

The Theoretical
Background and
Practical Implications
of Argumentation
in Ireland

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By

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CHAPTER ONE

IRELAND AND ARGUMENTATION

1.1 What this book is

The association between the words “Ireland” and “argumentation” may not look so straightforward. The purpose of this book is to show that they are in fact more closely connected than it seems at first glance. In particular, the volume offers a linguistic perspective, and it suggests that the study of reasoned argument is likely to have a wide range of potential applications in the context of Irish public discourse.

On historical, political and linguistic grounds, Ireland is itself a complex subject to investigate: as it is beyond the scope of this work to capture such complexity in full, the primary focus of the analysis will be on the Republic of Ireland as a case in point. Similarly, the area of public discourse is vast, because it stretches from the press and other print or electronic media, to the institutionalised fields of politics and the judiciary, to name but a few. Taking two of the classic, favourite subjects of inquiry of contemporary argumentation theory (Perelman and Olbrechts-Tyteca 1958), the volume will address the issue of the construction of argumentation in the judiciary and in the politics of the Irish Republic.

On the basis of three illustrative case studies, the research reported here fields the following general questions: (1) what methods can be used to identify any distinctive aspect of the language at work in public settings where argumentation is the expected form of interaction?; (2) how can such methods lead to an integrated approach to the study of argumentative language in Irish public discourse, in the interest of field scholars and practitioners alike?

Before providing an outline of the volume in Section 1.3, it is sensible to discuss the rationale of the research in more detail. In an attempt to clarify the point raised at the outset—notably, the relationship between Ireland and argumentation—what follows is a broad historical survey. Its aim is, first of all, to elucidate the role of argumentation (or, as it was

classically known, “rhetoric”) in Ireland, and at a secondary level, to motivate and legitimise the present investigation.

1.2 Ireland and argumentation: Historical overview and present opportunities

In order to appreciate the significance of argumentation studies in Ireland, scholarly research has tended to define their role in the history of the Island’s education system. As we shall see in this section, this essentially meant that the place of “rhetoric” has been evaluated in the development of Irish university curricula across centuries (Moss 1996).

The term “rhetoric” has been used since classical antiquity to denote “the art of speaking well”. As such, for instance, it was seen by Marcus Tullius Cicero (1998 [46 BC]) as a crucial part of education. The Roman philosopher, politician and lawyer considered it as an all-inclusive discipline, by no means limited to *elocutio*, i.e. the set of stylistic devices used to shape arguments. In fact, he postulated, rhetoric was supposed to include *inventio*—the heuristic preparation of argumentative materials—*dispositio*—i.e., the sequence of arguments in speech—and *sapere*, that is a degree of familiarity with the subject matter of orations. Accordingly, Cicero called for a combination of formal and content features in his comprehensive model of rhetoric.

The birth of present-day studies on rhetoric can be traced back to Perelman and Olbrechts-Tyteca’s (1958) seminal work *Traité de l’argumentation. La nouvelle rhétorique* [Treatise on argumentation. The new rhetoric]. As can be noted from the title itself, the writers used the term “argumentation” to lay the foundations of a new rhetoric. The aim of the discipline was to analyse the discursive means that create and increase the adherence of minds to a thesis presented to them. More explicitly, “argumentation” was conceived by Perelman and Olbrechts-Tyteca’s (1958, 10) as the analysis of the technique of using discourse to convince and persuade (“*la technique utilisant le langage pour convaincre et persuader*”).

Perelman and Olbrechts-Tyteca were well aware of the argumentative traits of oral interaction. However, they mostly concentrated on forms of argumentation inherent in written texts. A modern, more extensive notion of argumentation beyond the realms of “rhetoric” as the art of speaking well is among the merits of Perelman and Olbrechts-Tyteca’s theorisation. By reason of this, the term “argumentation” was used in the title of this volume and it will be preferred to “rhetoric” all along the following chapters. Nonetheless, the term “rhetoric” inevitably occurs in a section

like this, devoted to a retrospective review of the discipline in the Irish history of the last few centuries.

During the Middle Ages, Ireland earned a reputation as a stimulating learning environment. The monastic movement contributed to the establishment of great monasteries in such ecclesiastical centres as Kildare, Cork, Clonard, Emly and Clonmacnoise. This ensured that proper resources be allocated to maintain high-order workshops and craftsmen, develop a taste for opulence and afford a generous patronage of “an art distinguished by its taste and delicacy” (Ó Corráin 1992, 15). Regrettably, the Viking raids into monastic towns of the late eighth century, the subsequent invasions by the Norsemen throughout the eighth and ninth centuries, and eventually the English domination from the late twelfth century caused major disruptions to higher education for the Irish Catholic population.

Unlike other European countries, therefore, Ireland had no university until the foundation of Trinity College in 1592. One of the purposes behind the College’s establishment was to enable the Anglo-Irish Protestant population to study at home, and to do so within a Puritan and anti-Catholic setting. As a result, the sharp increase in the number of Trinity’s scholars and fellows from 1592 to 1620 and beyond was of no benefit to Catholics, who accounted for the vast majority of Ireland’s inhabitants. Rather, in the wake of the Williamite Campaign of 1689-1691 (Canny 1992), the imposition of the Penal Laws on Ireland secured that Protestant schools set up for Catholic children ultimately pursued the aim of extirpating their parents’ religion. In the words of William E.H. Lecky (1913 [1892], 148-149):

The Catholic was excluded from the university. He was not permitted to be the guardian of a child. It was made penal for him to keep a school, to act as usher or private tutor, or to send his children to be educated abroad; and a reward of 10*l.* was offered for the discovery of a Popish schoolmaster. In 1733, it is true, charter schools were established by Primate Boulter, for the benefit of the Catholics; but these schools – which were supported by public funds – were avowedly intended, by bringing up the young as Protestants, to extirpate the religion of their parents. The alternative offered by law to the Catholics was that of absolute and compulsory ignorance or of an education directly subversive of their faith.

As Ireland approached the end of the seventeenth century, the Jesuits may have represented an exception to such a consistent pattern. These “missionaries, whose zeal deserves our admiration”, are reported by John Pentland Mahaffy (1896, 207) to have been “content to deter the youth of

Ireland from going to the dangerous [Trinity] College”, and in this to have “to a great extent succeeded”. Among the purposes behind the Jesuits’ activism was the preparation of Irish boys for an education in Europe, possibly in a Catholic country such as Spain. As Mahaffy himself records, it was no later than July 1629 that three students from Trinity were noted to go into the city and frequent suspect houses. Upon examination before the Dean and the Provost, they confessed that they “had met with two friars [...] who plied them with arguments in favour of Popery, and offered to convey them secretly and safely to Galway, and thence to Spain” (Mahaffy 1896, 208).

Despite the efforts by Jesuits and Dominicans to counterbalance the effects of the dominant Protestant paradigm on Irish education, it was Trinity College that trained the vast majority of public figures of the time. Moss (1996, 386) stresses that no Catholics would be admitted there until 1794, so that “higher education in Ireland more than anywhere else in Great Britain was confined to an elite segment of the population whose religious affiliation was different from most of the other inhabitants”. Arguably, such religious affiliations were also to exert considerable influence upon rhetorical education at the College. Not surprisingly, then, the first Provosts had been educated at Cambridge and had a strong Puritan background. Among them was William Temple, who drafted the first statutes of the curriculum in keeping with his interest for the French logician Peter Ramus [*Pierre de la Ramée*].

The first account of the contents of student curriculum dates back to Temple’s successor, William Bedell, who upheld the Ramist tradition. Bedell’s statutes are included in Mahaffy’s (1896, 352) volume as a Latin appendix, and they clearly prescribe the practice of logic and rhetoric, as can be seen from the following passage:

Discipuli [...] disputationes praestent [...]: Illi de Thesi Logica, hi de binis quaestionibus e Physiologia. Thesis a respondente tractetur, oratione perpetua, adhibito vario Argumentorum genere et Elocutionis Rhetoricae Ornamentis.

Students will engage in discussions: some about a logical thesis, others about two topics from physiology: A thesis from the respondent will be discussed through continuous speech, by availing oneself of various kinds of arguments as well as of the embellishments of rhetorical elocution. [My translation]

The year-by-year development of the curriculum is illustrated by John William Stubbs (1889) in detail. For instance, first-year students devoted

themselves to the study of logic, and they were required to submit an analysis on the subject of *inventio* and rhetorical style. In the second year, the study of logic was further pursued, and it was part of the lecturer's task to teach students how to detect false arguments in logical reasoning. Taking the subject to yet a higher level, fourth-year students were supposed to come together for a disputation. The "respondent" advanced a thesis, whereas the "opponents" put forward two arguments in reply, framed as syllogisms. The respondent and a moderator in turn "carefully watched these syllogisms, and detected the error in their form, if any such exhibited itself", the whole of the disputation lasting "for an hour and a quarter, each Monday, Wednesday and Friday, from 2 o'clock, P.M." (Stubbs 1889, 45).

The centrality of logic and rhetoric to the average student profile is equally apparent from the criteria laid down for the admission to the Degree of Bachelor of Arts. In that regard, Stubbs (1889, 44-45) observes that each candidate "must have publicly disputed in the schools concerning philosophical questions, twice as respondent, and twice as opponent, as well as privately in the College" on the basis of the rules set out by the Provost and Senior Fellows, and he had to have once declaimed. Consistent with the Puritan training of Trinity's provosts, candidates were examined for the degree by the Vice-Chancellor and Proctors: on that occasion, they were expected to be capable of translating into Latin "the whole of the Greek Testament" (Stubbs 1889, 45).

As Mahaffy (1896, 187) surmises, it is significant that students probably had no textbooks, although it can be hypothesised that lecturers made use of Temple's edition of Ramus along with other commentaries upon the same author. This is an aspect of no secondary importance. First of all, it sheds light on the widespread belief that "the logic of Ramus", applied as it could be to sacred texts as well, "afforded a clear and reasoned *vade mecum* for the education and conduct of princes" (Mahaffy 1896, 146). Secondly, it underlies the notion that mastery in assimilating lessons in Latin and defending one's views in public disputations, served a practical purpose: the development of "knowledge being ready for use, and defensible by argument" (Mahaffy 1896, 186), so as to make students intellectually and spiritually fit "to do battle with the forces of Rome" (Moss 1996, 388). It is not surprising, therefore, that such a training is attested at Trinity College from the foundations until the late nineteenth century (Mahaffy 1896, 187).

A discernible shift in educational philosophy occurred when Archbishop Laud was appointed Chancellor of the College in 1645. Reappraising the pre-eminent position of Ramist logic, he left a

distinctively Aristotelian mark on the curriculum. Accordingly, Stubbs (1889) explains that first-year students still studied logic, but they did so on the backdrop of Porphyry's *Isagoge*, by tradition an introduction to Aristotle's logic. Moreover, Aristotelian rhetoric was included in the curriculum in the form of the *Organon* in the second year, the *Physics* in the third year, and the *Metaphysics* as well as the *Nicomachean Ethics* in the fourth. Nonetheless, the practice of declamations retained paramount importance: in fact, "two students in turn declaimed *memoriter* in the Hall on each Friday and Saturday after the morning prayers" (Stubbs 1889, 139), and it was the duty of no one less than the lecturer himself to be present at those declamations.

Regrettably, as Moss (1996) points out, the political disruptions of the 1641 Irish insurrection and Cromwell's campaign contributed to the conspicuous lack of data about educational standards for the remainder of the seventeenth century and the early eighteenth. Notwithstanding the paucity of details available, the beginning of the Protestant Ascendancy in Ireland seems to have heralded the emergency of neoclassical education at Trinity. Testifying to the neoclassical imprint of the statutes of the age, Stubbs (1889, 197) himself notes that "the Undergraduates of each of the four classes were daily instructed in Science and in Classics".

In that context, the foundation of the Erasmus Smith Chair of Oratory and History in 1724 was indicative of the recognition accorded to rhetoric in the first half of the eighteenth century. Among the academics appointed to that position were two prominent figures of the time, two scholars that were to leave a published record of their ideals and beliefs (Moss 1996, 392), i.e. John Lawson and Thomas Leland. In delivering his "discourses concerning the nature, precepts and method of oratory" (Lawson 1760, 1), the former defined oratory as the result of the interplay of two elements. The first one was genius, without which "all attempts are vain, and no progress can be made" (Lawson 1760, 13). The second was application, which chiefly consisted in the combination of study and practice. It was largely by "delivering himself up, without control, to his genius, and uttering the sentiments of his heart, as in animated conversation" that the "preacher" would express his views most persuasively and transfuse "in their heart and vigour, his own sentiments into the breasts of his hearers" (Lawson 1760, 418).

The term "preacher" may itself be suggestive of the attention directed by Lawson to the needs of pulpit orators. Lawson (1760, 430) treated the matter in the last part of his *Lectures*, where he argued that the noblest endeavour of anyone preaching the Gospel was the acquisition of "authority" in the eyes of their audience. Authority was to be acquired by

orators by fostering the belief that they possessed “a competent degree of knowledge, of perfect sincerity, and of diligence”; they constructed their speeches with care, i.e. “by exact attention in the right choice of subjects”, disposing these “with clear method”, “treating them with close reason, well moderated passion and chaste fancy”; they expressed their ideas properly, i.e. with perspicuity and shortness; and they delivered “the whole with a natural, becoming sense of warmth” (Lawson 1760, 431). Once obtained, the authority thus established would compensate for any lacks in the preacher’s genius, let alone conceal any imperfection.

In Lawson, the development of an energetic style goes hand in hand with the discussion of principles of taste, as can be seen from his advice on the use of figures. These, he emphasised, ought to be used with moderation in the light of their inherent downsides, hyperbole having an air of fiction, apostrophes deflecting the attention and therefore displeasing the audience, and the use of frequent interrogations, “obsolete or unusual constructions” as well as new terms “coined in the fruitful mind of vanity” being “destructive of that natural simplicity, which is the perfection” of good writing styles (Lawson 1760, 411).

Like Lawson, Thomas Leland was a clergyman. As an enthusiast of the prominent Greek orator Demosthenes, Leland is reported by Moss (1996, 398) to “have fostered an interest in elocution at Trinity”. Our intercourse with mankind, Leland pointed out, awakens such passions as anger, indignation, benevolence and sympathy. Everyday experience tells us that these emotions “naturally and unavoidably produce an elevation or vehemence of speech, or a tender and melancholy flow of words”, “lively images and similitudes, glowing expressions or some other of those modes which rhetoricians call tropical and figurative” (Leland 1764, 3). Following Leland, the source of tropical expressions is to be located in a natural state of necessity and deficiency of human language, as it strives to articulate the feelings of the heart. Although they may be misdirected for purposes of deceit, therefore, tropes and figures do not originate from artifice or refinement. On the contrary, they are worth considering as “parts of perfect elocution”, and they “have their several degrees of perfection independent on caprice or fashion” (Leland 1764, 77).

In that capacity, tropes and figures underlie modes of elocution that can be gradually refined and improved by reason, judgment and experience. Regardless of the qualities of speech prevalent “at different periods, or among different nations”, modes of elocution should be cultivated to pursue a wide array of aims. These include their adaptation “to convey ideas clearly, pleasingly and forcibly, to interpret the mind with sentiments of dignity, to display qualities more engaging or exalted, passions more

noble and generous” and eventually “to reconcile, affect, and influence, more powerfully” (Leland 1764, 78).

It follows from this notion of rhetoric that Leland sees eloquence as something else as the abuse of human speech, an instrument of fraud, or as being arbitrary or dependent upon fashion and custom. Rather, by decrying all ostentation of art as a mark of falsehood, Leland (1764, 23) defines perfect eloquence as “the expression of truth”.

Before his appointment at Trinity, Leland directed the Hibernian Academy. This was established as a preparatory school in 1759 with the task of elevating gentlemen, and by teaching them how to speak properly, of enabling them to play a leading role in society. The Academy had grown out of the keen interest for elocution of another well-known figure of eighteenth-century Dublin, Thomas Sheridan. As an actor, Sheridan was sensitive to the need of tutoring actors in diction and gesture. Although he acknowledged the quality of the education he had received at Trinity, he held the view that schools and universities had largely failed to teach pupils how to speak in public and thereby deliver their sentiments with propriety and grace (Sheridan 1759).

Because elocution had been an overriding concern of ancient rhetoric, Sheridan firmly insisted on designing student curricula of the day in a way that privileged the canons of proper delivery. Complaining that the English could be seen as the only civilised nation never to have systematised their language so as to cultivate the art of elocution, Sheridan (1759) maintained that they had even more opportunities than the ancients to excel in rhetoric. The English, Sheridan remarked, apparently shared the same organs of speech, limbs, muscles and nerves as the citizens of classical Athens or Rome. This, along with the advantages of a pure, holy religion and an admirable constitution, was a prime reason for him to believe in their chances to match or surpass the rhetorical prowess of the ancients themselves.

A curious paradox explored by Sheridan was indeed the status of the English language in the context of proper instruction of the youth in the arts of reading and writing. On the one hand, the fall of Latin into disuse and its confinement to books had not prevented the peoples of Italy, France and Spain from sustaining a passionate interest for their own languages through grammars, dictionaries and dedicated academies. On the other hand, the English, who “had infinitely more occasion for the refinement and regulation” of a language in current usage both in their constitution and in church services, had “left” their idiom “wholly to chance” (Sheridan 1759, 32).

The art of speaking, compared to which writing was only to be ancillary, required not only that formal and stringent rules be available to learners, but also that masters be hired to teach them and “enforce the rules by examples” (Sheridan 1759, 36). The reason why the *belles lettres* and philosophy had a major part in liberal education, Sheridan suggested, was that they had been systematically taught and learned. By contrast, the English language and the art of speaking had not gained an equal status on the grounds of the absence of prestigious institutions, “in consequence of which, they have not been reduced to systems, or taught by rule; and no one can regularly instruct another in what he has not regularly acquired himself” (Sheridan 1759, 45).

The teaching of elocution on a regular basis was the decisive element in ensuring that Greek and Roman citizens attained full oratorical maturity. In the light of the advantages offered to English-language students “in all the materials points necessary to the perfection of that art”, Sheridan (1759, 57) concluded that the progress of rhetoric in the related institutions might have been even more rapid than in Rome. The “bad fruits” of past neglect (Sheridan 1759, 23) would thus give way to the benefits of proper instruction, which were to be appreciated with regard to noblemen and gentlemen’s superior knowledge and achievements in the fields of politics and the law.

The choice of Leland as a director of the Hibernian Academy is likely to show some affinity between Trinity’s prospective Erasmus Smith Chair and Sheridan’s concerns. Indeed, although the Academy was to fold soon after Leland’s appointment at Trinity, Moss (1996) points out that a number of students at the College looked eager to improve their rhetorical education even before Sheridan’s campaign in England, Scotland and Dublin. In an effort to enhance their learning skills and broaden their practical experience, they organised academic clubs. From their early stages in 1747, these were established as debating societies and bore such names as *Academy of Belles Lettres*, *Historical Club* and *College Historical Society*.

As Samuels and Samuels (1923, xiii) explain, the original debating club was founded by Edmund Burke, who had been admitted to Trinity in April 1743. A fellow with a distinguished career at the College and later a renowned statesman, Burke appears to have had a keen interest in rhetoric. Most remarkably, he kept a notebook between 1750 and 1756, where he outlined principles of argumentation, “showing a wide knowledge of contemporary and classical oratory and logic” (Moss 1996, 406). Focusing on the main purposes of argument, which he saw as persuading of natural

truth and matters of fact or spurring one into action, Burke (1957 [1750-1756], 45) then dealt with the *topoi* inherent in each of them.

Even if oratory was acknowledged to be part of traditional arts training, club students contended, “practice in it was limited to the traditional school exercise in declamation” (Moss 1996, 404). In fact, the detailed summaries of debates among society members show that a wide range of topics were chosen for disputations, from the historical to the scientific, from the political to the social at large. Examples drawn by Moss (1996, 405-407) from College Historical Society journals include debates on the causes of differences in climate, the regulation of the press and its freedom, the admission of women to the management of public affairs and government, the right to inflict capital punishment, and the legitimacy of Queen Mary’s execution under Queen Elizabeth.

These comprehensive rhetorical exercises, animated though they were by ideals of thorough-minded civic oratory, were later to become the object of much controversy. College administrators began to exert strict control over the Society’s debates after the French Revolution and during the following period of unrest caused by fears of a French invasion in support of Irish nationalism as well as the events of 1798 (cf. Boyce 2003). The College Historical Society was therefore expelled from Trinity College in 1794 and admitted again in 1813, only to be formally dissolved in 1815 and eventually re-established in 1843 (Haapala 2012, 29). At times, members agreed to remove present-day political questions from their agenda. However, the Society proved fairly open to radical views, and such issues were eventually raised again and debated.

Despite the ordeals the Society was subject to, it is an eloquent testimony of its influence that in 1783, it established a mutual membership agreement with the Speculative Society of Edinburgh, with which it shared educational aims. Then, the “idea of founding academic debating societies seemed to travel down to England with students from Scottish universities during the Napoleonic wars” (Haapala 2012, 29) and in turn, John Stuart Mill’s *London Debating Society* was to be founded in 1825 with the Speculative Society as a model. Accordingly, it seems little wonder that on Richard Whately’s ascent to the Archbishop’s throne of Dublin’s St. Patrick’s Cathedral in 1831, “his views on persuasive argumentation could not have found a more appreciative audience than the members of the Historical Society of Trinity College” (Moss 1996, 411).

Three years before his appointment to the Dublin’s Archbishopry, the publication of Whately’s magnum opus *Elements of Rhetoric* constitutes concrete proof of his vast knowledge as a rhetorician. A theologian and a gifted economist, first serving as professor of political economy in Oxford

and later endowing a chair of political economics at Trinity, Whately (1853 [1828], 16) also made a discernible impact on the study of reasoning with a thorough investigation of “argumentative composition, generally and exclusively”.

Whately considered skills in composition and speaking as extremely advantageous to the public, because he saw reasoning as applicable to two main purposes: the ascertainment of truth by investigation and the establishment of it to somebody else’s satisfaction. Most importantly, the task he set himself was to argue that succeeding in explaining one’s opinions and bringing others over to them was to be achieved “not merely by superiority of natural gifts, but by acquired habits”. Going back to Aristotelian rhetoric, he thought that a more systematic examination of the reasons behind one’s success as a skilled rhetorician was likely to provide one with “rules capable of general application” as “a proper office of the art” (Whately 1853 [1828], 25).

A significant achievement of Whately’s *Elements* lies in the identification and definition of notions that still serve as the core of present-day argumentation studies. These include, first of all, a distinction between “instruction”—i.e., the conviction of those who have neither formed an opinion on the subject nor are willing to accept or reject a proposition *per se*, but simply look forward to “ascertaining what is the truth in respect of the case before them”—and “conviction”, addressed to those with an opinion opposed to the standpoint put forward (Whately 1853 [1828], 34).

Secondly, the interrelated notions of “presumption” and “burden of proof” are introduced: the former is conceptualised as “such a preoccupation of the ground, as implies that it must stand good till some sufficient reason is adduced to it”, so that the “burden of proof lies on the side of him who would dispute it” (Whately 1853 [1828], 89). The example chosen by Whately to state his case is the well-known legal principle of presumed innocence: the fact that someone is “presumed” to be innocent (regardless of the charges pressed against them) entails that the burden of proof, notably the responsibility to conclusively prove the opposite, lies with the accusers.

Finally, Whately (1853 [1828], 37) defines the proper province of rhetoric as “the finding of suitable arguments to prove a given point, and the skilful arrangement of them”. After a survey of the distinctive features of the most common argument forms, e.g. argument from cause to effect, argument from analogy and by the example, he raises salient points about how to order them in argumentation. For instance, speakers addressing an audience familiar with the proposition to be presented are advised to state

their conclusions right at the beginning. By contrast, should it be likely that hearers are either unfamiliar with the speaker's standpoint or opposed to it, it is recommended as a safer practice to state the arguments first, and then to introduce the conclusion, thus "assuming in some degree the character of an investigator" (Whately 1853 [1828], 108). Moreover, Whately continues, a valuable piece of advice is to arrange arguments in a way reminding of Nestor's plan of arranging troops, namely placing the best first and last, and leaving the weak ones in the middle. In that regard, Whately (1853 [1828], 131) suggests that reverse recapitulation be adopted, letting "the arguments be A, B, C, D, E, &c. each less weighty than the preceding; then in recapitulating", proceeding "from E to D, C, B, concluding with A".

An aspect studied by contemporary argumentation scholars, particularly in the French-speaking context (cf. Plantin 2005; Micheli 2010), that is also convincingly explored by Whately is the role of emotions in argumentative processes. The achievement of persuasion as the influencing of the will is, in Whately's view, to be invariably achieved by exciting the hearers' passions. In that respect, it is noteworthy that the audience's feelings should be addressed indirectly. In order to successfully operate on and arouse the desired feelings, oblique and indirect strategies ought to be used, because "no passion, sentiment, or emotion, is excited by thinking about it, and attending to it; but by thinking about, and attending to, such objects as are calculated to awaken it" (Whately 1853 [1828], 142).

Finding, let alone arranging, proper arguments and aiming for persuasion by arousing the hearers' emotions imply that Whately's theorisation acknowledges the pivotal role of the audience in argumentative exchanges. Indeed, he himself points out that proper attention must be paid to such aspects as the hearers' degree of literacy, profession, nationality and even character in that "there can be no excellence of writing or speaking, in the abstract; nor can we any more pronounce on the eloquence of any composition, than upon the wholesomeness of a medicine, without the knowing for whom it is intended" (Whately 1853 [1828], 160). Accordingly, the very construction of the speaker or writer's own *ethos* in terms of common sense, good principle and good-will, is tied to the awareness of the opinions and habits of the audience.

In that system, listeners—rather than the occasion or the speaker—are the actual starting point in the construction of the argumentative message (Golden et al. 2000). In this, Whately aligns himself with another prominent rhetorician of his age, the Scottish Presbyterian minister and educator George Campbell, whose influence is apparent in many a section

of the *Elements*. In the pages of his *Philosophy of Rhetoric* dedicated to the audience's status, Campbell (1868 [1776], 118) used poignant images to stress that the hearers' characteristics should matter to the skilled orator:

In mercantile states, such as Carthage among the ancients, or Holland among the moderns, interest will always prove the most cogent argument; in states solely or chiefly composed of soldiers, such as Sparta and ancient Rome, no inducement will be found a counterpoise to glory. Similar differences are also to be made in addressing different classes of men. With men of genius the most successful topic will be fame; with men of industry, riches; with men of fortune, pleasure.

Interestingly, Whately's teaching of rhetoric as a system of rules reflects a sense of unease with traditional approaches to the pedagogy of elocution. If a boy, he contends, is made to declaim speeches by Caesar or Lear, he will be reciting in a wholly artificial manner not simply because he would be repeating from memory under utterly fictitious circumstances, but "because the composition, the situation, and the circumstances could not have been his own" (Whately 1853 [1828], 291). On the other hand, encouraging a schoolboy to recite his own compositions, or those of a classmate, about a topic "interesting to a youthful mind" would ensure that the system of practice designed in the *Elements* could ultimately "prove beneficial" (Whately 1853 [1828], 292).

The broad historical overview presented in this section hints at a variety of leading personalities in the field of rhetoric in Ireland, most often within Trinity College (e.g., Lawson and Leland) or in any case gravitating towards it (e.g., Sheridan and Whately). Most of all, what these men shared was a set of genuine concerns about the teaching of rhetoric and/or written composition, from the establishment of a system of rules for the practical teaching of rhetoric to the study of principles of style and taste, from a balanced assessment of the boundaries of rhetoric as a discipline to a thoughtful reflection upon the civic importance of developing sound reasoning skills. If anything, one might ask what has become of the study of rhetoric after Whately, and whether such a rich heritage has been preserved or at the very least shared in contemporary Ireland. These questions require careful pondering.

On the one hand, one might argue that the study of rhetoric in Ireland was long confined to the Protestant elites admitted to Trinity College, thereby excluding the rest of native Ireland (Catholic and Gaelic). After all, Lecky's study mentioned at the beginning of the section leaves little doubt as to the status of Catholics *vis-à-vis* formal education. At the same time, the strongly Puritan imprint upon the foundation of Trinity College

shows why rhetoric was primarily conceived as a tool to excel in public disputations and prevail over the forces of Roman Catholicism. Against such a backdrop, it may not be surprising that the Dublin-born Thomas Sheridan praised the virtues of the English language as the basis for a meticulous and systematic study of elocution, while at once dismissing Irish, the idiom still spoken by large segments of the native population at that time (Mac Giolla Chríost 2005), as a second-order language—“Had Demostenes written his orations in such a language as High Dutch, or Virgil his poems in such a one as Irish or Welsh, their names would not long have outlived themselves” (Sheridan 1759, 27-28).

On the other hand, there is ample evidence that the study of argumentation is present in today’s Irish higher education at various levels. To name but a few examples, Trinity College’s Department of Classics still treasures its glorious tradition by offering an undergraduate course on the historical development of rhetoric as an academic discipline, and oratory as a primary application within both public and private contexts—“from literary production to informal codes”.¹ Furthermore, the belief that “argumentation is a form of discourse that needs to be appropriated by students” and “taught through suitable instruction, task structuring and modelling” (Jiménez-Aleixandre and Erduran 2007, 4) appears to serve as a central principle of Sibel Erduran’s teaching at the University of Limerick. Finally, it may be indicative of a steadfast scientific commitment that the first international workshop on “Argumentation and Logic Programming” was hosted by University College Cork in August 2015.

A reliable source for this chapter, Moss (1996, 384) himself states that the scarcity of information available about rhetorical education in many a period of Irish history is more than counterbalanced by the “wealth of Irish statesmen and churchmen who had undeniable rhetorical prowess”. It is a conviction held by the author of this volume that the Irish context may prove fairly receptive to the study of argumentative language. More specifically, it may provide a window of opportunity for the implementation of present-day integrated methods of argumentation analysis, with public discourse in the Republic of Ireland as a field of application. Before embarking on a discussion of the theoretical underpinnings of this work in Chapter 2, the next section will provide an outline of the overall organisation of the book.

¹ <https://www.tcd.ie/Classics/undergraduate/rhetoric.php>. Accessed July 1, 2016.

1.3 Organisation of the volume

The volume essentially consists of two parts. The first one includes this chapter along with Chapter 2. Both are aimed at explaining the motivation behind this research. While connections between Ireland and the study of rhetoric have been drawn in Chapter 1 from a primarily historical perspective, Chapter 2 sets some of the key terms emerging from the first chapter against the appropriate scholarly background. To this end, the notion of “argumentation” itself is defined on the grounds of contemporary argumentation theory. Moreover, insights are lent into the two fields most closely associated with the present study, i.e. legal argumentation and political argumentation. The critical assessment of influential works produced about each over the last thirty years is intended to serve as a basis to discuss the contribution that linguistic approaches have made and can make to the study of reasoning in context. This leads to spot major methodological gaps in existing research, and outline the key issues addressed in later chapters. Understandably, the non-specialist reader might yield to the temptation of a cursory reading of the chapter. However, they should not miss the last part of it to make sure they fully grasp the implications of the academic inquiry encouraged by the book.

The second part of the volume begins with Chapter 3. The chapter is intended to form a sound basis for the presentation of findings later in the volume. First of all, it deals with the norms that dictated the choice of materials for the analysis. As will be clarified, the study is based on corpora as large collections of authentic texts. Accordingly, details are provided about the criteria for corpus design and the characteristics of the collected corpora. Secondly, the major methodological issues of the investigation are addressed. The aim of this is to make explicit the stages at which the analysis was performed. In that regard, the interplay of quantitative analysis with qualitative interpretation is discussed in detail for each and every strand of the research on legal and political argumentation reported in Chapters 4-6.

In Chapter 4, the first case study of the book is reported. It is about right-to-life judgments as a first example of judicial argumentation. On the basis of a corpus of authentic texts by the Supreme Court of Ireland, the analysis is conducted through two main stages. In the first one, a preliminary quantitative survey of corpus data is undertaken to find out more about the subject matters treated in the texts. The second phase of the investigation is a qualitative one identifying the argumentative structure of the two judgments that most frequently and typically exhibit the lexical and phraseological patterns documented through the first stage of the

analysis. As we will see, results demonstrate that the techniques used are useful for a preliminary approach to the corpus as well as for a first-hand corpus-driven retrieval of key-arguments in text. In particular, the qualitative case study of judgments shows that in the complex structure of the argumentation, the use of definition—cf. the terms *unborn* and *moral failure of duty*—plays a major role.

Chapter 5 presents the second case study of the present work. It focuses on EU-related judgments by the Supreme Court as a second example of judicial argumentation. The research is intended to build on the methods developed in the preceding chapter, in the attempt to make them more comprehensive and systematic. By means of a significantly larger corpus, the analysis widens the scope of the investigation of phraseology launched in Chapter 4, before concentrating on semantically relevant word forms (e.g., *sovereignty*) in context. These were used to extract the judicial opinion in which they were most frequently attested. In turn, this formed the basis for a qualitative analysis to identify widespread argument schemes and the overall argument structure. Findings provide evidence of the tension between national sovereignty and the harmonisation with EU law in the Court's discourse. Furthermore, results show the complex interplay of persuasive definition, pragmatic argumentation and *ad hominem* argument in support of the Court's standpoint on EU matters.

In Chapter 6, the attention shifts from judicial to political argumentation. In the last case study of the book, a corpus of statements and speeches by Eamon de Valera is taken as a fine example of political argumentative discourse in Ireland. In the first place, two model texts are extracted from the corpus in order to retrieve the schemes that most distinctively characterise the argument structure. Subsequently, the linguistic indicators of the schemes are studied at a broader corpus level. Finally, the analysis is completed through the compilation of an inventory of the subject matters (the Anglo-Irish Treaty, partition etc.) in relation to which de Valera would most often advance the argument schemes. Data indicate that pragmatic and symptomatic argumentation are widespread schemes in de Valera's reasoning. Interestingly, the combination of text and corpus analysis provides evidence of linguistic indicators of the schemes so far not included among those reported in the relevant literature.

Finally, Chapter 7 concludes the survey on judicial and political argumentation. First of all, results are discussed with regard to the research questions introduced in 1.1 and more extensively phrased in Chapter 2. Secondly, the application of the methods and findings presented in the volume is evaluated with respect to the needs of scholars and practitioners,

and in relation to future research. The final discussion is therefore intended to confirm that Irish public discourse may be seen as a highly fertile ground for argumentation analysis, in the hope that the research reported here might sound appealing to a wide array of subjects within and around the areas of public debate this work is most relevant to.

CHAPTER TWO

ARGUMENTATION STUDIES: AN APPLICATION TO JUDICIAL AND POLITICAL SETTINGS

2.1 Introduction

In Chapter 1, a historical overview on the place of rhetoric in Ireland was provided, with primary emphasis on its role at Trinity College as the Island's leading educational institution. A time-honoured tradition has emerged, albeit one that has not been shared by the country at large for many a century. Nonetheless, the presence of argumentation in today's Irish higher education, along with the number of Irish statesmen and churchmen with undeniable rhetorical skills, was postulated to put Ireland in a favourable position, as a setting for the application of present-day integrated methods of argumentation analysis. Before presenting the materials used in this work and discussing its methodological standpoints in Chapter 3, it is advisable to clarify the theoretical assumptions upon which the research rests. This is the chief concern of the present chapter.

To begin with, Section 2.2 will be devoted to the notion of "argumentation". The use of the term "rhetoric" in the last chapter has largely foreshadowed how "argumentation" itself should be understood. However, a working definition of the concept will be proposed here, and recent approaches to the study of argumentation will be reviewed. The section will show that politics and the law have long enjoyed privileged status in argumentation theory. Accordingly, the following two subsections (2.2.1 and 2.2.2) will respectively focus on features of legal and political argumentation, with specific reference to the main directions taken by recent scholarly contributions about both.

This survey will ultimately serve two inter-related purposes. The first is to highlight methodological challenges posed by the study of argumentation in the fields relevant to this book, whereas the second is to identify procedural gaps to be filled through the integrated linguistic perspective brought from the next chapter onwards (Section 2.3).

2.2 The notion of argumentation

The notion and fundamental principles of argumentation have been dealt with for centuries. For it is beyond the scope of this work to trace its roots in the context of the long-established tradition of ancient rhetoric,¹ the definition of “argumentation” presented here originates from the dominant paradigms of present-day argumentation theory.

The leading Dutch theorist Frans Van Eemeren (2001, 11) sees argumentation as “a verbal, social and rational activity aimed at convincing a reasonable critic of the acceptability of a standpoint by advancing a constellation of propositions justifying or refuting the proposition expressed in the standpoint”. The merits of this comprehensive vision are apparent. First of all, argumentation is conceived of as “verbal”: this shows that there is an inherent linguistic dimension to reasoning processes. Secondly, argumentation is “social” and “rational”: this rightly suggests that argumentation is both an activity presupposing reason (“rational”) and one that unfolds in contexts of interaction (“social”), whether it be face-to-face discussions or more mediated communication between one or more writers and their prospective readership. Thirdly, the aim of argumentation is to get the interlocutor (or reader) involved to accept the speaker’s (or writer’s) standpoint: the addressee(s) of argumentation are called “reasonable critics” because they are both entitled to question—let alone reject—a standpoint (hence the term “critic”), and expected to operate in a way that is appropriate in view of the communicative and interactional situation (“reasonable”).

Unlike formal logic, which by definition incorporates the use of artificial languages, e.g. mathematics, a high degree of formalism instantiated by axioms and substitution rules, and an aura of objectivity underlying deductive or inductive reasoning aiming at impersonal validity (Taguieff 1990), argumentation embraces the field of non-formalised thought (Perelman 1977, 177). As such, the quintessentially monologic nature of formal logic, designed to ward off critical counterclaims, is therefore opposed to the dialogic nature of argumentation. In short, by no means do we “argue” through pointless soliloquy, as it were. Rather, we do so in that we are aware that somebody might reject or at least doubt the validity of the standpoint we have adopted. This aspect is well covered by Plantin (2005), who ideally reinforces Van Eemeren’s notion by stressing that argumentation is a discursive and dialogic activity that occurs when

¹ For an overview of the historical development of argumentation studies from ancient rhetoric to the present day, see Mazzi (2007).

around a controversial issue, a discourse may be questioned or overtly opposed by a counter-discourse.

Of the multifarious approaches to the study of argumentation, one that has gained great momentum over the past thirty years is “pragm-dialectics”, pioneered in Amsterdam by Van Eemeren’s research group. The model of critical discussion they advocate is “dialectical because it is premised on two parties who try to resolve a difference of opinion by means of a methodical exchange of discussion moves”, and it is “pragmatic because these discussion moves are described as speech acts that are performed in a specific situation and context” (Van Eemeren and Grootendorst 2004, 22). This requires further elaboration.

Van Eemeren’s view of argumentation rests on four meta-principles. The first one is “functionalisation”. It implies that argumentation is a complex communicative act performed by making functional verbal (at times, also non-verbal) communicative moves. In other words, argumentation is seen as an interplay of purposeful communicative acts: the term “act” does not denote “mere behaviour” in this context, but rather goal-oriented activities based on rational considerations for which arguers may be held accountable as “actors”. More specifically, as one participates in critical discussion, their utterances serve both a communicative and an interactional purpose. In the light of speech act theory, “the communicative aim is pursued in attempts to bring about the *illocutionary* effect of understanding and the interactional aim in attempts to bring about the *perlocutionary* effect of acceptance” (Van Eemeren 2013, 144).

The second meta-principle is “socialisation”. In so far as argumentation is an interactional act complex aiming at eliciting a response from those it is addressed to, it may be said to be part of a dialogue. This dialogue can be either explicit—as with argumentation put forward in a discussion—or implicit, as with argumentation advanced for the benefit of an audience that are not physically present, e.g. readers. The third meta-principle is called “externalisation”. What is “externalised” is commitments. The complex act of arguing involves expressing propositions. In turn, these create commitments for which arguers are to be held accountable. In fourth place, the meta-principle of “dialectification” underlies the assumption that argumentation entails appeals to reasonableness: these are grounded in shared critical standards to resolve a difference of opinion on the merits (Snoeck Henkemans 2014). This is a distinguishing characteristic of argumentation as part of a regimented critical discussion where crucially, the mutual presumption of reasonableness is observed to combine with each and every party’s quest for effectiveness—the resolve to settle a difference of opinion “in favour of

their case, i.e. in agreement with their own position or the position of those they represent” (Van Eemeren 2013, 145).

At the outset, therefore, pragma-dialecticians point out that differences of opinion emerge when someone advances a standpoint that is or may be questioned by an antagonist. When the parties have ascertained that, both procedurally and substantively, there is enough common ground to open up a discussion, the proponent of argumentation puts forward arguments in support of the standpoint, admittedly followed by a critical response of the antagonist. As a rule, the difference of opinion resolves with the antagonist’s acceptance of the proponent’s point of view on the ground of the arguments offered, or when the proponent reconsiders his view in the light of the antagonist’s critical stance.

The four stages outlined by pragma-dialecticians (confrontation, opening, argumentative, and concluding) and succinctly summarised above presuppose a view of argumentative discussion where the resolution of differences of opinion can hardly be confined to the simple relation between premises and conclusion most conventionally associated with the act of reasoning. Rather, pragma-dialectics sees argumentation in more holistic terms, with the aim of accounting for all speech acts performed in argumentative discourse and inherent in the resolution process. A fundamental aspect of the model is the assumption that in their being oriented towards a resolution of conflicts of opinion, people engage in argumentation by maintaining standards of reasonableness and expecting their interlocutors to sustain the same standards. Besides and possibly above reasonableness, however, people are also concerned with resolving differences of opinion effectively, namely in agreement with the standpoint they have adopted or elected to represent.

The simultaneous pursuit of the inter-related aims of reasonableness and effectiveness is a distinctive trait of argumentative discourse, and it underlies the notion of “strategic maneuvering” referring to “the continual efforts made in all moves that are carried out in argumentative discourse to keep the balance between reasonableness and effectiveness” (Van Eemeren 2010, 40). The term “maneuvering” typically indicates a planned movement produced to gain advantage over someone, and it appears well suited to argumentative contexts, where the participants’ predicament to combine reasonableness and effectiveness gets them to maneuver strategically to bring about the intended perlocutionary effect of the interlocutor’s acceptance of one’s standpoint.

Strategic maneuvering constitutes an integral part of the extended pragma-dialectical model, where it is to be understood alongside the rules of critical discussion pertinent to the resolution of differences of opinion

on the merits. For instance, Rule 1 establishes that participants in a discussion cannot prevent one another from expressing or questioning a point of view; Rule 2 claims that “discussants who advance a standpoint may not refute to defend this standpoint when requested to do so” (Van Eemeren and Grootendorst 2004, 191); Rule 8 stipulates that standpoints may not be regarded as conclusively defended by argumentation, if the defence is not based on appropriate argument schemes, correctly applied (Van Eemeren and Grootendorst 1992).

Within this framework, any argumentative move in breach of the rules, no matter who is responsible for it or what stage of the discussion it occurs in, stands as a threat to the resolution of the difference of opinion. As a result, it must be regarded as “fallacious”. The concept of strategic maneuvering makes a substantial contribution to explaining why sound and fallacious arguments are so often hard to separate. On the one hand, arguers may “neglect their interest in effectiveness for fear of being perceived as unreasonable; on the other hand, at times, they may neglect their commitment to reasonableness in their zeal to promote their case effectively” (Van Eemeren 2013, 148). If the former is the case, the arguers’ lack of effectiveness simply militates against the prospective acceptance of their standpoint. If, by contrast, the arguers’ commitment to reasonable exchanges is overruled by a deliberate attempt to be rhetorically effective, the subtle balance between reasonableness and effectiveness is disrupted. Their strategic maneuvering has got “derailed”, and as such it must be condemned as fallacious.

The pragma-dialectical approach is of an essentially normative nature. This means that it is primarily designed to assess the soundness—or, conversely, the fallaciousness—of argumentative moves in the light of the standards of reasonableness set for arguers as they maneuver strategically in the most diverse contexts. Indeed, the versatility of the approach is confirmed by the fact that its applications range from argumentation in the healthcare—cf. Schulz and Rubinelli (2008) on the rhetorical management of informed consent within doctor-patient interaction, and Van Poppel (2012) on the combination of dialectical and rhetorical features in health brochures—to political argumentation, as we shall see in 2.2.2 below.

However, the pragma-dialectical model also has great descriptive value, because it has generated a growing body of scholarly research devoted to disclosing the overall “structure” of argumentative exchanges, by pinpointing the underlying “argument schemes”. “Argument schemes” are forms of reasoning that create “a specific justifying relationship between the applied argument or [...] the applied arguments and the standpoint at issue” (Van Eemeren et al. 2007, 137). In turn, “argument