the dissociation, the protagonist insinuates that the competitors merely are about make-believe stars, so they are not worth buying. In addition, it goes without saying, all the rhetorical advantages that accompany the use of dissociation in bringing forward a standpoint that were discussed in the previous chapter, pertain here, too, from making the statement conveniently vague to immunizing it against criticism.

Similar dialectical and rhetorical effects as those just sketched are reached with starting points that as a whole consist of a dissociative definition or distinction. A nice example of a proposed starting point that as a whole consists of a dissociative definition is quoted by Halldén (1960): ‘The true function of the architect is to initiate such buildings as shall correspond to the real needs of the people’. In this statement, a dissociative persuasive definition is given of the function of the architect (the definition itself, incidentally, containing a dissociated term, as well). A persuasive definition like this never is brought forward innocently or disinterestedly; it is proposed with an argumentative objective, in this case, it may be used to judge the work of a particular architect, who initiates a particular kind of building, or to promote a particular way of schooling architects. By nature, all persuasive definitions function as starting points for justifying a standpoint.

Another example of a proposed starting point consisting of a dissociative definition is the (circular) definition quoted in Chapter 2: ‘Sports are sports, except jury sports’. In the context in which this definition is proposed, a discussion about the place of jury sports like ice dancing in the Olympic Winter Games, this definition serves as a starting point for the standpoint that jury sports should no longer be part of the Games.

An example, finally, of a proposed starting point consisting of a proposition containing a dissociated term, in combination with a proposition that consists of the definition of that self-same dissociated term, is furnished by French President Sarkozy, who in his 2007 election campaign contrasted what he called the ‘virtual republic’ of his opponents to the ‘real republic’ he promises to create. The virtual republic, according to Sarkozy, ‘practices widespread coddling, but leaves people to die on the sidewalks’ and ‘allows strikers too much power and makes excuses for delinquents’. The real republic, by contrast, ‘creates jobs, builds houses, lets workers earn a living, gives poor children a chance’ and ‘makes everyone respect the law’ (as reported in the *New York Times* 14-01-2007). Sarkozy’s starting points for the defense of the standpoint that the French public must vote for him, then, consist of two statements in which the dissociation between the real and the virtual republic is introduced, and two statements in which definitions are given for these terms.

Schematically:

P : +/p

O: ?/p

P : (q[t₂] . r[t₁] . s₁ . s₂) . ((q[t₂] . r[t₁] . s₁ . s₂) → p)

p: the French must vote for Sarkozy

q: Sarkozy wants to create the real republic

r: Sarkozy's opponents want to create the virtual republic

s₁: def. t₁

s₂: def. t₂

t₁: the virtual republic; t₂: the real republic

Again, the rhetorical gains are clear: through the dissociation, Sarkozy positions himself in a favorable way vis-à-vis his competitors, and thus an eminently suitable starting point is created for the defense of the standpoint that the audience should give their vote to him.

In the case just examined, as in the example quoted by Halldén mentioned earlier, because a definition is given of the dissociated terms, the criterion for the separation between the real and the apparent is not left vague, as it is in the examples of *InMagazine* and the jury sports. This offers an additional rhetorical advantage. The protagonist makes a powerful a categorical statement that posits a factual state of affairs that it is hard to question. The true function of the architect *is* to initiate buildings of a certain kind. The real republic *is* one that creates jobs, etcetera.

6.2 Attacking Starting Points

When an antagonist uses dissociation in his criticism of the protagonist's proposal of a starting point (which, in practice, shows up as an attack against the tenability of an argument), on the sublevel, something similar happens to what happens on the main level when an antagonist uses dissociation in attacking a standpoint.

The attack against a starting point, just like it was the case in proposing starting points, may take the form of a proposition in which a dissociated term occurs, or it may, as a whole, consist of a definition or distinction involving a dissociation. An example of an attack featuring a proposition in which a dissociated term occurs, can be found

in the debate, cited in the Introduction, about the question whether a shopkeeper who had a cell built into his shop to fight shoplifting, violated the law. The starting point of the proponents of the standpoint that it did represent such a violation was that it would mean that the shopkeeper would put shoplifters in a cell (and ordinary citizens are legally not allowed to put other people in cells). This starting point was attacked by contending that it was not a cell in which the shopkeeper would put shoplifters, but merely a detainment space, and, therefore, no violation of the law would be committed.

Schematically:

P : +/p

O : ?/(+/p)

P : $q[t] \cdot (q[t] \rightarrow p)$

O : $\neg q[t_2] \cdot q[t_1] \cdot (q[t_1] \rightarrow \neg p)$

p: the shopkeeper violates the law

q: the shopkeeper puts people in a cell

t: cell; $[t_1]$: detainment space; $[t_2]$: real cell

An example of a case in which the criticism of a starting point in itself consists of a dissociative distinction or definition, can be found in Traffic Minister Jorritsma's defense of her proposal to once again adapt the noise levels for airport Schiphol, cited in Chapter 2. Her opponents defend the standpoint that the noise levels should not be adapted, by employing the starting point that adapting the noise levels would come down to a policy of tolerating the violation of legal standards (and such a policy of tolerating was no longer an option, in view of an earlier agreement, subscribed to by Jorritsma, to end the past policy of tolerance). Jorritsma attacks this starting point by denying that adapting the noise levels would come down to a policy of tolerating; it would merely mean anticipating on a change of law that everybody thinks should be put into effect. Actually, she does not explicitly say this, but she implies it by positing a dissociative distinction: 'Tolerating is something quite different from anticipating on a change of law which everybody thinks should be put into effect'. So this attack on the starting points of the protagonist is made in the form of a proposition consisting of a dissociative distinction.

Schematically:

P : $-/p$

O : $?(-/p)$

P : $q[t] . (q[t] \rightarrow -p)$

O : $-q[t_2] . q[t_1]$

- p: the noise levels for Schiphol airport may be adapted once again
- q: allowing adaptation of the noise levels comes down to tolerating the violation of legal standards
- t: tolerating; t_1 : anticipating a desired change of law; t_2 : real tolerating

A similar attack on a starting point, this time through a dissociative definition, can be found in the 'Real peace is not just the absence of conflict, but the presence of justice', with which Harrison Ford's US President in the movie *Air Force One* attacked the starting point of those who contended that military intervention in the internal affairs of a nation where peace reigned was wrong.

The dialectical result of an attack through dissociation on a starting point in the opening stage, whether that criticism takes the shape of a proposition in which dissociated term occurs, or of a proposition that as a whole consists of a definition or distinction, is that the starting point that the protagonist earlier in the opening stage proposed, is rejected. Thus, the protagonist can no longer defend his standpoint on the basis of this starting point. An additional dialectical result, specific for the use of dissociation, is that, just as was the case with attacking a standpoint through dissociation, a multiple difference of opinion, this time on a sublevel, is created. The antagonist not only asserts that something is not the case, but he also asserts that something else is the case, and thus creates a starting point for an opposing standpoint of his own. Jorritsma, for example, not only implicitly claims that that adapting the noise levels does not amount to tolerating a violation of legal standards, but also that it does amount to anticipating on a change of law that everybody thinks should be put into effect, thus creating a starting point for her own standpoint that the noise levels should be adapted.

The rhetorical effect of an attack by means of dissociation on a starting point is the same as that of such an attack on the standpoint.

The starting point of the protagonist is simply replaced by one that suits the antagonist better, toning down the original one, and as a result the protagonist's proposal for a starting point is resolutely dismissed, without any argument. In this way, the antagonist can escape a conclusion that he would be committed to on the basis of his acceptance of the starting point. In addition, the antagonist establishes a starting point that is eminently suitable for defending an opposite standpoint of his own. The debate about adaptation of the noise levels of Schiphol airport, again, is a case in point. Minister Jorritsma tries to escape the conclusion that she would be committed to if she accepted the starting point that adapting the noise levels amounts to tolerating (in view of her earlier acceptance of the symptomatic relationship 'it is characteristic of tolerating that it cannot be allowed any longer' that Parliament refers to). However, it is hardly plausible for her to straightforwardly deny the tenability of the starting point; after all, in the past, tolerating was precisely what everyone called the adaptation of the noise levels. The dissociation between tolerating and anticipating on a change of law allows her to present a different perspective on the situation, so that she cannot be accused of evading her earlier commitments. Note that she doesn't even take the trouble to explicitly assert, let alone defend, that adaptation does not amount to tolerating, she just categorically declares with preemptory firmness that tolerating is something different from anticipating, positing a factual state of affairs that does not invite questioning, and thus providing what Zarefsky (1997) calls 'an argument *by definition*'. Last but not least, she now has created a starting point that suits her own position much better: adapting the allowable noise levels is perfectly all right; after all, it merely anticipates on a change of law that everybody wants.

6.3 Reacting to Criticism Brought Forward Against Starting Points

Starting points that have been attacked may be defended, by supporting them on the basis of additional starting points. They also may be simply maintained, in the same way that, in the confrontation stage, standpoints that have been attacked may be maintained. In maintaining a starting point, just like in maintaining a standpoint,

the protagonist may use dissociation. Generally speaking, the dialectical and rhetorical advantages of the use of dissociation in this move are the same as those described in the previous chapter for maintaining a standpoint. An example of the use of dissociation in maintaining a starting point is the following fragment from an overheard conversation.

- (1) A: You'd better not call him on a Sunday.
 B: Oh. Why is that?
 A: I believe he's rather religious.
 B: I wouldn't think so; I never see him in church.
 A: Well, maybe he's not religious in a formal sense, like going to church and so on, but, spiritually, I know for a fact that he is.

Schematically:

P : +/p

O : ?/(+/p)

P : q[t] . (q[t] → p)

O : -q[t]

P : -q[t₁] . q[t₂] . (q[t₂] → p)

p: you'd better not call him on a Sunday

q: he's a religious person

t: religious; [t₁]: religious in a formal sense;

[t₂]: spiritually religious

In this example, the protagonist brings forward the standpoint that his co-conversationalist better not call a mutual acquaintance on a Sunday. When the co-conversationalist voices doubt, the protagonist supports his standpoint with an argument based on the starting point that the acquaintance is religious. B, acting as antagonist, attacks the tenability of this starting point. The protagonist responds to this criticism by maintaining his original starting point. He does so by applying a dissociation to the notion of religiosity in which he separates formal religiosity from the core concept of spiritual religiosity. This enables him to react to B's attack by conceding that in one interpretation, presented as trivial, the starting point that a mutual friend is a religious person is not tenable, while maintaining that in another, crucial,

interpretation, it holds. The dissociation serves to reformulate the original starting point in such a way that the criticism of the antagonist is done justice to, while at the same time this criticism can be evaded and the original starting point can be maintained, without the semblance of inconsistency.

In the opening stage, then, as we have seen in this chapter, dissociation serves to establish and delineate particular starting points for the defense of the standpoints brought forward in the confrontation stage, in such a way that these starting points are the most favorable for the defense of those standpoints and the least easy to attack. It also serves to get rid of starting points of the opponent, with the result that the standpoints that they were intended to support no longer stand defended and that, accordingly, the antagonist is no longer bound to accept these standpoints on the basis of commonly shared starting points.

Chapter 7

The Argumentation Stage

In the argumentation stage, the protagonist connects the starting points that have been established in the opening stage to the standpoint, by means of the application of an argument scheme.¹ The antagonist criticizes the application of this argument scheme by asking critical questions. When the criticism is directed against the argument scheme that connects the argument with the standpoint of the protagonist, the antagonist does not reject the argument as such, but questions whether it is relevant or sufficient for the standpoint. The antagonist can ask three kinds of critical questions, undermining the relationship between argument and standpoint. For the three types of argument scheme distinguished in *Pragma-Dialectics* (respectively, the symptomatic, the causal, and the analogy scheme), these questions are the following:

1. Is X characteristic of/does X lead to/is X comparable to Z?
2. Is X not characteristic of/does X not lead to/is X not comparable to something else than Z?
3. Is it not something else than X that is characteristic of/leads to/is comparable to Z?

In each of these critical questions, the antagonist can employ dissociation. By means of dissociation, the antagonist can attack the relationship as such, pointing out that X is not really typical for, a real cause of, or really similar to Z (first critical question); he can attack the second term of the relationship, pointing out that the argument does not support the standpoint that has been put forward, but another

¹ As was argued in Chapter 1, dissociation is not an argument scheme; it merely changes the conceptual basis of an argument scheme by changing the meaning of one of the terms of the scheme.

one (second critical question); and he can attack the first term of the relationship, pointing out that it is not the argument that has been put forward that supports the standpoint, but another one – that happens to be not applicable – (third critical question).

In the argumentation stage, also, the protagonist can respond to criticism against his arguments. This reaction always involves bringing forward additional arguments to replace, support, or complement the original ones. For understanding the use of dissociation in these additional arguments, based on additional starting points, the discussion of the use of dissociation in starting points, in the previous chapter, is relevant. That is why the exposition in the present chapter focuses on the criticism of the antagonist, centering around the three critical questions that can be directed against the application of an argument scheme.

7.1 First Critical Question

With dissociation in the first critical question, the very relationship that the protagonist posits between the two terms of the argument scheme that connects the argument and the standpoint is attacked, by showing that the relationship is only apparent, not real.² The one thing is not a real characteristic, not a real cause, not a real analogue of the other thing, but only an apparent one. An example of the use of dissociation in such an attack can be found in the following passage from a letter to the editor of an Australian newspaper:

(1) Putting more buses on roads will not solve southeast Queensland's transport problem. It fixes the symptom of too many cars on the road by replacing them with too many buses. Like the inept doctor who treats the symptoms rather than the disease, it is neglecting the real cause of the problem – large numbers of people scattered throughout the southeast who need to travel to other places in the southeast.

The Courier Mail 12-3-2007

² As we saw in Chapter 1, in itself, the breaking of an associative link need not be an operation of dissociation. That is only the case when the attack takes the shape of a distinction between the real and the apparent aspects of the connection.

From this passage we can reconstruct a debate in which the advocates of putting more buses on the road to solve southeast Queensland's transport problem apply a causal argumentation scheme: buses will solve the transport problem because buses reduce the number of cars on the road and the great number of cars is the cause of the transport problem. The writer of the letter to the editor, who acts as antagonist against this argument, in addition to questioning whether buses will actually reduce the number of cars on the road, attacks the causal relationship posited by the protagonist between the number of cars on the road and Queensland's transport problem, by dissociating between real cause and mere symptoms.

The dialectical result of an attack on the relationship between standpoint and argument posited by the protagonist is that the standpoint of the protagonist no longer stands supported. The dissociation contributes to this effect in a specific way: it provides an alternative interpretation of the relationship posited by the protagonist by pointing out that this relationship is only apparent and not real. Thus the relevancy of the argument to the standpoint is put into question.

Schematically:

P: +/(p)

O: ?/+/p

P: q . (q → [C]p)

O: (q → [C₁] p). – (q → [C₂] p)

p: Queensland's transport problem will be solved

q: buses will reduce the number of cars on the road

C: cause; C₁: apparent cause, symptom; C₂: real cause

The rhetorical effect of an attack by dissociation on the central term of the argument scheme that establishes the relationship between standpoint and argument is that it strikes at the heart of that relationship: the connection attempted by the protagonist is severed by exposing it as merely apparent. Doing this by means of dissociation is a far stronger move than the straightforward dis-association that would be established by simply contending that the connection does not hold: the dissociation provides an alternative possibility, suggesting, for instance, as in the case of the above example, that there is a real cause, one that the protagonist mistakenly neglected. In this way, the antagonist does

no longer seem to need to argue for his contention that the connection does not hold. In addition, he can create a starting point that is favorable to his own position (which, in this example, is that it is not buses, but an integrated transport system, including trains, that would do the job).

7.2 Second Critical Question

With the second critical question, the relationship that is expressed in the argument scheme is attacked by showing that the argument is symptomatic for something else, leads to a different consequence, or is comparable with something else, than what is postulated in the relationship. The distinction that is involved here can be established by means of dissociation. An example can be found in the following fragment of an overheard conversation:

- (2) A: He is a good manager.
 B: Well, he certainly couldn't prevent that subsidy cut-off.
 A: Yes, he isn't a good crisis manager, but as a general manager he's just fine.

B opposes A, who claims that a mutual acquaintance is a good manager. He supports his (implicit) counter standpoint by applying the symptomatic relationship that not being able to prevent a subsidy cut-off is a sign of not being a good manager. A attacks that connection by dissociating between general (true) management and (mere) crisis management, implicitly contending that not being able to prevent a subsidy cut-off is not a sign of not being a good manager, but of something different, namely, of not being a good crisis manager.

The dialectical result of an attack on the second term of the relationship posited by the protagonist consisting in pointing out that the argument does not support the standpoint that has been put forward, but another one, is that the standpoint of the protagonist no longer stands supported. The dissociation contributes to this effect in a specific way: it provides an alternative interpretation of the second term of the relationship. Again, this puts the relevancy of the argument to the standpoint into question.

Schematically:

P: $+/p[t]$

O: $-/p[t]$

P: $?/- p[t]$

O: $q . (q \rightarrow -p[t])$

P: $-(q \rightarrow -p[t_2]).(q \rightarrow -p[t_1])$

p: he is a good manager

q: he was not able to prevent a subsidy cut-off

t: manager; t_1 : crisis manager; t_2 : real manager

The rhetorical effect of an attack on the second term of the relationship through dissociation is that the antagonist suggests that the postulated conclusion only holds for a trivial aspect, but that it does not apply to the heart of the matter. By providing an alternative conclusion than the one that the argument is postulated to lead to, moreover, the antagonist ‘proves’ that the argument is not relevant for the standpoint that it is supposed to support, doing away with the need for any further argument for this contention. As a result, the antagonist can evade a conclusion that he would be committed to on the basis of his acceptance of the argument and of the argument scheme. At the same time, by conceding that the argument does lead to a certain interpretation of the standpoint that the protagonist tries to defend, be it a trivial one, the antagonist does pay tribute to the position of the protagonist, and thus does not estrange him. In the example above, the antagonist, by contending that from the fact that someone who can’t prevent a subsidy cut-off one can merely deduce that this person is not a good crisis manager, not that he is not a good manager, can, without further argument, escape the conclusion that he would have to subscribe to, given his acceptance of the argument of the protagonist and the symptomatic argument scheme that the protagonist applies. Moreover, he does so without running the risk of being accused of inconsistency. At the same time, he meets the protagonist halfway in admitting that, in a trivial area, the connection holds. In addition, the dispute being a mixed one, by dismissing the conclusion that B draws, and thus showing that a counter argument against his own position cannot hold ground, A gives an indirect defense of his own standpoint that the person in question is a good manager, thus shifting away the attention

of the audience from the independent defense of which that standpoint does most certainly still stand in need.

Similar dialectical and rhetorical effects are realized in other cases in which the second term of the relationship is attacked through dissociation, such as in the case of a genetic biologist who attacked the standpoint that human cloning should be forbidden because it leads to identical people (which is undesirable). The biologist, acting as antagonist, argued that human cloning does not lead to identical people in the real, personal sense; it leads to merely genetical identity (and there's nothing wrong with that). And so the antagonist, who agreed that something that leads to real identity is objectionable, could, without seeming inconsistent, escape the conclusion that human cloning, leading to identical people, is to be forbidden. Those people are merely genetically identical.

7.3 Third Critical Question

With the third critical question, the relationship that is expressed in the argument scheme is attacked by showing that it is not the argument given, but something else (which happens not to be the case) that leads to the postulated consequence, is comparable to the postulated object for comparison, or has the postulated characteristic. Again, dissociation can be used to establish this distinction. An example of the use of dissociation in this kind of attack is the following fragment from a television debate in which Dutch movie producer Matthijs van Heijningen, in opposition to a claim of Dutch movie director Ate de Jong, defends the standpoint that he has not lost his passion:

- (3) dJ: I think that Matthijs's flame has subsided (...)
 vH: well [Follows mention of four movies he is producing at that moment – MAVR]... no certainly not, no no just just
 dJ: yes but I have the feeling that Matthijs does this because he is a producer and is supposed to do something again, not because he really wants to do that specific production

Van Heijningen makes use of a symptomatic argument scheme: producing a lot of movies is a sign of being passionate. De Jong attacks the first member of the relationship that the scheme expresses by dissociating between movies that are produced because the producer really wants to, and movies that are produced because the producer has to. Only producing the first type shows that the producer has not lost his passion. De Jong does not contest that van Heijningen is producing four movies (in other words, he does not contest the tenability of the starting point), but he does contest that van Heijningen produces the kind of movies that enables the application of the symptomatic relationship.

The dialectical result of an attack on the first term of the relationship, pointing out that it is not what the argument states that supports the standpoint that has been put forward, but something else, is that the standpoint of the protagonist no longer stands supported. Again, the dissociation contributes to this effect in a specific way: the dissociation provides an alternative interpretation of the first term, which opens the way for the antagonist to point to an exception to the rule that is inherent in the relationship that the protagonist postulates, and to contend that the starting point of the protagonist does not necessarily lead to the conclusion that he defends.

Schematically:

P: +/p

O: -/p

P: ?/-p

O: q[t] . (q[t] → p)

P: q[t₁] . - q[t₂] . - (q[t₁] → p)

p: Matthijs has lost his passion

q: Matthijs is producing several movies at the moment

t: producing several movies; t₁: producing several movies because one is supposed to; t₂: producing several movies because one wants to

The rhetorical effect of an attack on the first term of the relationship through dissociation is that the antagonist can escape a conclusion that he would be committed to on the basis of his acceptance of the argument and of the argument scheme. In the example above, de Jong

cannot deny that van Heijningen produces a lot of movies, and that on the basis of the symptomatic argument scheme that van Heijningen applies, the conclusion that the latter has not lost his passion inescapable, but by dissociating between making movies in a trivial sense, because you have to make them, and making movies in the sense that matters, because you want to make them, de Jong splits off a kind of movie production that does not signal passion, and is able to escape the conclusion he is committed to without running the risk of being accused of inconsistency. In this case, as in the previous one, since it is a mixed dispute, in addition he gives an indirect defense of his own standpoint by doing away with an objection to that standpoint through dismissing the standpoint of the opponent, thus shifting the attention of the audience away from the need to defend his own one independently.³

Similar dialectical and rhetorical effects are realized in other cases in which the first term of the relationship is attacked through dissociation, such as in the example, mentioned in Chapter 1, of the writer of a letter to the editor who attacked the Dutch Olympic Committee chastising the sponsor of the Dutch Olympic skating team for having congratulated the team with their victory in an ad. The symptomatic argument scheme that the Dutch Olympic Committee employed held that it is characteristic of Olympic sponsors that they may not use their sponsorship in advertizing. The letter-writer attacked this scheme through a dissociation of the notion of sponsor, separating mere opportunist sponsors from real bona fide sponsors, implying that it is not bona fide sponsors that may not use their sponsorship in advertising, but merely opportunist sponsors. And thus, even though the antagonist cannot but accept the validity of the rule that Olympic sponsors may not use their sponsorship in advertising, and, in addition, cannot deny that the insurance company that allegedly was at fault was a sponsor, he can, without seeming inconsistent, escape the conclusion that this insurance company committed an offence when it made use of its sponsorship in an ad congratulating the Dutch skating team with their Olympic victory. Through the dissociation between bona fide

³ Naturally, from the fact that van Heijningen does not produce movies in the sense that counts for being passionate one can not validly deduce the conclusion that he has lost his passion.

and opportunist sponsors, he creates an exception to the rule. At the same time, by dismissing the standpoint of the Olympic Committee that chided the insurance company for its conduct, and thus removing an objection against his own standpoint that the insurance company, being a bona fide sponsor, may perfectly well use their sponsorship in advertising, he gives an indirect defense of this standpoint, without presenting any independent arguments for it.

An example, from a completely different sphere, of dissociation in the first term of a symptomatic argument scheme is provided by Olson (1995), who provides an illuminating analysis of the way in which nineteenth-century Shakers attempted to save their claim that they possessed unique knowledge of divine truth in the light of undeniable counter evidence. According to their belief system, proof of their claim to knowledge lay in making a growing number of proselytes. Once it became evident that there was no such growth, the Shakers applied a number of dissociations. Some of these concerned the starting point of there being growth in numbers; for instance, although there might not appear to be growth in numbers in this world, in the after world there would be. Other dissociations concerned the symptomatic relationship between argument and standpoint. For example, it was not *actual* success in proselytizing that was a sign of their unique knowledge of divine truth, it was their *efforts* at proselytizing that counted. Olson gives a clear and concise summary of the dialectical and rhetorical implications of this move: ‘the criterion of “supporting evidence” is not discounted outright; instead, the standards for what serves as acceptable supporting evidence are transformed to classify the usual supporting evidence as irrelevant “appearance” and to elevate other, less falsifiable material that maintains the system’s coherence as relevant “actual” supporting evidence. This premium on coherence both drives dissociation at the level of knowledge criteria and makes it acceptable to some faced with the choice of countenancing the dissociation or abandoning their system of thought’ (1995: 62–63).

In this chapter, then, we have seen that dissociation can be employed in the argumentation stage to attack the argument scheme through which the protagonist attempts to connect the starting points established in the opening stage to the standpoint that he wants to defend. Whether the dissociation is used to attack the relationship as a whole, the first term of the relationship, or the second term of the relationship, in each case, the use of dissociation enables the antagonist

to posit an alternative interpretation, through which he can establish that the argument is not relevant or sufficient for the standpoint that it is supposed to support, without having to provide arguments for this contention. As a result, the antagonist can evade a conclusion that he otherwise would be committed to on the basis of his acceptance of the argument and of the argument scheme, without seeming to commit an inconsistency. At the same time, if the dispute is mixed, by authoritatively dismissing the argument of the protagonist, the antagonist provides an indirect defense of his own standpoint, without seeming to need to give the independent defense of which it stands in need.

Chapter 8

The Concluding Stage

In the concluding stage, protagonist and antagonist jointly establish the outcome of the defense of the standpoint that the protagonist gave in the argumentation stage. If the defense has been conclusive, the antagonist retracts his doubt; if the defense has not been conclusive, the protagonist retracts his standpoint. Both participants can use dissociation in this stage, when they formulate the standpoint which they conclude is tenable or, as the case may be, should be retracted.

The specific dialectical contribution of dissociation in this stage is that it enables the participants to give a more precise interpretation of the standpoint which the participants decide has or has not proved tenable in view of the criticism brought forward against it and the way in which this criticism has been met.¹ An example can be found in the concluding stage of a discussion in the British TV show *Kilroy* between a woman, Beth, who has been swindled by a con man and members of the public. In particular, one member of the audience, Lyn, accuses Beth of having only her own greed to blame for her losses.² After first denying it, in the end, after an exchange of arguments, Beth admits that it was greed that led her:

- (1) Lyn: [easy money [so it's gree::d]
Beth: [I'll admit, -]
Lyn: it's a form of greed
Beth: yeah but I'm not a greedy person

¹ As Gata (2007) points out, this interpretation may become the initial standpoint of a new discussion.

² The example is taken from Thornborrow (2007).

After Beth's surrender, Lyn reaffirms Beth's admission that the latter was led by greed; at that point the dispute is resolved in favor of Lyn's standpoint. Immediately after this conclusion has been reached, however, Beth applies a dissociation to the term greed, separating mere greedy behavior from being a greedy person, thereby limiting the scope of the conclusion.

Schematically:

P & O: p[t]

O: p[t₁]. – p[t₂]

p: Beth was led by greed

t: greed; t₁: greedy behavior; t₂: greedy personality

The rhetorical effect of dissociation in the concluding stage is that the protagonist or antagonist can choose the interpretation of the conclusion that suits him best, without running the risk of being accused of shirking the commitments that he took upon himself in the earlier stages of the discussion. This, of course, is an excellent way to evade unwelcome consequences of the conclusion that has been reached. Even though Beth in the end retracts her initial standpoint that she was not driven by greed in her dealings with the conman, and accepts the standpoint that she was, through her dissociation between deeds and person she can escape the unfavorable implication that she is a greedy person.³

An arena in which dissociation pre-eminently is used to give a particular reading of the result of a discussion, are differences of interpretation that rise after a formal agreement, contract, or treaty has been reached. The juridical domain abounds with examples. An example that has a bearing on public affairs, as well, can be found in the following passage from a newspaper article, which questions the interpretation of a clause which the German Parliament added to a law regulating the opening of the DDR Secret Service archives:

(2) [T]he Bundestag added a clause, which, unfortunately, was phrased somewhat vaguely: files about persons of historical interest must be released, unless these persons are 'victim' or 'third party'.

³ That is, if the audience accepts the dissociation, which, in this case, it did not, as was evidenced by the scornful laughter which followed Beth's dissociation.

Kohl is a 'victim', the judge ruled, because he was illegally wiretapped for years. The interpretation of the word 'victim' remains debatable, though. Does the law mean real victims or everyone who was illegally tapped?

De Volkskrant 13-7-2001

The clause of the law about which agreement was reached was that files about persons of historical interest must be released unless these persons are victims. But what does it mean to be a victim? The author of this commentary separates real victims from people who merely were illegally wiretapped.

In this example, as in the first one, the dialectical contribution of dissociation is that it enables participants to give a more precise interpretation of the result of a discussion, in this case, an agreement reached in the Bundestag about withholding publication of files of 'victims'. The rhetorical advantage of the dissociation in this example, as in the previous one, is to enable the author to rule out certain undesirable consequences of the agreement. A result of the clause that was added to the Stasi law was that the files of former Bundeskanzler Kohl would remain closed to the public, as we can see from the following passage from the same article:

But former Bundeskanzler Helmut Kohl could prevent the publication of his files. A Berlin judge ruled last week that the thousands of pages that the East German secret service collected about Kohl may not be released without his consent. (...) Kohl is a 'victim', the judge held, because he was wiretapped illegally for years. The publication of the files, according to Minister Schily, would mean an 'extension' of the injustices committed by the Stasi. (...) However, the management of the Stasi archives and several scholars object against this ruling: it means the end of free research into the DDR past.

The author of the commentary joins the adversaries to the ruling about the Kohl archives in regarding this particular consequence of the clause added to the law as undesirable. He employs a dissociation separating real victims from people who merely were wiretapped illegally, in order to reach an interpretation that is more in accord with what he considers desirable, limiting the scope of the concept of 'victim' in such a way that the Kohl files can be released under the terms of the law.

In the concluding stage of a critical discussion, then, participants can employ dissociation to give a more precise meaning to the

conclusion reached in the discussion, in such a way that the result of the discussion is most in accordance with their own point of view, and has the least unfavorable consequences for themselves. All this, moreover, without running the risk of being open to the accusation of shirking the commitments they made in the earlier stages of the discussion – that is, if the dissociation is acceptable to the opponent. But this is a subject for the next and final part of this book.

Part III

The Strengths and Weaknesses of Dissociation

In the previous chapters of this book, I have described how dissociation is employed in actual argumentative discussions to reach the dialectical and rhetorical goals that are inherent to the different stages of a critical discussion. In this part, I take an evaluative approach. In Chapter 9, I investigate under what circumstances dissociation is a technique that is dialectically viable. I turn to the pragma-dialectical rules for conducting a critical discussion as a standard for answering this question. In Chapter 10, I look at what it is that makes dissociation so effective from a rhetorical point of view. In Chapter 11, finally, I apply the insights gained in the book as a whole in analyzing and evaluating an extended example.

Chapter 9

The Dialectical Soundness of Dissociation

Reconstructing actual argumentative discussions in terms of a critical discussion, as we have done in the previous chapters to study the dialectical and rhetorical effects of dissociation, in Pragma-Dialectics is not an aim in itself. It is done with an eye to judging the dialectical soundness of these discussions. After all, that is exactly what the model of critical discussion is designed for: it is an instrument, not just for the analysis of argumentative discourse, but also for its evaluation in the light of the normative ideal of rational resolution of conflicts of opinion that the model embodies.

In evaluating argumentative discussions in the light of this ideal, we consider to what degree the execution of the various moves in the different stages of critical discussion contributes positively or negatively to the rational resolution of the conflict of opinion that is at stake. The standard by which we decide this question is constituted by the procedural rules for critical discussion mentioned in Chapter 3 of this book.

The question to what degree the execution of the various moves in the different stages of critical discussion contributes positively or negatively to the rational resolution of the conflict of opinion also has a bearing on the use of dissociation, a technique, after all, that is used for strategic maneuvering between dialectical reasonableness and rhetorical effectiveness. Strategic maneuvering, as van Eemeren and Houtlosser (2002a,b) explain, may derail: the desire to resolve the conflict of opinion in one's own favor may go at the expense of dialectical reasonability.

The present chapter, then, concerns the question when the use of dissociation for strategic maneuvering in the various moves of the different stages of critical discussion may be judged reasonable and

when it must be considered to cross the bounds of dialectical reasonableness. First, I review how others have approached the question of the soundness of dissociation. Then, I consider how the soundness of dissociation can be established from a pragma-dialectical perspective. At the end of this chapter, I reflect on the merits of these various approaches in answering the question of when strategic maneuvering with dissociation is sound.

9.1 Other Approaches

So far, among argumentation scholars, not much attention has been paid to the question of whether and when dissociation is a sound argumentative technique. The only author who has written at some length about this topic is Schiappa (1985, 1993, 2003). Schiappa is of the opinion that dissociation is always unsound, because dissociation involves a real definition, in which one of the split-off terms is presented as the true or essential interpretation of the concept that is expressed by the original term. And real definitions are unsound, because they are essentialistic.

I agree with Schiappa that dissociation always involves a definition, and also that dissociation always in some way or another invokes the opposition between appearance and reality. However, I do not agree that invoking this opposition necessarily is a consequence of the definition being a real or essentialistic one.

First of all, it is quite possible that the definition that is involved in a given dissociation is preferred by the speaker merely for ‘methodological’ reasons (Crawshay-Williams, 1957), without the speaker having the pretense to present a real definition or a description of the essence of the *definiendum*. Only in a definition that the speaker expressly presents as real, such as in ‘Real peace is not the absence of conflict, but the presence of justice’, can we be sure that we have to do with an essentialistic definition.¹

¹ Lynch (2006) even goes so far as to argue that the ‘real’ in real definitions ‘can be understood as the psycho-social consensus among a group of language users’, showing that scientists ‘grounded their real definitions of *stem cell* in a consensus about the values and needs of a specific research program. Examination

More important is the fact that the opposition between appearance and reality in many cases does not play a role on the level of the definition at all, but rather on the level of the subject matter that is being discussed. On the level of that subject matter, entities are assigned to the categories distinguished in the dissociation, and what is at issue is whether they belong there really or only in appearance. For example, in defending her grandmother against her critics who accused her of being vain, the granddaughter of Maria Montessori categorizes her grandmother as someone who was not really vain, but only had a love of beautiful clothes. Although at the bottom of this categorization lies a particular definition of the term 'vain', limiting the meaning of the term to the mental aspects of this quality, there is no pretense that this is the one and only true definition. What is at issue is that, against the background of this definition, Montessori merely appears to be vain, but cannot be called so in reality.

Nevertheless, as we saw earlier, there certainly are cases in which dissociation involves a real, essentialistic definition. But why the dissociation in these cases should be considered unsound, Schiappa does not plausibly explain. Schiappa contends that definitions are not descriptions of reality, but methodological constructions, based on a particular theoretical perspective and serving particular aims, and that therefore it is misleading to present a definition with the pretense that one is making an objective claim about how things are. However, this argument meets with various objections. First of all, by saying definition *is* a methodological construction, Schiappa himself seems to apply an essentialistic definition of definition and neglects the fact that we merely can speak of different *conceptions of* definition. In the second place, in using the term *misleading*, which presupposes a conscious intention on the part of the speaker, Schiappa employs a psychologizing approach. But psychologizing does not provide a good starting point for the study of argumentation as a verbal activity (van Eemeren en Grootendorst, 1982). After all, what is in people's minds, for an analyst, is rather hard to get at, unless there is some external, textual, evidence. And finally, through this terminology, Schiappa takes a moral stance: misleading is bad. But just as it is not the

of scientific or public dissociations does not require naïve realist assumptions' (p. 153).

province of the argumentation scholar to give a judgment on the truth of assertions (Hamblin, 1970), it is not up to him to assume the role of moral arbiter.

More than to the soundness of dissociation, argumentation scholars have given attention to a related concept, the soundness of persuasive definitions. According to Stevenson (1944), who introduced the term, in a persuasive definition, the descriptive meaning of a term is altered, while the emotive meaning is kept unchanged, with the aim of influencing the attitude of the audience. Dissociation often involves a persuasive definition. As we saw in Chapter 1, in Stevenson's original example of a persuasive definition, for instance, the speaker accuses his opponent, who uses 'culture' more or less as a term for literacy, of emphasizing merely the outer shape, the empty shell of culture: 'In the true and full sense of the term, "culture" means *imaginative sensitivity* and *originality*'. Through this persuasive definition, clearly essentially phrased, by the way, in which the descriptive meaning of the term culture is altered, while the positive emotional meaning is preserved, a dissociation is introduced that separates real, inner culture from merely apparent, outer, culturedness.

Logic textbooks, such as Copi and Cohen (1998), warn against persuasive definitions. Allegedly, these definitions are misleading, for they appear to give an objective description of the meaning of the word, while surreptitiously an emotional meaning is smuggled in. Moreover, the listener is not aware that the meaning of the word has been changed. Here, then, just as we saw earlier with regard to dissociation, persuasive definitions are rejected on the basis of their deceptiveness. Moreover, now a second psychologizing element is introduced, namely, whether the listener is or is not *aware* of the change in meaning.

Argumentation scholars, too, tend to be wary of persuasive definition, and for the same reasons as we saw above. Walton's (2001, 2005) treatment is a good example. Walton places the issue in the framework of his theory of the various kinds of dialogues. For him, the criteria on which the soundness of a persuasive definition must be judged depend on the type of dialogue in which the persuasive definition occurs. This results in a heterogeneous set of criteria, that appear to be applied in rather *ad hoc* fashion. For example, Walton considers a particular persuasive definition in what he calls a persuasive dialogue to be quite harmless, because it is clear what the speaker intends. By that same

standard, he condemns as unsound a persuasive definition from a political context in which the audience was not aware of the change of meaning, for the reason of being deceptive. But another persuasive definition from a political context, in which there is a similar subtle, covert shift of meaning, he does not reject, this time on the consideration that ambiguity and subtle shifts of meaning are normal in this context. Not only does this judgment seem inconsistent, his treatment of these examples, also, makes it clear that Walton does not hesitate to freely psychologize and moralize. What is interesting, though, is that, in the end, suddenly Walton seems to opt for a different approach; rather surprisingly, he ends up taking a clear and simple dialectical position: persuasive definitions must be considered as ‘open to critical questioning and to the posing of counter definitions’ and as ‘having a burden of proof attached’.

The idea that persuasive definitions must be submitted to critical questioning and must be defended has also been proposed by Aberdein (1998). Responding to Burgess-Jackson’s (1995) attempt to develop an instrument for evaluating persuasive definitions, Aberdein argues for concentrating on the role that the definition plays in the discussion. More specifically, he proposes that the opponent should be allowed to have a difference of opinion with the speaker about the definition. Persuasive definitions that are not put up for discussion and for which no arguments or theoretical foundation are given, are unsound. In addition, Aberdein requires the core meaning of the term to be preserved.

Although I think that Aberdein’s criteria are a big step in the right direction (for reasons that will become clear presently), he does not really clarify their basis. Why is it necessary for the definition to be put up for discussion, and why should the core meaning be preserved? Aberdein, too, seems to take a moralizing and psychologizing stance: ‘Otherwise, (. . .) the persuasive definition can only serve to mislead’.

9.2 Pragma-Dialectics

From a pragma-dialectical perspective, the fact that in a dissociation a new, previously not made, distinction is created within a unitary concept, and an existing definition of a term is replaced by a new

one, means that one of the starting points of a critical discussion is changed. An agreement made by protagonist and antagonist in the opening stage of a critical discussion about the content of a concept and the meaning of a term is modified.

According to the ideal model of critical discussion, a consequence of a change in the agreements that have been reached in the opening stage of the discussion is that a side-discussion must be held about the acceptability of this change before the main discussion can be pursued. In this side-discussion, the speaker who introduces the dissociation must propose to change the starting point in question. If the antagonist does not accept this proposal, the protagonist must either withdraw or defend it.² The dissociation may be maintained in the main discussion only if the side-discussion results in the antagonist's accepting the change in the starting points effectuated by the dissociation. If the antagonist does not accept this change, and the protagonist nevertheless uses the dissociation in the main discussion as if the modified content of the concept used and the modified meaning of the term used belong to the agreed-upon starting points of the discussion, the protagonist in the main discussion commits a violation of the starting-point rule of a critical discussion: discussants may not falsely present something as an accepted starting point (van Eemeren & Grootendorst, 2004: 193).³ If the protagonist puts the change up for discussion, however, and the result of that discussion is that the antagonist accepts it, the protagonist can use the dissociation in the main discussion without violating the starting-point rule. When these two conditions are fulfilled, the dissociation is dialectically sound.

The two conditions just mentioned represent two kinds of requirement for dialectical soundness of dissociation, which, following van Eemeren and Houtlosser's distinction between procedural and material premises (2002a: 20), I shall name procedural and material requirements. If the protagonist puts the change in starting points up for discussion, the procedural requirements have been met. If, in the ensuing side-discussion, the antagonist accepts the change, the material

² See van Eemeren, Houtlosser and Snoeck Henkemans (2007) for the dialectical profile of the opening stage of a critical discussion.

³ Grootendorst (1999), also, considers the case he analyzes as a 'fallacy of incorrect dissociation' to constitute a violation of this rule.

requirements have been met. In a dissociation that is dialectically sound, both kinds of requirement have been met.

9.2.1 Procedural Requirements

Only if the protagonist follows the procedure for conducting a critical discussion by putting up for discussion the change in starting points implied by a dissociation, does the dissociation meet the procedural requirements for dialectical soundness. The protagonist can do so in two ways. In the first place, he can present the change in starting points as a standpoint, by recognizably performing the speech act of creating a distinction or the speech act of introducing a definition. By recognizably creating a distinction that did not exist before, or introducing a definition that is new, the speaker places the acceptability of these speech acts at issue, thereby giving them the status of a standpoint. In the second place, the protagonist can bring forward argumentation in favor of the change in starting points that the dissociation entails. Even if he did not present it as a standpoint to begin with, through advancing argumentation for it, he makes it into a standpoint after all.

Looking back to the account, in Chapter 3 of this book, of the various ways in which making a distinction or introducing a definition can be performed, we can observe that these speech acts are performed recognizably when they are performed explicitly, implicitly or indirectly. The rules of language and conventions of usage make it clear, in these cases, that the speech act is being performed. That is not the case when the speech acts are not performed as such, but are merely presupposed, as in the Jorritsma and Montessori examples discussed in Chapter 3 and many others that have been presented in other chapters. In those cases, the acceptability of the distinction or definition is not put up for discussion as such, but is taken for granted. So, when the distinction or the definition is merely presupposed, the dissociation does not meet the procedural requirements for dialectical soundness.⁴

⁴ The distinction between performance and presupposition of the speech acts inherent to dissociation resembles that made by Jasinski (2001) between elaborate and condensed dissociation. In the latter, the criteria for the division between the

A clear indication that we are dealing with procedurally unsound dissociation is provided in those cases in which the protagonist not only presupposes change in conceptual content or meaning, but positively emphasizes that this change needs no further discussion, by textually indicating that it is a matter of fact. That is what happens, for example, in the case of Eurocommissar Bolkestein's rectification, cited in Chapters 1 and 3 of this book, in the course of the juridical feud between him and TV personality Fons de Poel about whether or not the latter had filed a false declaration with the Tax Authorities.

(1) Bolkestein earlier did place a rectification in *VN*. In this, he says: 'I meant "fraudulent declaration" not in the technical sense of the word, but in the sense of cooperating in giving a patently false impression of things with regard to my tax declaration'.

De Volkskrant 13-11-1999

Bolkestein, in this rectification, not only presupposes that the term 'false declaration' has two meanings, he also emphasizes the factual nature of the existence of these definitions, through using the definite article in the expression 'in the sense of'. The use of the definite article carries an existential presupposition. As a result, the definitions Bolkestein gives are presented as representing extant linguistic reality (in actual fact, however, the second definition is completely new).

The case of the Olympic sponsor cited in Chapters 1 and 3, likewise, is an instance of this kind of factual presentation that forms a clear indication for procedurally unsound dissociation. In this case, the author of a letter to the editor jumps to the defense of the main sponsor of the Dutch skating team who congratulated the skaters in an advertisement on their victory, notwithstanding the rule that during the Olympic Games sponsors are not allowed to mention their sponsorship in their ads.

(2) The insurance company is a solid sponsor that has been financially supporting skating as a sport for a quarter of a century. (...) Apparently

notions representing the real and the apparent are not mentioned, and only one of the notions is referred to. The two distinctions are not identical, however. Presupposed dissociation may be condensed, as in the example of Reagan's safety net for the 'truly needy', but this is not necessarily the case, as the examples quoted in this section show.

Blankert doesn't recognize the difference between bona-fide financiers that have built sports and opportunist sponsors.

Algemeen Dagblad 19-02-2002

Through the existential presupposition connected with the use of the definite article in 'the difference', the distinction between sponsors and opportunist sponsors is presented as a matter of fact. So is the redefinition of the word 'sponsor', in which the meaning of this term is limited to a person or organization that lends financial support *during an extended period*.

If the change in starting points is not put up for discussion through the recognizable performance of one of the speech acts that bring it about, it can be made into a standpoint, nevertheless, by advancing argumentation in favor of it. In the examples above, this was not the case. The genetic biologist defending human cloning cited in Chapter 7, however, did furnish arguments for his dissociation between identical and genetically identical people. The full argument runs as follows:

(3) The discomfort at cloning of humans seems to me to be the product of confusion between the notions 'identical people' and 'genetically identical people'. When you have two genetically identical flower bulbs, you can exchange the one for the other without any problem: genetically identical for bulbs means identical. In other words: the value of an individual bulb decreases, the more genetically identical ones there are. One black tulip is very special. But if the Keukenhof is full of them, no tourist will come and look at them.

But people are not bulbs. The value and dignity of people is not determined by their genetic make-up, but by the fact of their being humans. Or are identical twins (a 'natural' clone!) worth less than two 'ordinary' brothers? Someone married to half of a twin wouldn't want to exchange the one for the other, would they?

There is a simple reason for that: 'genetically identical' in humans is something quite different from 'identical'. Individuality does not reside in the genes.

That is why humanity or human dignity is not threatened by cloning as such. That only happens if we start to value people differently on the basis of their genes. As happens now already, as well, by the way, under the name of 'racism'.

De Volkskrant 11-04-1997

The genetic biologist quoted in this interview presupposes the distinction between identical and genetically identical people (claiming

‘confusion between *the notions* “identical people” and “genetically identical people”’). By adducing arguments for the necessity of this distinction, however, he puts it up for discussion, after all. In this example, then, the procedural requirements for dialectically sound dissociation are fulfilled.

The procedural requirement, in Pragma-Dialectics, of putting the change in starting points brought about by the dissociation up for discussion, corresponds to Aberdein’s idea that the opponent should be allowed to have a difference of opinion about a persuasive definition and that it must be defended by arguments, and to Walton’s idea that persuasive definitions must be submitted to critical questioning and have a burden of proof attached to them.

9.2.2 *Material Requirements*

Not only must the change in starting points of the discussion inherent in a dissociation be put up for discussion by the protagonist, it also must be accepted by the antagonist. If the latter is not the case, the dissociation does not meet the material requirements for dialectical soundness.

Although, in principle, discussants are free to decide on the list of mutually accepted starting points (van Eemeren & Grootendorst, 2004: 149), and thus, as analysts, we have no say in the matter of what is an acceptable starting point, we can delineate two general criteria on the basis of which the antagonist can decide on the acceptability of the new distinction or redefinition introduced by a dissociation. These criteria relate, respectively, to the general and the specific aims that are associated with the speech acts performed in the dissociation. The general aim of usage declaratives (the type of speech acts that definition and distinction belong to) is to bring about discursive and conceptual clarification and to solve demarcation problems (van Eemeren & Grootendorst, 1984; Viskil 1994). The specific aim of the usage declaratives inherent in dissociation is to resolve a contradiction. I begin with the latter.

Dissociation serves to resolve a contradiction, because, through dissociation, the speaker, within a notion that was until then considered a conceptual unity, makes a distinction between term I and term II, which allows him to maintain, without contradicting himself, that a

proposition containing term I or derived from a proposition containing term I is tenable and a proposition containing term II or derived from a proposition containing term II is not, or vice versa. Thus, Traffic Minister Jorritsma may maintain, without contradicting herself, that she does allow a violation of legal regulations, but does not carry out a tolerance policy; Eurocommissar Bolkestein may maintain that TV journalist de Poel has filed a fraudulent declaration, and at the same time admit that he has not filed a fraudulent declaration, in the technical sense; and Maria Montessori's granddaughter may maintain that her grandmother was not vain, and at the same time assert that she was, in the mere physical sense of having a love of beautiful clothes.

Given this specific aim of the resolution of a contradiction that is associated with the speech acts inherent in dissociation, it is of crucial importance that the antagonist be of the opinion that in actual fact a distinction *can* be made between term I and term II. If the antagonist is of the opinion that the distinction between the two concepts is merely verbal, or that the meaning of the two terms in actual fact comes down to the same thing, the contradiction cannot be resolved by the dissociation. This is one of the general criteria, then, on the basis of which an antagonist may deem the change in starting-points brought about by a dissociation not acceptable.

Dissociation being an argumentative technique, the two terms distinguished in dissociation, in addition to differing on the value scale of real/apparent, often carry a different emotional coloration. In fact, in many cases, this emotional coloration is the only difference between the new term denoting a concept and the old one, without there being any difference in connotation (or intension) or denotation (or extension) between them. This may be a reason for an antagonist, then, to reject the dissociation: on the grounds that the meaning of the two terms in actual fact comes down to the same thing. That is the basis on which, for instance, an antagonist might reject the dissociation that Traffic Minister Jorritsma employed to defend her proposal to once more allow a violation of the noise levels for Schiphol airport. The antagonist might object that anticipating on a change of law which everybody thinks should be put into effect, in actual fact, is exactly the same as tolerating, namely, allowing something that is prohibited by the existing legal regulations, the only difference being that the former expression is presented with a positive emotional coloration, and the latter with a negative one.

On the same grounds, an antagonist might consider the distinction made by a spokesman for the Attorney General who asserted that no action will be taken against the shopkeeper who had a cell built into his shop to fight shoplifting, as long as he didn't call it a cell, but a detainment space, unacceptable. The antagonist might object that a cell and a detainment space are one and the same thing, both serving to lock someone up, the latter term being a mere euphemism for the former.⁵

The distinction and definition inherent in dissociation must be functional, not just in view of the aim of resolving a contradiction that is specific for dissociation, they must also be so in view of the general aims of these speech acts. Being usage declaratives, they must contribute to the clarity of discourse and to the resolution of demarcation problems. That means that they must have a point outside the specific purpose of the speaker to escape from a particular contradiction in the discussion; in other words, they should be used not merely *ad hoc*. Given this general aim of the speech acts inherent in dissociation, it is of crucial importance that the antagonist be of the opinion that the distinction or the definition has some use outside of resolving the particular contradiction for the resolution of which it has been introduced. This, then, is the second of the general criteria on the basis of which an antagonist may object to the change in starting points brought about by a dissociation.

On the basis of this second criterion, an antagonist might object, for instance, to the dissociation that Eurocommisar Bolkestein introduced: within the framework of tax legislation it is conceivably quite impracticable to depart from the usual terminology – according to which filing a fraudulent declaration with the Tax Authorities is something far more specific than ‘cooperating in giving a patently false impression of things’, and according to which, moreover, filing a declaration concerns one's own tax, not that of someone else.

On the same grounds, an antagonist might object to the dissociation in the conversational fragment cited in Chapter 7:

- (4) A: he is a good manager
 B: well, he certainly couldn't prevent that subsidy cut-off
 A: yes, he isn't a good crisis manager, but as a general manager he's just fine

⁵ Of course, within the institutional context of the law, this distinction may be perfectly acceptable.

Speaker A limits the meaning of the word ‘manager’ to an executive from whom it cannot necessarily be expected to manifest good leadership in times of crisis – an unusual and conceivably impracticable limitation for appointing managers.

A similar limitation, raising similar doubts with respect to its viability, occurs in the dissociation between real sponsors and opportunist sponsors, in which the meaning of the word ‘sponsor’ is limited to a person or organization that lends financial support *during an extended period*. It is conceivable that the business world might consider this limitation, the consequence of which is that a person or organization lending financial support for a short period in time may not be called a sponsor, rather impracticable.

An example of a case where the protagonist does argue in favor of a dissociation by pointing out the usefulness of the distinction he makes and of the new definition through which he limits the meaning of an existing term, is that of the genetic biologist arguing against those who object to human cloning, quoted earlier in this chapter. He defends the dissociation in which he separates real identity from mere genetic identity by pointing out its usefulness outside the topic of human cloning, mentioning its use, on the one hand, for talking about bulbs, and on the other hand, for talking about identical twins and about racial discrimination.⁶

The second criterion for material soundness, that the definition or distinction inherent in a dissociation should not be *ad hoc*, bears resemblance to Aberdein’s idea that persuasive definitions should retain the core of the meaning of a term. But there are significant differences: in the present criterion no claim is being made that there is some such thing as a core meaning of a term, nor is there a prescription that a particular meaning should be preserved. The idea that the definition or distinction should not be *ad hoc* concerns merely the methodological practicality of particular definitions as perceived by the antagonist.

⁶ Broda-Bahm (1999) discusses various ways in which a change in definition can be argued for and he proposes criteria by which these arguments can be judged. He considers good arguments for such a change to be those that show that the new definition has practical and functional advantages, providing a useful analytical tool through which gains in clarity and precision can be reached. These criteria, incidentally, are in complete accordance with the ones Crawshaw-Williams (1957) developed.

Of course, apart from these two general criteria by which an antagonist may judge the acceptability of the change in starting points brought about by a dissociation, there are specific grounds on which a particular antagonist may reject this change. Not the least of these is that the antagonist may simply find the definition or distinction unacceptable in view of the position he himself takes in the debate. This is by definition the case when the definition or distinction that is inherent in the dissociation implies the very standpoint that is contested. Huxley's often cited example of the brewer's trade papers defining 'true temperance' as drinking a bottle of claret with each meal and three double whiskies after dinner – so that drinking this amount of alcohol no longer can be deemed objectionable –, may serve as a case in point. Temperance activists, obviously, would not be amused by this definition.

One question that may arise, at this point, is, whether the material requirement that the antagonist accept the change in starting points brought about by dissociation, by itself, is not sufficient for the dialectical soundness of this argumentative technique. After all, the starting-point rule proscribes that participants shall not falsely present a starting point as accepted; so, as long as the change in starting-points is accepted, everything seems to be all right. However, we must keep in mind that dissociation by nature does involve a *change* in starting points, and if the new definition or distinction inherent in dissociation is taken for granted and presented as a matter of established fact, while, at the same time, because it is a change, it cannot be assumed beforehand that the antagonist does in fact accept it, that does come down to presenting a starting point falsely as accepted. There is simply no room left for the antagonist to disagree and that is where the shoe pinches and why the procedural requirement that the protagonist put up the change in starting points for discussion is necessary for the dialectical soundness of dissociation, as well as the material starting point that the antagonist accept the change.

9.3 Conclusions

In evaluating strategic maneuvers in the context of a critical discussion, the central question is whether these maneuvers can stand the test

of reasonableness. Such an assessment can only take place in a clearly and precisely formulated normative framework. One such framework is offered by the pragma-dialectical rules for critical discussion (van Eemeren & Grootendorst, 1984, 1992, 2004), against the background of which the concept of strategic maneuvering has been developed. The application of this framework enables the analyst to indicate exactly when and why a strategic maneuver by way of dissociation transgresses the bounds of reasonableness. In this chapter, after looking at how other approaches evaluate the use of dissociation in argumentative discussion, I applied the framework of Pragma-Dialectics to the question of whether and when dissociation is a sound argumentative technique.

The pragma-dialectical approach sketched in the second part of this chapter has considerable advantages over the ones I treated in the first part. To begin with, in Pragma-Dialectics, contrary to the other approaches, the criteria are systematically theoretically founded. They are derived from their functionality in the light of solving a difference of opinion, which in Pragma-Dialectics is considered as the primary aim of argumentative discourse. The change in starting points intrinsic to dissociation must be put up for discussion and be accepted, not because otherwise the dissociation would be deceitful or misleading, but because it is impossible to resolve the main difference of opinion if the starting points for the discussion are not shared.

In the second place, as an important consequence of the first point, the argumentation theorist no longer is condemned to take upon himself the role of moral arbiter. The only thing that counts is whether the way in which a discussion is conducted contributes to the rational resolution of a difference of opinion or prevents or hinders the achievement of that goal.⁷ The analyst merely checks whether the dissociation does or does not violate the procedural rules for rational resolution. In the case of dissociation, an argumentative technique that brings about a change in the starting points of the discussion, the main rule involved is the starting-point rule.

⁷ In itself, taking this goal as the basis for evaluation, in Pragma-Dialectics, does not imply taking a moral stance. It is left up to the discussants to choose whether they want to resolve their differences of opinion in a rational fashion (and by what set of rules). There is no moral injunction that differences of opinion *should* be resolved in this way.

Finally, the pragma-dialectical approach has the advantage that the acceptability of the proposal for a change in starting-points no longer is something that the argumentation theorist needs to judge. The theorist does not need to worry about whether a definition is good or a distinction tenable.⁸ That judgment is left to the participants themselves, who can start a discussion about that. The theorist can, however, help them conduct this discussion by proposing criteria that the discussants can use in their considerations.

What, then, becomes, in a pragma-dialectic perspective, of the essentialistic definitions that Schiappa and others warn against? A violation of the starting-point rule, as outlined in this chapter so far, unfortunately, is not the only thing that can go amiss with dissociation. In the side-discussion about the proposed change in starting-points, everything that can go wrong in the main discussion can go wrong, as well; all the rules for critical discussion can be violated. Dissociation by means of a definition that is clearly presented as essentialistic is a case in point: with such a formulation, the protagonist immunizes his proposal against criticism. That comes down to a violation of rule 2, the obligation-to-defend rule, in the side-discussion about the acceptability of the proposed definition. Someone who defines ‘the true function of the architect’ in a particular way, immunizes his definition against criticism; any one who points to a different function than the one proposed, may be rejoined with ‘yes, but that is not the *true* function’.

When we make up the balance, we can see that dissociation is a powerful instrument to clarify discussions and to structure our conception of reality. The speech acts of distinction and definition that are inherent in dissociation have a clarifying function and can play an important role in opening the way to new possibilities of thought (Naess, 1966). Thus it is that dissociation has its place in relatively ‘objective’ spheres, such as science, the law, and philosophical thought. This functionality of dissociation also is the banner of reasonableness under which this argumentative technique can be used as a way

⁸ An example of an approach in which the argumentation theorist does get to bear this burden is that of Konishi (2007). Taking the perspective of informal logic, he wants the argumentation theorist to judge whether the dissociation ‘clearly subdivides an entity into two’.

of maneuvering strategically between dialectical reasonableness and rhetorical effectiveness in the various stages of a critical discussion.

As we saw in this chapter, those maneuvers are in no way by definition dialectically unsound. Problems arise only when dissociation is used while the definition or the distinction inherent in it is not put up for discussion, but presented as given, or is put up for discussion but in such a way that it is immunized against criticism; or when the antagonist does not accept the change in the mutually accepted starting points that these speech acts bring about. As long as the dissociation is put up for discussion and, if not accepted at first hand, is conclusively defended by showing that the distinction not only can be made, but must be made for reasons of greater conceptual clarity, there is no problem. Then dissociation can contribute to creating clarity about standpoints, to generating shared starting-points for presenting and attacking arguments, and to ensuring that the conclusions drawn from the discussion are optimally precise, while at the same time creating a position for the speaker that is rhetorically advantageous.

Chapter 10

The Persuasiveness of Dissociation

In the previous chapter, we looked at the dialectical soundness of dissociation. As a normative standard for evaluation we used the model of critical discussion detailing an ideal dialectical procedure for testing the tenability of standpoints in the light of shared starting points. Against the background of this model and the rules for the performance of the dialectical moves in each of the stages that the model encompasses, I have examined in which cases dissociation lives up to the normative ideal of rational resolution of differences of opinion and in which cases it does not. Thus, an outline was provided of the *dialectical* strengths and weaknesses of this argumentative technique.

In this chapter, I explore the *persuasiveness* of dissociation, that is, what it is that makes this argumentative technique so effective as a way of winning over an audience to the position of the speaker. First, I examine the circumstances in which speakers use dissociation. Why do speakers find it opportune to use this argumentative technique? Why do they use dissociation to reach the dialectical and, more in particular, the rhetorical objectives that have been detailed in part II of this book? Then, I investigate the conditions for the success of the technique in attaining these objectives. When does dissociation win over the audience that the speaker addresses? In order to reach an understanding of how dissociation ‘works’, I will look at how listeners respond to dissociation. Finally, I examine the characteristics of dissociation that play a role in its persuasive success.

10.1 Occasions for the Use of Dissociation

As we saw in the earlier chapters of this book, dissociation can be used in all areas of public and private life and with regard to all subject matter, be it of a philosophical nature or of a more worldly character. In all these contexts, dissociation is always used against a background of particular assertions, either ones that have been made, or ones that are assumed or anticipated. The speaker would like to counter these assertions, but cannot straightforwardly deny them, either. The prime circumstance that gives rise to the use of dissociation, thus, is the sense of unease that is the result of a clash between how things are defined and how one perceives or would wish things to be, without one being in a position to simply deny the given definition of the situation. For example, according to the law, a particular action must be termed illicit, but one might want to think of it as permissible. However, the law is clear on this particular issue and its verdicts cannot be denied. As we have seen, this incompatibility may be resolved by a dissociation between the letter of the law and the spirit of the law or, as the case may be, between positive law and natural law, in which the latter member of these pairs, which is presented as the higher-valued, crucial, or core notion, permits the action, while the former, presented as the lower-valued, incidental, or marginal notion, forbids it.

The incompatibility between how things are defined and how one perceives or would wish them to be, can, to be sure, occur in a situation where the interest of the participants is purely conceptual and abstract. This is the case in many of the examples that Perelman and Olbrechts-Tyteca discuss, which originate from a philosophical context. The same holds for the use of dissociation in a scientific context. The dissociation, in these contexts, is theoretically motivated – which does not mean, however, that there may not be far-reaching pragmatic effects, as we saw in Chapter 2. However, in more mundane contexts, often participants in the discussion have an emotional stake in the issue. For example, someone or something may be described in a positive fashion, while one feels oneself less favorably disposed towards this person, object, action, or state of affairs. Thus, against the background of a general consensus that the Netherlands are blessed by the presence of a number of highly original comedians, for instance, one might oneself have a more negative perception of the situation, and accordingly wish to introduce a dissociation like the one used by

the reviewer who contended that ‘real originality’ is absent among Dutch comedians. And, of course, it can be the other way around, too. A major circumstance occasioning the use of dissociation, in fact, is when a negative judgment or an outright accusation is directed against one – or someone or something that one holds dear or is otherwise committed to defend – which one, naturally, would want to counter. In the light of the facts as perceived by the participants it is not always feasible to plainly deny the accusation. The prime solution, in that case, is to introduce a dissociation. This is what we saw in the case of Maria Montessori’s granddaughter defending her grandmother against an accusation of vanity by employing a dissociation between vanity and a love of beautiful clothes, in the case of the woman Beth escaping a verdict of being greedy through the use of a dissociation between acting greedy and being a greedy person, and in the case of the soccer player Jonk avoiding to having to admit regret when confronted with the negative results of his decision to transfer to a different club, by introducing a dissociation between regret and something being too bad. Dissociation was also used in this fashion by the Vatican, to defend the Church against an accusation of anti-Semitism during World War II. It was not a case of anti-Semitism, the Vatican contended, but of anti-Judaism and it was not practiced by the Church, but by its members (Grootendorst, 1999).

The inability to plainly deny the definition of the situation stated in the assertions that form the background of the dissociation may have several grounds. Not the least one of these is that the speaker, earlier in the discussion, may explicitly have committed himself to these assertions. He cannot deny them, without running the risk of being accused of being inconsistent. In fact, the attempt to evade an accusation of committing an inconsistency provides a prototypical occasion for dissociation. The accusation need not necessarily be made, it also can be anticipated. Whenever a speaker changes positions, he may use dissociation to pre-empt an accusation of inconsistency. We saw this, for instance, in the examples of Education Minister Ritzen, who defended his switch from excluding students from university administration to including them with a dissociation between students participating and students taking part in the university administration; in the example of Traffic Minister Jorritsma, who earlier had agreed that tolerating another violation of the noise levels for Schiphol airport was out of the question, and now wished to permit exactly such a

violation, defending her change of view with a dissociation between tolerating and anticipating on a change of law that everyone is in favor of; and in the example of Press Officer Wesseling, who retracted his earlier assertion that Rotterdam had a position of its own with a dissociation between positions in the abstract and positions in practice.

In the second place, a speaker may not very well be in a position to straightforwardly deny the assertions that form the background of the dissociation, even though he would like to counter them, because the propositions that are expressed in these assertions belong to the *doxa*, the body of beliefs, assumptions, and values that are presumed to be shared by all members of the community. These may range from vague, general feelings, such as the one about the originality of Dutch comedians cited above, to commonly held opinions, such as the idea that peace is the absence of conflict – against which the dissociation that real peace is not the absence of conflict but the presence of justice is brought forward –, and undisputable facts, for example the fact that movie producer Matthijs van Heijningen has, in a given year, produced four movies – against which Ate de Jong introduced the dissociation separating movies that point to passion, because they are movies that the producer wanted to make, from movies that do not, because they were made out of a sense of duty.

Whatever the reason may be that the speaker is not in a position to straightforwardly deny the assertions that he would like to object to, in all cases he can employ dissociation to redefine the situation. Even though the facts themselves seem indisputable, through dissociation the speaker can change the interpretation of the facts, in the direction he prefers. That is why dissociation is such a powerful rhetorical instrument.

10.2 Responses to Dissociation

In order for dissociation to be successful, the views of the audience are of decisive importance. Ultimately, both the dialectical soundness and the rhetorical success of a particular dissociation depend on its acceptance by the audience. And this acceptance can not be taken for granted; after all, dissociation involves a restructuring of our conceptions of reality. To be sure, as Perelman and Olbrechts-Tyteca point

out, sometimes the speaker uses a dissociation that is well-known and accepted. But even in such a case, they emphasize, the application to the particular case at hand makes it new: ‘a modification of those notions is, nonetheless, brought about as the result of their application to a new sphere and of the adoption of new criteria for term II’ (1969: 426). So, even in the case of a dissociation handed over from the past, the acceptance of the audience must be secured.

Audience acceptance is primarily determined by the audience’s values and beliefs. As Amossy (2007) points out: ‘The speaker (. . .) has to secure the audience’s adherence (. . .) by making the distinction acceptable on the basis of consensual opinions, values and beliefs’. A prime way of doing this, of course, is through presenting arguments appealing to these opinions, values, and beliefs in favor of the distinction. Although often dissociation is just posed without any further justification, in many cases the speaker tries to secure acceptance for a dissociation by supporting it through argumentation. In the previous chapter we saw an example of this. The genetic biologist dissociating ‘identical’ from ‘genetically identical’ people argued for this dissociation by pointing out the differences between these two concepts. And these differences, in turn, were supported by arguments from analogy: mere genetical identity was illustrated by a reference to bulb flowers, and the difference with ‘true’ identity was supported by pointing to twin brothers, who are genetically identical, but human individuals. Through these arguments by analogy, invoking common, every-day knowledge, an appeal was made to the beliefs and values of the audience in order to support the distinction made in the dissociation.

For the persuasive success of a dissociation, there is a number of aspects that the acceptance of the audience must be secured for, some of which, not surprisingly, already were mentioned in the section on material conditions for dialectical soundness, in the previous chapter. In the first place, the distinction and definition inherent in the dissociation must be accepted. The audience must not be of the opinion that there is no difference between the two notions that result from the dissociation. Secondly, the value hierarchy in which the two members of the dissociated pair are placed must be accepted. In particular, the audience must agree with the placement of the two terms in the value hierarchy as, respectively, term I and term II. Finally, the audience must accept that the dissociation results in conceptual clarification and

solves the incompatibility that it is supposed to provide a solution to.¹ When we look at audience reactions to dissociation, we can find these three aspects instantiated. Since acceptance usually is not signaled explicitly, it is most illustrative to look at cases in which the dissociation is not accepted.²

10.2.1 Accepting the Distinction

The audience can object to a dissociation because it does not accept that the distinction that is inherent to the dissociation is valid. The audience, in such a case, is of the opinion that the two notions that are distinguished in the dissociation hardly differ at all. In the following two examples, the audience does not acknowledge the distinction that is inherent to the dissociation employed by the speaker.

In the first example, movie reviewer Hans Beerenkamp, upon receiving a prize for his work, objects against a dissociation made by the jury in which the notions ‘review’ (which is defined as a short, superficial, every-day piece about a single movie) and ‘critique’ (which is defined as a long, thorough piece, considering several movies from reflective distance) are separated.

(1) I have encountered this distinction before, and never have quite understood it. Why is a review by nature committed to the fancy of the day? Because it appears in a journal which tomorrow serves to wrap the fish in? Is it possible that a critique is short-sighted and is it impossible that a review discusses more than a single movie? I myself tend to use the words ‘review’ and ‘critique’ interchangeably. I find them to be synonyms for a critical, personal consideration of one or more movies.

NRC/Handelsblad 15-03-2002

Beerenkamp rejects the distinction between review and critique that is inherent in the dissociation made by the jury. In his view these two notions come down to the same thing.

¹ All three are also mentioned by Perelman and Olbrechts-Tyteca (1969: 427 ff.).

² The reason for acceptance usually not being signaled explicitly is the principle of preference for agreement that organizes every-day conversation (Van Rees, 1992). This principle makes acceptance the default case. This also means that if there is no explicit question or challenge, consent must be assumed.

In the next example, taken from a letter to the editor, the writer objects to a dissociation employed by column writer Beatrijs Ritsema between ‘animal rights’ – which she objects to – and ‘a duty to give production animals a legally precisely circumscribed existence that is worthy of an animal’ – which she supports.

(2) In her column of October, 9, Beatrijs Ritsema distances herself from the Universal Declaration of the Rights of Production Animals, because she claims not to believe in animal rights (...). According to her, adult human beings merely have a duty to give production animals a legally precisely circumscribed existence that is worthy of an animal. But that means nothing other than animal rights.

NRC/Handelsblad 16-10-2002

The writer objects to the dissociation made by Ritsema because he feels that the two notions that are distinguished by her do not differ in any way.

10.2.2 Accepting the Value Hierarchy

The audience also can object to a dissociation because it does not accept the value hierarchy that is established between the two terms that result from the dissociation. The audience, more in particular, may be of the opinion that the value hierarchy that is imposed by the speaker on the two terms should be reversed. In other words, the audience considers the term that is given the position of term I, and presented by the speaker as marginal or incidental, to be the central one (one that should have the position of term II), while it considers the term that is given the position of term II, and presented by the speaker as central or essential, to be the marginal one (one that should have the position of term I).

An example of this can be seen in the following fragment of a letter to the editor, in which the age-old dissociation between act and intention applied by the defense in the legal proceedings against Volkert van der G., who is accused of the murder of Dutch politician Pim Fortuyn, is criticized.

(3) Not a morally objectionable intention, however objectionable the act, the defense says. In my view, what does the intention matter if the act is objectionable?

Metro 02-04-2003

The usual definition of the notion of ‘act’ is the execution of an intended action, but in the dissociation applied by the defense of van der G., the intention is dissociated from the act; the former is given the status of term II, while the notion of act is limited to the material aspect of the action, and given the status of term I. The defense is of the opinion that the intention is what counts. The writer of the letter to the editor quoted in the example does not object to the distinction as such, but rejects the value hierarchy applied by the defense. In the view of the writer, it is not the intention that is of decisive importance in judging the murder, but the act as such. So, in his view, the act should get the position of term II, while the intention should get the position of term I.

Often, the value hierarchy of appearance/reality that is central to dissociation is combined with another value hierarchy, in which the two notions that result from the dissociation are judged as desirable or undesirable. In the case of the accusation of vanity and ambition raised against Maria Montessori, for instance, these personality traits obviously are viewed by both speaker and audience as undesirable (after all, they are mentioned in an accusatory fashion); the notions that are dissociated by Montessori’s granddaughter to counter this accusation, love of beautiful clothes and drive, are supposed, at least by the speaker, to have a positive ring. For this value hierarchy, too, the acceptance of the audience must be secured. If the audience thinks that a love of beautiful clothes and a possession of drive are objectionable characteristics for a woman, the attempt to place Maria Montessori in a more positive light fails. ‘So much the worse’, the response of the audience would be, in such a case. Of course, if the audience rejects this second value hierarchy, that does not affect the dissociation as such; the dissociation as such is considered to be valid. However, it significantly does affect the persuasiveness of the dissociation.

10.2.3 Accepting the Solution

Finally, the audience can object to a dissociation because the dissociation does not result in the clarification of notions that it is supposed to bring about and thus in the resolution of the incompatibility that it is supposed to remedy. The antagonist may feel that no clarification is

reached, or he may find the clarification to be *ad hoc*, that is, merely of use to get the protagonist out of a fix and not applicable beyond the case at hand.

The former case is illustrated by the sequel to the story of the feud between Eurocomissar Bolkestein and TV journalist Fons de Poel. Bolkestein's rectification, in which he asserted that his accusation of 'fraudulent declaration' against De Poel, that had proved to be untenable, was not meant by him in the technical, fiscal sense, but in the sense of giving a patently false impression of things with regard to his (Bolkestein's) tax declaration, was not accepted by the other party. Although Bolkestein's attorney claimed that, with this rectification, the accusation was now retracted, De Poel's attorney did not agree:

(4) His attorney, Meijering, calls the text unclear and is of the opinion that Bolkestein does not distance himself from the accusations. 'Indeed, if you read it carefully, he says the very opposite'.

De Volkskrant 13-11-1999

De Poel's attorney feels that the dissociation applied in Bolkestein's rectification does not bring about any clarification at all and does not resolve the contradiction between what Bolkestein says is the case and what he legally is permitted to say is the case.

An example of a case in which a dissociation is not accepted by the antagonist because the clarification is judged to be merely *ad hoc*, is the reaction of several members of Parliament after Education Minister Ritzen defended his switch from excluding students from university administration to including them by means of the dissociation separating students' participation in the university administration from students' taking part in the university administration.

(5) Ritzen: 'A student taking part in the administration is accountable to the Dean, not to the student population. Really, it is not a matter of semantics.'

'You are just trying to save face', Socialist Party Member Poppe indignantly cried, 'so it would be just a coincidence that the administrator happens to be a student as well'. Liberal Party Member De Vries was not impressed by the Minister's argument, either.

De Volkskrant 11-09-1996

Ritzen anticipates the criticism of Parliament and tries to convince his audience that the distinction he makes is not merely verbal ('not a matter of semantics'). But MP Poppe is not amused. He accuses

the Minister of just trying to save face. The clarification attained by the dissociation, in his view, is not very helpful – beyond getting the Minister out of a fix. In the real world, Poppe feels, it is highly unlikely that the fact that the student member of the university administration is a student would be completely irrelevant.

Another example of the audience disapproving of a dissociation as merely *ad hoc* is provided by the response of the studio audience of the TV show *Kilroy*, following on Beth's dissociation, discussed in Chapter 7, in which she separated acting greedy from being a greedy person. This attempt to evade an unfavorable judgment of her personality, after she had admitted that she fell for a con man because she was led by greed, was met by scornful laughter from the audience.

10.3 Gaining Audience Acceptance

How is it, then, that dissociation can be successful, enabling the speaker to resolve a contradiction or incompatibility, and thus help him in presenting standpoints that are easier to defend, in establishing starting points and presenting arguments that provide more support in the justification or refutation of a standpoint, and in drawing conclusions that are more in line with his preferences? As we saw in the previous sections, of prime importance in this matter is that the audience accept the dissociation. And this acceptance depends on whether the dissociation is in line with the values and beliefs of the audience. The audience must believe that there is indeed a difference between the notions that are distinguished; the audience must apply the same value hierarchies that are imposed on the dissociated notions; and the audience must believe that the dissociation does in actual fact provide the conceptual clarification and resolution of incompatibilities that it was designed for.

How can dissociation do the job? There are several characteristics of dissociation that make it fit for gaining audience acceptance. To begin with, dissociation inherently acknowledges the audience's views. When a speaker counters, say, the assertion of his opponent that a certain object is green, by introducing, for instance, a dissociation separating something being optically green (term I) from it being

technically green (term II),³ he does acknowledge the idea that on some level the object can be seen as green. Although he presents that level as peripheral to the concept of greenness, through the use of this dissociation, he gives the audience's views much more acknowledgement, than if he would have countered the assertion by merely saying, for example, that the object is not green, but yellow.

In the second place, dissociation seemingly obviates the need to argue for one's position. That is because dissociation always offers an alternative interpretation of a situation. Thus, it enables to speaker to effectively replace the definition of the situation that he wishes to criticize by one that he prefers. The presence of the alternative interpretation often is enough to convince the audience that the original definition of the situation cannot hold.

Finally, as we had much occasion to see in the previous chapters, dissociation is often authoritatively posed. It is presented as self-evident, presupposing the distinctions and definitions introduced as accepted, and thus places the audience for a conceptual *fait accompli* against which it is difficult to come into arms. As Perelman and Olbrechts-Tyteca point out, once a distinction is presented as a fact, it is hard to get rid of.

A critical audience, of course, will not be swayed by such means. For such an audience, what makes dissociation persuasive is another feature. It is the conceptual clarification that dissociation may provide, that, for a critical audience, is a strongly persuasive factor. When the speaker submits the distinctions and definitions involved in the dissociation to the judgment of the audience by openly introducing them as such, and supports them through arguments that are in accordance with the beliefs and values of the audience, the audience may rationally judge the distinctions and definitions to be clear and valid, agree with the value hierarchies imposed, and agree that the dissociation provides indeed the conceptual clarification and resolution of incompatibilities it is supposed to bring about. Dialectical soundness and rhetorical effectiveness of dissociation, in this ideal case, then, run hand in hand.

³ In this case, contrary to what we saw in the Bolkestein case, the term that covers the 'technical' meaning of a notion is given the place of term II.

Chapter 11

An Extended Example

In the previous chapters, I have discussed and illustrated the various aspects of dissociation in relatively short examples taken from various contexts. In this chapter, as a way of summarizing the findings from this study, I will discuss at somewhat greater length a single, more extended, example in its context. It is an example that unites the political, legal, and personal spheres from which many of the previously discussed examples of dissociation stem.

In 1998, US President Bill Clinton was involved in a scandal that eventually led to impeachment procedures started against him in the House of Representatives on the grave accusations of obstruction of justice and perjury. I am referring, of course, to the well-known Monica gate, a political sex scandal emerging from an extra-marital affair between United States President Bill Clinton and a then 22-year-old White House intern, Monica Lewinsky.

In his defense against the accusation of perjury raised against him, Clinton made use of a crucial dissociation, by means of which he eventually succeeded, at least formally, in absolving himself: the Senate acquitted him on both the accusations of obstruction of justice and of perjury. But whether he was successful in a more material sense remains to be seen. In this chapter, I will first introduce the case and the history of events in which the dissociation figured.¹ Then, making use of the insights gained in the previous chapters of this book, I will examine the character of the dissociation, its dialectical

¹ My account is based on the following internet sources: *Clinton Grand Jury Video Testimony Transcript*; *Clinton's Legalistic Words Blur the Issue*; *CNN/AllPolitics: Investigating the President*; *Lewinsky Scandal*; *Statement by Senator Ted Stevens*.

function, its dialectical and rhetorical effects, its dialectical soundness and, taking into account the various reactions to its use, its rhetorical effectiveness.

11.1 The Case

In 1995, Monica Lewinsky, who was hired to work as an intern at the White House during President Clinton's first term, entered intimate relations with the President. After their relationship had become more distant and Lewinsky had left the White House to work at the Pentagon, she confided details of the relationship to her friend and Defense Department co-worker Linda Tripp who secretly recorded their telephone conversations. When Tripp discovered in January 1998 that Lewinsky had signed an affidavit denying a relationship with Clinton in a legal case in which the President was accused of sexual harassment of another former employee, she delivered the tapes to Kenneth Starr, the Independent Counsel who was, at that time, investigating the President on various other matters.

The sexual harassment case in which Lewinsky denied having a relationship with the President was started in May 1994 by Paula Jones, an Arkansas State employee during the time when Clinton was governor of that state. Since there was neither hard evidence available that Clinton had sexually harassed Jones nor any witnesses ready to back up Jones' claim that he had, Jones' lawyers decided to reveal to the court a pattern of repeated sexual involvement by Clinton with state or government employees. Jones' lawyers subpoenaed females they suspected Clinton had had affairs with, one of which was Monica Lewinsky, who, however, in her affidavit, denied having a relationship with Clinton. Then, Clinton himself was required to make a deposition. For this deposition in the Jones case, which took place on January 17, 1998, the President was asked, 'Have you ever had sexual relations with Monica Lewinsky, as that term is defined in Deposition Exhibit 1, as modified by the Court'. The definition referred to included 'contact with the genitalia, anus, groin, breast, inner thigh, or buttocks of a person with an intent to arouse or gratify the sexual desire of that person, any contact of the genitals or anus of another person, or contact of one's genitals or anus and any part of another person's body either directly or

through clothing'. Clinton flatly denied having sexual relations with Ms. Lewinsky: 'I have never had sexual relations with Monica Lewinsky'.

However, the tapes delivered by Monica's friend Linda Trapp to Kenneth Starr seemed to tell a different story. So, once news of the Clinton-Lewinsky affair had broken, the President, who, from the start, reiteratively had denied any sexual relations with Lewinsky, was pressed for an official statement. On January 26, 1998, in a White House press conference, an agitated President Clinton, accompanied by his wife, issued a forceful denial, even actually wagging his finger:

Now, I have to go back to work on my State of the Union speech. And I worked on it until pretty late last night. But I want to say one thing to the American people. I want you to listen to me. I'm going to say this again. I did not have sexual relations with that woman, Miss Lewinsky. I never told anybody to lie, not a single time; never. These allegations are false. And I need to go back to work for the American people. Thank you.

In the meantime, Independent Counsel Kenneth Star had started proceedings against the President on an accusation of perjury. In July 1998, Lewinsky received transactional immunity in exchange for a Federal Grand Jury testimony concerning her relationship with Clinton. At that occasion, she turned over a dark blue dress to the investigators of the Independent Counsel on which stains of semen were present, which DNA evidence proved to be Clinton's. In her testimony, Lewinsky declared that the President on several occasions had had oral sex performed on him by her and that they had had telephone sex a number of times. Starr concluded that the President's sworn testimony in the Jones lawsuit was false and perjurious.

After much wavering and numerous attempts to avoid having to give testimony, Clinton finally appeared before the Federal Grand Jury on August 17, 1998. In his initial statement, the President admitted to an 'inappropriate intimate' relationship with Monica Lewinsky, but he maintained that he had not committed perjury in the Jones case when he denied having a sexual relationship, sexual affair, or sexual relations with her. The President contended that he had believed his various statements in the Jones case to be legally accurate:

When I was alone with Ms Lewinsky on certain occasions in early 1996 and once in 1997 I engaged in conduct that was wrong.

These encounters did not consist of sexual intercourse. They did not constitute sexual relations as I understood that term to be defined in my January, 17, 1998 deposition.

But they did involve inappropriate intimate contact.

These inappropriate encounters ended at my insistence in early 1997.

I also had occasional telephone conversations with Ms Lewinsky that included inappropriate sexual banter.

I regret that what began as a friendship came to include this conduct and I take full responsibility for my actions.

While I will provide the Grand Jury whatever other information I can, because of privacy considerations affecting my family, myself and others, and in an effort to protect the dignity of the office I hold, this is all I will say about the specifics of these particular matters.

I will, however, try to answer to the best of my ability other questions including questions about my relationship with Ms Lewinsky, questions about my understanding of the term of sexual relations as I understood it to be defined at my January, 17, 1998 deposition, and questions concerning alleged sublimation of perjury, obstruction of justice, and intimidation of witnesses.

During closer questioning, the President was asked whether Monica Lewinsky performed oral sex on him and, if so, whether he had committed perjury in his civil deposition by denying a sexual relationship, sexual affair, or sexual relations with her. First, Clinton was asked whether he thought that Lewinsky was stating the truth in her deposition in the Jones case, in which she said that she did not have sexual relations with the President:

I believe that at the time that she filled out this affidavit, if she believed that the definition of 'sexual relationship' was two people having intercourse, then she was accurate.

I believe that that is the definition that most ordinary Americans would give. If you said 'Jane and Harry had a sexual relationship' – and we are not talking about people being drawn into a law-suit and being given definitions and great efforts being made to trip them in some way, but you are just talking about people in ordinary conversation – I bet that the Grand Jurors, if they were talking about two people they knew and said they had a sexual relationship, they meant they were sleeping together, they meant they were having intercourse together.

So I'm not at all sure that this affidavit was not true and was not true in Ms Lewinsky's mind at the time she swore it out.

When questioned about his own views, he President refused to say whether he had oral sex. Instead, the President said that the terms

‘sexual affair’, ‘sexual relationship’, and ‘sexual relations’ necessarily require sexual intercourse, that he had not engaged in intercourse with Ms. Lewinsky, and that he therefore had not committed perjury in denying a sexual relationship, sexual affair, or sexual relations:

Question: So your definition of sexual relationship is intercourse only, is that correct?

Answer: No, not necessarily intercourse only, but it would include intercourse. I believe – I believe that the common understanding of the term, if you say two people are having a sexual relationship, most people believe that includes intercourse.

A more specific definition of ‘sexual relations’ had also been used at the civil deposition. As to that definition, the President said to the grand jury that he does not and did not believe oral sex was covered.

Question: [I]s oral sex performed on you within that definition as you understood it, the definition in the Jones –

Answer: As I understood it, it was not; no.

The President thus contended that he had not committed perjury on that question in the Jones deposition – even assuming that Monica Lewinsky performed oral sex on him.

There still was the question of his contact with Ms. Lewinsky’s breasts and genitalia, which the President conceded would fall within the Jones definition of sexual relations. The President denied that he had engaged in such activity and said, in effect, that Monica Lewinsky was lying:

Question: The question is, if Monica Lewinsky says that while you were in the Oval Office area you touched her breasts would she be lying?

Answer: That is not my recollection. My recollection is that I did not have sexual relations with Ms. Lewinsky and I’m staying on my former statement about that. . . . My,

my statement is that I did not have sexual relations as defined by that.

Question: If she says that you kissed her breasts, would she be lying?

Answer: I'm going to revert to my former statement.

Question: Okay. If Monica Lewinsky says that while you were in the Oval Office area you touched her genitalia, would she be lying? And that calls for a yes, no, or reverting to your former statement.

Answer: I will revert to my former statement on that.

The President elaborated that he considered kissing or touching breasts or genitalia during sexual activity to be covered by the Jones definition, but he denied that he had ever engaged in such conduct with Ms. Lewinsky:

Question: So touching, in your view then and now – the person being deposed touching or kissing the breast of another person would fall within the definition?

Answer: That's correct, sir.

Question: And you testified that you didn't have sexual relations with Monica Lewinsky in the Jones deposition, under that definition, correct?

Answer: That's correct, sir.

Question: If the person being deposed touched the genitalia of another person, would that be – and with the intent to arouse the sexual desire, arouse or gratify, as defined in definition (1), would that be, under your understanding then and now –

Answer: Yes, sir.

Question: – sexual relations.

Answer: Yes, sir.

Question: Yes it would?

Answer: Yes it would. If you had a direct contact with any of these places in the body, if you had direct contact with intent to arouse or gratify, that would fall within the definition.

Question: So you didn't do any of those three things –

Answer: You –

Question: – with Monica Lewinsky.

Answer: You are free to infer that my testimony is that I did not have sexual relations, as I understood this term to be defined.

Question: Including touching her breast, kissing her breast, touching her genitalia?

Answer: That's correct.

In his testimony, then, the President's line of defense consisted in, on the one hand, contending that what he and Lewinsky had done did not fall under the definition of having sexual relations (it came down to merely inappropriate intimate contact), while, on the other hand, claiming that those actions that did fall under that definition were not performed by him and Lewinsky.

That evening the President gave a nationally televised statement admitting to a relationship with Lewinsky which was 'not appropriate'.

Most Republicans in Congress, who held the majority in both Houses at the time, as well as some Democrats, concluded that Clinton had given false testimony and had influenced Lewinsky's testimony; these crimes of perjury and obstruction of justice were impeachable offenses. The House of Representatives voted to issue Articles of Impeachment against him, whereupon a 21-day trial in the Senate followed. During this trial, the President maintained he had not given false testimony and had not influenced the testimony of Lewinsky. In the end, Clinton was acquitted of all charges and remained in office. He was not given any penalty beyond the censure by the House of Representatives.

11.2 The Role of Dissociation in Clinton's Defense

In Clinton's defense against the accusation of perjury, a central role was played by a dissociation made by the President, in which he separated having inappropriate intimate contact from sexual relations proper. In the following sections, I will examine this role in more detail, making use of the insights gained in the previous chapters of this book.

11.2.1 The Occasion

The context in which the dissociation occurred is one that typically gives rise to dissociation: someone has said something; in the light of the evidence that his opponent presents him with, he cannot maintain that statement, but at the same time, he does not want to give it up. To resolve this dilemma, he then introduces a dissociation, which makes it possible to maintain his original statement in one sense, while admitting that in another – but peripheral – sense, the opponent has a point.

President Clinton, in the Jones disposition and in public, had adamantly denied any sexual relationship with Monica Lewinsky. By the time he appeared before the Grand Jury, however, there was an extensive body of evidence to the contrary, and the President was largely aware of that. Not only did he know that Ms. Lewinsky had reached an immunity agreement with the Office of the Independent Counsel in exchange for her truthful testimony, but the President knew from public reports and his own knowledge that his semen might be on one of Ms. Lewinsky's dresses. The OIC had asked him for a blood sample two weeks before his grand jury testimony and assured his counsel that there was a substantial predicate for the request, which reasonably implied that there was semen on the dress.

As a result, the President had three apparent choices in his testimony to the Grand Jury. First, he could maintain his earlier statements and deny any sexual relationship. But he knew (or at least, had reason to know) that the evidence to the contrary was overwhelming, particularly if his semen were in fact on Ms. Lewinsky's dress. Second, he could admit a sexual relationship, but that would come down to an admission that he had lied under oath in the Jones case. Third, the President could opt out altogether by invoking his Fifth Amendment privilege against compelled self-incrimination, but that would make him seem openly uncooperative and have the effect of intensifying the heavy suspicions that were present against him.

11.2.2 The Dissociation

As a way out of the quandary he found himself in, Clinton introduced a dissociation regarding the notion 'sexual relationship', in which he

placed activities like having oral sex and telephone sex outside this notion. This enabled him to bow to the overwhelming evidence and admit to having performed those latter acts, while at the same time he could maintain that he had not had a sexual relationship with Lewinsky, as he had testified before. For the aspects split off from what he considered to be the core notion of sexual relationship, Clinton introduced a new term: while denying that he had had sexual relations with Monica Lewinsky, he admitted to having had 'inappropriate intimate contact' with her.

The dissociation was based on a particular definition of the term 'sexual relationship'. In this definition, Clinton limited the meaning of the term to two people having sexual intercourse (including kissing and deliberate touching – presumably by hand – of breasts and genitalia).

Clinton reiteratively supported the acceptability of the dissociation he introduced by pointing out that the definition of sexual relations that it involved was one that 'most ordinary Americans would give', that would be used by 'people in ordinary conversation', that comprised 'the common understanding of the term', and what 'most people believe'. In this way, he intimated that his adversaries, who were attributing a meaning to the term that included oral sex and phone sex, were using the term in a nonstandard fashion, and that the true or core meaning of the term was the one he himself used.

11.2.3 Dialectical and Rhetorical Effects

In order to gauge the dialectical role of the dissociation, as well as how it enabled Clinton to maneuver strategically between dialectical reasonableness and rhetorical effectiveness, we first have to reconstruct the position of the dissociation in the discussion as a whole (given that this discussion is reconstructed as a critical discussion).² We can analyze the dialectical position of the dissociation Clinton introduced in various ways.

² For the reconstruction of legal debates as a critical discussion, see Feteris (1987, 1989, 1991).

First, we could argue that the dissociation occurs in the opening stage of the discussion. In this reconstruction, we would take the President, in the confrontation stage, to have expressed the standpoint that he had no sexual relations with Monica Lewinsky. In the opening stage, that follows the confrontation stage, the dissociation is introduced, the protagonist proposing a particular definition of the term sexual relations as a starting point. This starting point would make it possible for him, in the argumentation stage, to defend his standpoint by arguing that what he did with Lewinsky did fall outside of the definition of sexual relationship as proposed in the opening stage. In this analysis, Clinton would employ, in Zarefsky's (1997) terms, an argument *from* definition. However, in a juridical context, in which this example occurs, it characteristically is not the case that the defendant has to argue in favor of his *not* having committed an offence. The burden of proof is on the other party. There is no need for Clinton, then, to establish starting points in the opening stage from which to argue for the standpoint that he and Lewinsky had no sexual relations.

Second, we might want to contend that the dissociation occurs in the concluding stage of the discussion. In this analysis, after he had been presented, in the argumentation stage, with evidence that supports the standpoint of his adversaries, the President concludes that his own standpoint that he did not have sexual relations with Lewinsky need not be retracted: it concerned something else than what the adversaries are talking about. However, this reading is not very plausible: no conclusions were drawn yet at all at the point in time when Clinton introduced the dissociation; above all, it is not the President who was to draw conclusions in this case.

Finally, and this analysis would have my preference, we could assign the dissociation to the confrontation stage of the discussion. In this stage, the adversaries of the President accuse him of having had a sexual relationship with Monica Lewinsky. The President puts forward a counter-standpoint: he claims that he had not had a sexual relationship with Monica Lewinsky. When this counter standpoint meets with opposition, he clarifies his standpoint by means of a dissociative definition, and maintains the standpoint in the face of the opposition raised against it. I prefer this reading, because, apart from the objections that I raised against the previous alternatives, after all, the larger context is one in which we are dealing with an accusation of perjury.

The President needs to maintain that when he put forward his original standpoint, he spoke the truth. In the light of the evidence to the contrary, the only way the President can do this, is to clarify what his original standpoint meant in his view. In his initial statement for the Grand Jury, that is exactly what he does, referring explicitly to how he originally used the term: 'as I understood that term to be defined'.

In this latter reading, then, the dialectical effect of the dissociation is that Clinton, who is protagonist of the standpoint that he did not have sexual relations with Lewinsky, after his standpoint has been criticized, gives a particular interpretation of his original standpoint and maintains it in that interpretation, while withdrawing it in another one.

Schematically:

P: $-/p[t]$

O: $+/p[t]$

P: $+/p[t_1]. - /p[t_2]$

p: Clinton had sexual relations with Monica Lewinsky

t: sexual relations; t_1 : oral and telephone sex; t_2 : sexual intercourse

Once we have determined the dialectical position and the dialectical effect of the dissociation in the discussion, we can detail its rhetorical effect. By means of this dissociation, Clinton is employing a classical *status definitionis* defense, claiming that his actions did not fall under the definition of an act that, had he committed it, would make him culpable, but had to be defined in a different way. In addition, using this particular dissociation in maintaining his standpoint allows the President to move towards a position that is less vulnerable to the all-too-eloquent counter evidence. It enables him to grant that he did perform some actions that – but only in a legalistic, nit-picking, and therefore marginal, sense – could be taken to comprise the sexual relationship which he denied having had. Thus, the dissociation enables Clinton to meet his opponents halfway. The dissociation makes it possible for him to show them that he did recognize the facts that they threw him in the face. At the same time, it allows him to maintain his original standpoint that he did not have a sexual relationship, when that term is interpreted in the ordinary, normal, and therefore core,

sense. Most importantly, the dissociation allows him to give the impression that he is firmly maintaining this original standpoint without shifting positions. Thus he can escape the grave accusation of having committed perjury.

11.2.4 Dialectical Soundness

For the dialectical soundness of a dissociation, as we saw in Chapter 8, two conditions need to be fulfilled. First of all, the dissociation needs to be presented explicitly, that is, the speech act of making a distinction or of introducing a definition needs to be performed as such. Basically, this is not the case. In his initial statement for the Grand Jury, in which the dissociation is introduced, the President did not in any way, explicitly, implicitly, or indirectly, perform the speech act of making a distinction or giving a definition:

These encounters did not consist of sexual intercourse. They did not constitute sexual relations as I understood that term to be defined in my January, 17, 1998 deposition.

But they did involve inappropriate intimate contact.

In this statement, Clinton merely characterizes his activities during the encounters with Monica Lewinsky as belonging to one category of behavior, rather than another. The distinction between these two categories of behavior, that is, between having sexual relations, in the sense of sexual intercourse, and having inappropriate intimate contact, meaning everything else, is presupposed. It is only later, upon closer questioning, that Clinton gives a definition of sexual relations in which he explicitly splits off from that notion the activities which he denominates as inappropriate intimate contact.

The second condition for dialectical soundness is that the distinction or definition be one that is accepted by the antagonist. In this regard, it is most pertinent that the President made an effort to show that his definition is the normal one, one that is accepted by most ordinary Americans and accords to the common understanding of the term, while the definition his adversaries employ is a mere legalistic trick. However, it is highly questionable whether this actually is the case. In any case, the immediate antagonists, the prosecution and the

members of the Grand Jury that Clinton is trying to convince of his innocence, did not seem to agree.

So, on both scores, unfortunately, the President's dissociation did not meet the requirements of dialectical soundness. The distinction between sexual relationship and inappropriate intimate contact was not introduced as such, but simply presupposed, and the definition of sexual relationship that accompanied this distinction was not accepted by the antagonist.

11.2.5 Persuasive Effectiveness

In an important sense, the dissociation Clinton used was effective: even though the Independent Counsel was not convinced and pressed for impeachment, in the end the President was acquitted by the Senate. The only way such an acquittal was possible, was because, through his dissociation, the President had created a space in which he could maintain his original statement without being guilty of perjury, notwithstanding the overwhelming factual evidence to the contrary. For the Senate, moreover, the dissociation created a legal basis for acquittal. Thus the dissociation created a way out for Clinton.

In spite of all this, in many respects, the dissociation was not very persuasive. Kenneth Starr, for one, was not convinced by Clinton's maneuvering and pressed for impeachment. The House of Representatives, subsequently, also voted in favor of impeachment. In addition, after the President was acquitted, the Arkansas Supreme Court disbarred Clinton for giving misleading testimony under oath in the Paula Jones case. But above all important is the fact that, according to most commentators, in the end, the President was acquitted in the Senate not due so much to his convincingness, as well as to political considerations of an altogether different nature.

To begin with, most senators voted according to party lines. All Democrats voted against indictment, all but ten Republicans in favor. This makes it not very plausible that the vote was based on a belief in Clinton's honesty. The Republican senators who did cross party lines, moreover, did not do so because they believed Clinton did not commit perjury. Senator Ted Stevens (R), for example, in his statement explained that he was convinced that the President was guilty

of perjury, but that he voted against indictment because he ‘did not believe that his criminal activity rises to the level of High Crimes and Misdemeanors which require his removal from office by this Senate’. But most importantly, in the end, indictment was rejected because it would not be ‘helpful to the country’ (Chief House Manager Henry Hyde, (R)).

Not only the senators doubted Clinton’s integrity, so did the general public. Representative Christopher Cannon (R) commented that the nation ‘overwhelmingly, by 80 percent or more, believes that he [Clinton] has committed perjury’. And, in effect, a Gallup Poll indicated that 53% of the population was of the opinion that the acquittal did not vindicate Clinton. Of course, it turned out that the general public, in the end, did support Clinton, but most commentators point out that the main reason for this is that the citizens were disgusted with the Republican blood-hounding and with the partisan bickering over what, after all, were nothing more than banal sexual misdeeds.

So, all in all, the dissociation failed to be persuasive. This is not surprising, in the light of the weaknesses pointed out in the previous section. These weaknesses also were pointed out in the media. Ironically, commentators found the definition that Clinton presented as normal and ordinary far from so. A CNN commentary heads: ‘Clinton’s Legalistic Words Blur the Issue’. And the commentary states: ‘the President is known for his precise, lawyerly way of talking, especially when confronted with controversy’. In other words, the definition of sexual relations on which the dissociation is based, in spite of Clinton’s efforts to plead the contrary, is by no means accepted as the common understanding of this term. In addition, in the heading, a possibly even more serious flaw is pointed out: the definition is deemed not to clarify, but, to the contrary, to blur.

11.3 Conclusions

In the previous chapters of this book, it became clear that dissociation is an argumentative technique that is eminently fit for use in dialogical situations. It responds to the stated or anticipated opinions and objections of real or presumed opponents by reinterpreting and

redefining the situation in such a way that the position of the speaker is presented in the most favorable way, while, at the same time, it may save the speaker from an accusation of inconsistency. These rhetorical effects are strived after, moreover, by the means of reasonable discussion, through the speech acts of definition and distinction that are suitable for contributing to the clarification and demarcation of notions. Thus the technique offers an instrument that is eminently suitable for strategic maneuvering between dialectical reasonableness and rhetorical effectiveness.

The case of President Clinton's use of dissociation in the Monica gate predicament provides an excellent example of strategic maneuvering by means of dissociation. In this chapter, we applied the insights developed in the previous chapters of this book to gain a closer understanding of this case. A short summary of the results of the analysis undertaken in this chapter may serve to illustrate the usefulness of these insights.

To begin with, we were able to understand the nature of Clinton's maneuvering as one that involved dissociation. And we could recognize that it occurred in a context that is typical for the use of this argumentative technique: a politician who was tripped up over his words and who needs to save face – in this case, in fact, more than just face. Clinton's maneuver is comparable to those of Bolkestein and Pronk treated earlier in this book: they, too, said something they could not maintain, but, for various reasons, could not afford to simply give up, either. Dissociation proved to provide a way out of such a dilemma.

Also, the technique being one of dissociation, we could understand that this way out was created by making a distinction between two senses of a notion and introducing a redefinition of the original term that limits the use of that term to one of these senses, creating a new term for the other one, while one of the two terms thus distinguished is given a higher value than the other one. Clinton claimed for his definition of the term 'sexual relationship', by which he limited the meaning of this term to having sexual intercourse only, distinguishing it from mere inappropriate intimate behavior, the status of the normal, core, common understanding of the term.

Furthermore, we could get a grasp of the dialectical and rhetorical functions of this dissociation, once we had analyzed it as one that occurs in the confrontation stage of the discussion. We saw that the

dissociation allowed Clinton to maintain his standpoint, in a particular interpretation, one that enabled him to evade the criticism raised against it. We could see that Clinton performed a subtle shift in position which allowed him to withdraw to a standpoint that could no longer be contradicted by the facts, while the appearance was kept up that the standpoint remained unchanged. In the face of a threat of being accused of perjury, this was crucially important for Clinton.

Through this analysis, we could also get a better understanding of the nature of the dissociation as a strategic maneuver. We could see that the dissociation Clinton employed caters to dialectical reasonableness by providing a definition that purports to be clarifying, while at the same time creating a better rhetorical position for the speaker. The latter results from the dissociation providing, not only a standpoint which is easier for the protagonist to defend in the light of the bare and blatant facts, but also an occasion for him to make a concession on a point that is presented as less important and less damaging, thus performing a rhetorically effective bow to the audience that waves these very facts in his face.

Last but not least, we were able to evaluate the strengths and weaknesses of the maneuver. The application of the requirements for dialectical reasonableness showed the dissociation up to be dialectically unsound. This analysis not only enables us to indicate in a precise and systematic fashion the weaknesses in Clinton's use of dissociation, it also points to ways in which the dissociation could have been made stronger. For it to be dialectically stronger, the distinctions and definitions inherent to the dissociation should have been presented up front; above all, they should have been supported with stronger justifications than just the feeble and highly implausible claim that the proposed definition of the term sexual relationship was what every ordinary American understood the term to mean. If Clinton would have been able to show that his definition was a necessary one because it provided advantages in clarity and usefulness (which, admittedly, would not have been an easy job), he certainly would have had a stronger case.

With a defense along these lines, Clinton would have made a case that would have been not just dialectically stronger, but rhetorically as well. Which brings us to our final point: we were able to point out in what respects the dissociation was persuasively effective and in what

respects it was not, and why. As we saw, the dissociation created a legal space that did provide a way out for Clinton, but the weaknesses in the definition pointed out earlier made it a lame attempt that was not convincing to either the prosecution or the general public. It is worth noting that the general public, at least as it proved in this particular case, turns out to be very well able to judge the strengths and weaknesses of the strategic maneuvers that get performed through the use of the argumentative technique of dissociation. As we saw, it was not taken in by Clinton's maneuvering. In its judgment of Clinton's case, the general public appears to have relied on criteria for the dialectical soundness and rhetorical effectiveness of dissociation that are in full accordance with those detailed in this book.

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