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The role of pragmatic problem-solving argumentation in plenary debate in the European Parliament

Bart Garssen

3.1 Introduction

In the last two decades the European Parliament has become an import factor in the legislative process of the European Union. Together with the Council, Parliament can approve, amend or reject proposals for legislation put forward by the Commission. In the legislative process the parliamentary debates have a fixed place since Members of the European Parliament (MEPs) vote on Commission proposals the day after these proposals are discussed in plenary sessions.

The aim of this paper is to describe the way in which argumentative patterns come into being in plenary debate over legislative issues in the European Parliament. What kinds of argumentative patterns are to be expected within this context, so that they can be considered prototypical, given the institutional aim of the communicative activity type? This Chapter is to contribute to making clear how the same argument scheme may have a different role in different macro-contexts and, as a consequence, will be incorporated in different argumentative patterns. Special attention will therefore be paid to the role of pragmatic argumentation in the main argumentation in plenary debate over legislative issues in the European Parliament.

Before the MEPs vote on a legislative proposal, they discuss this proposal in a plenary session. This gives them the opportunity to express their own view on the proposal and to learn about the opinions of other MEPs and the reasons they have for having these opinions. The institutional point of the activity type of legislative debate in the European Parliament is sustained opinion-forming on a proposal for legislation. The main type of argument to be expected is practical argumentation of the pragmatic type presented immediately at the beginning of the debate.

In our comprehensive research project aimed at examining the institutional preconditions for strategic manoeuvring in legislative debate in the European Parliament van Eemeren and I have characterized the legislative debate as a

communicative activity type that is an argumentative activity type. We have come to the conclusion that the debates conducted in the European Parliament are on the one hand highly regulated: there is a fixed speaking order and not much room for deviations by interruption. This makes parliamentary debates quite organized and strongly structured. On the other hand, there are not many limitations when it comes to the types of argumentation that MEPs are allowed to use. There are no special constraints as to the argument schemes that can be employed in the argumentation stage. However, the types of argumentation that are actually employed in European parliamentary debates are largely determined by the fact that the debate is a political debate dealing with legislation and policy matters (van Eemeren and Garssen 2010, p. 30).¹

The types of argumentation that can be used by proponents and opponents is for the most part predetermined by the initial presentation by the rapporteur. This argumentation is practical and is always aimed at solving a certain problem. The argumentation put forward by the MEP's will have to be relevant to this initial argumentation.

In this paper I will therefore first give an account of the problem-solving argumentation put forward by the rapporteur. Next, I will make a systematic inventory of the argument schemes that can be used by the proponents to support the initial problem-solving argumentation and of the argument schemes that can be used by the opponents to attack the initial problem-solving argumentation. Subsequently, I will describe the prototypical argumentative patterns that most likely will come into being in legislative parliamentary debate.

3.2 The structure of legislative debate in the European Parliament

With the introduction of the co-decision procedure in 1992 European Parliament gained considerable influence on the legislation. Since the 1990s the European Parliament can be considered co-legislator, sharing legislative power with the Council across the majority of policy areas (Corbett, Jacobs & Shackleton, 2007, p. 205).

The shortest route to European legislation is as follows: Parliament decides on a Commission proposal and comes with a first reading "opinion" (approving the proposal or approving the proposal with amendments). If the Council agrees with this

1. There are several types of debate in the European Parliament. Some debates are on legislation (first reading and second reading), other debates concern statements by the Commission or oral questions to the Commission or the Council, still others are, for instance, on human rights in non-European countries or on other issues relevant to the European Parliament. I focus on legislative debates on Commission proposals (first and second readings).

opinion, the legislative proposal is adopted. In case the Council does not approve the outcome of the EP first reading, it adopts a new opinion called a “common position”. In the second reading Parliament may approve this common position, adopt amendments or reject the common position by an absolute majority of MEPs (Corbett, Jacobs & Shackleton, 2007, p. 217).

In practice, parliamentary work is organized through a system of standing and temporary committees that are responsible for the preparatory work for plenary parliamentary sittings. The committees draw up, adopt and amend legislative proposals as well as own-initiative reports, consider Commission and Council proposals and, where necessary, prepare reports to be presented to the plenary assembly. Much of their time the committees spend on drawing up reports on legislation proposed by the Commission, but they can also draw up “own-initiative reports” on issues that fall within the scope of the committee’s competence (van Eemeren & Garssen, 2010, p. 27).

In legislative debate in the European Parliament, the fixed order of debate turns is as follows. The rapporteur of the committee involved starts with a statement, which may take up to six minutes. After this, a member of the Commission reports on the reasons the Commission has to initiate the legislative procedure or on the Commission’s view on proposed amendments. If a member of the Council is present, he may speak as well. Subsequently MEPs of all political groups are given the opportunity to react to the report. Finally, the Member of the Commission will indicate its position on specific amendments tabled in the report before Parliament (Corbett, Jacobs & Shackleton, 2007, p. 174). Usually the rapporteur closes the debate with some final statements reacting to the opinions put forward by the MEP’s. The following list represents the general order of turns in legislative debates:²

1. Opening statement by the rapporteur
2. Opening statement by the Member of the Commission
3. Individual turns by Members of Parliament
4. Closing statement by the Member of the Commission
5. Closing statement by the rapporteur

After the opening by the rapporteur the actual debate develops. Legislative debates consist of a series of reactions to the report as it is presented by the rapporteur. This is why the presentation by the rapporteur is pivotal for understanding the overall structure of the argumentation put forward later: the arguments put forward by

2. If Council members are present, they may speak as well, at the beginning and sometimes at the end of the debate.

the proponents and the opponents of the proposal are all related to the opening statement of the rapporteur.

When Parliament receives a formal Commission or Council proposal (common opinion), a parliamentary committee writes a report on the proposal. In legislative or regulative debates the rapporteur chosen by the committee gives a brief description of the report that was made by the committee to present the proposal for legislation. The rapporteur also presents the proposal or the amended proposal prepared by the committee. In many cases the rapporteur also includes some information about the process that has led to the report: it took long, a great many parties had to be satisfied, etc. In giving this description the rapporteur may also refer to amendments that had to be made on earlier versions of the legislation.

The rapporteur will also provide argumentation supporting the main standpoint that the proposed legislation be accepted or that an amended version of the proposal should be accepted. Defending this inciting standpoint calls for practical argumentation. Practical argumentation is argumentation put forward to defend a standpoint that expresses a plan, policy or, more general, a certain action that should be performed or not be performed.

In its report, the committee always points at a certain problem that needs to be solved. In his or her opening speech the rapporteur presents the problem as the main reason why new legislation is needed. That is why the main arguments for the inciting standpoint that the legislation should be adopted centre around the idea that implementing the new legislation will solve the problem. The main argumentation of the rapporteur can therefore be called *problem-solving argumentation*.

3.3 Problem-solving argumentation

Since the parliamentary deliberation is always about a specific problem that should be solved by the new legislation, the argumentation that is put forward will be practical. Generally speaking, practical argumentation involves pointing at positive or negative causal consequences of a certain policy or plan.³ In this case it is the positive consequence of solving or help solving the problem that is mentioned: the proposed legislation should be adopted because it will remove the predicament that needs to be removed.

3. Practical argumentation is not always causal in nature. A non-causal type of practical argumentation is argumentation in which is pointed out that the desired action or policy is in line with a certain normative behavioural rule. Another type of non-causal practical argumentation is argumentation based on a model in which the arguer points to a person who's behaviour should be seen as an example (Perelman & Olbrechts-Tyteca, p. 363).

Two types of practical argumentation are to be expected in the opening statement of the rapporteur: *pragmatic problem-solving argumentation* and *complex problem-solving argumentation*. The first type is straightforward pragmatic argumentation in which the proposal is defended by pointing at the positive results of implementing the proposal: because adopting the proposal leads to the favourable results (the problems will be solved), we should adopt it. In this case it is presumed in the initial argumentation that the results are indeed positive. This means that the speaker takes it that there is no discussion about the favourableness of the intended results: there is at least one problem and this problem needs to be solved.

In the basic scheme of pragmatic argumentation described in Chapter 1 of this volume by van Eemeren the proposed action leads to an unspecified positive (or negative) result:

Basic argument scheme of pragmatic argumentation

1. Standpoint: Action X should be carried out
 - 1.1 Because: Action X leads to positive result Y
 - (1.1') (And: If action X leads to a positive result such as Y it must be carried out)
- (Van Eemeren, Chapter 1, this volume)

The implementation of this argument scheme in the context of parliamentary debate leads to the following specification:

Pragmatic problem-solving argumentation

1. The proposed legislation X should be adopted
 - 1.1 Because: Adoption of the proposed legislation X solves problem Y
 - (1.1') (And: If a proposed legislation X solves problems such a Y, the proposed legislation X should be adopted)

In pragmatic problem-solving argumentation the positive result is that a specific problem is solved. In this type of argumentation it is clear from the outset that there is a problem and that the removal of the problem is a positive thing. The speaker does not need to convince the listener that this problem exists and that the problem needs to be solved. These are in order words presuppositions that do not need any further argumentation.

In some cases the rapporteur just points at the favourable consequences of a measure. It is clear that the measure is meant to solve certain problems and these problems are as it were presented as a given. This may be because it is obvious that the intended result is favourable: everybody wants to minimize pollution or better information for customers. It may also be that in earlier debates it has already been settled that there is a problem; for instance, in first readings of a Commission proposal.

A case in point is the debate on food labelling on 5 July 2011 in which rapporteur Renate Sommers presents at the opening of the debate the main arguments for food labelling:

5 July 2011, Renate Sommers (rapporteur)

This regulation is intended to give consumers more and better information about food, in order to allow them to make informed purchasing decisions. That is not all, however. It should also benefit the European food industry by providing more legal certainty, less red tape and better law making.

It is striking that in this example more than one effects are mentioned: the legislation discussed will not only solve problems that consumers experience but also problems the food industry is faced with. The arguer relies in this case on a series of pragmatic arguments which are connected with each other in a coordinative argumentation structure. Although pragmatic arguments can also consist of pointing to just one favourable consequence, in argumentation in the European Parliament quite often more than just one consequence is mentioned.⁴

In other cases the rapporteur not only mentions the intended results of the proposal but also tries to make clear that the intended effects are indeed desirable. If it is necessary to argue for the desirability of the intended effects, straightforward pragmatic argumentation for the proposal is not enough: this argument scheme presupposes that the audience is in agreement with the desirability of the effects of the proposal. When this precondition is not fulfilled, the rapporteur needs to address the question of desirability. In this case the rapporteur (and other MEPs) first need to make sure that there is a problem or that the problem is serious.

In the second type of practical argumentation it is first established that there *is* a problem in the current situation, because this is not automatically accepted by the audience. The proposal is defended by showing that there is a problem and by stating that the implementation of the legislation will remove or help removing the problem. This argumentation that is given will be part of the following argumentative pattern that minimally consists of complementary coordinative argumentation in which the argument that there is a problem is defended by subordinative argumentation. This argumentative pattern includes argumentation that remains very close to pragmatic argumentation. I call this type of argumentation *complex problem-solving argumentation*:

4. From the perspective of strategic manoeuvring, the choice that is made here is quite understandable. The author of the report has to take several parties with different interests into account and maximizes in this way his adaption to audience demand. Apparently when putting forward this pragmatic argument it was already understood that all involved are in favour of informed purchasing decisions, more legal certainty, less red tape, and better law-making.

1. The proposed legislation X should be adopted
 - 1.1a There is a problem Y
 - 1.1b Adoption of the proposed legislation X will solve the problem
 - (1.1a–1.1b') (If there is a problem Y and the proposed legislation X solves this problem, it should be adopted)

The problem statement 1.1a is in fact complex: it has a descriptive and a normative component. First, there is the presupposition that a certain situation exists. I will call this the *existential presupposition* of the problem statement. Second, the normative qualification is involved that this situation is in some way unwanted or troublesome. I will call this the *normative qualification* of the problem statement. The significance of the problem depends both on the existential presupposition ('how widespread is the problem?') and the normative presupposition ('how unwanted is this situation?').

In parliamentary debate this kind of argumentation is more likely to be employed than simple pragmatic argumentation because it will not often be the case that all discussants are in full agreement that there is a problem. An example of complex problem-solving argumentation is the following part of the opening statement by Vidal-Quadras in a debate on the proposal for a regulation of the European Parliament and the Council concerning measures to safeguard security of gas supply:

12 September 2010, Alejo Vidal-Quadras (rapporteur)

Mr President, in recent years, we have witnessed repeated examples of the vulnerability of Member States with respect to energy matters, particularly as regards the gas supply. Supply disruptions in the north and east of the European Union in the winters of 2005–2006 and 2008–2009 became a veritable nightmare. The harshness of recent winters in Europe makes it even more incumbent upon us, if possible, to do everything that is in our power to avoid similar occurrences in the future. [...] The regulation we are going to vote on is intended to be a firm step forward in resolving this problem. We have spent a long time trying to make progress on this issue, overcoming the difficulties arising from the different national perspectives. It has been a long and hard negotiation process.

In his argumentation Vidal-Quadras not only claims that the proposal will be effective ('a firm step forward in resolving this problem'), he also mentions the problem (vulnerability of Member States with respect to energy matters) and provides examples that serve as support for the claim that there is a problem.

3.4 Argumentation used to defend problem-solving argumentation

There are no institutional constraints on the types of argumentation that can be put forward in the debate. The official rules for the debate contain no limiting conditions, nor does the debate tradition in any way impose restrictions on the use of certain types of argumentation. This means that the only restricting factor is that the argumentation should be relevant to the initial practical argumentation put forward by the rapporteur.

The standpoint put forward in the report and the initial argumentation put forward by the rapporteur in the parliamentary debate are together a constitutive factor for the argumentative patterns that unfold in the debate. What kind of follow-up can be expected to the initial practical argumentation? Subordinative argumentation put forward in defence of parts of the original argumentation can be seen as anticipating criticism from an antagonist. In order to systematically explore the possible extensions of the initial practical argumentation it is therefore necessary to establish the critical questions pertaining to the two types of practical argumentation that may be anticipated.

Pragmatic problem-solving argumentation and complex problem-solving argumentation come with exactly the same sets of critical questions. A useful source for the critical questions that are to be asked in evaluating complex problem-solving argumentation is the system of *stock issues* used in American academic debate.⁵ (Ihnen, 2012).

Stock issues are part of the procedure for the distribution of the burden of proof in academic (policy) debates. Because they are systematically linked with problem-solving argumentation, they can also be helpful in tracing the most important evaluative questions that are relevant for Parliamentary debate. In American debate textbooks ‘stock issues’ are proposed that pertain to the defence of policy statements. Stock issues are the issues that the affirmative side in a debate has to address. If the affirmative side fails to deal effectively with one or more of the stock issues, this side loses.

Most textbooks mention four stock issues (ill, blame, cure and cost).⁶ For my purposes however I make use of the more comprehensive list of six stock issues proposed by Klopff and McCroskey (1969, p. 66–68). In this list two issues (practicality and counterplan) are added to the original four:

5. Ihnen (2012) uses the stock issues in a similar manner in her analysis of law making debates in the British parliament.

6. The idea of stock issues was introduced by Shaw (1916), who identified fourteen issues for policy propositions. That list has since been reduced to four issues (van Eemeren et al., 2014, p. 432). Ihnen (2012) takes the traditional four stock issues as her starting point.

1. Problem or need: ‘Is there a problem in existence which needs to be solved?’
The affirmative has to establish that there is a problem. This can be a current problem or a problem that is likely to develop in the future (Ihnen, 2012, p. 41).
2. Inherency: ‘Is the problem, or the cause of the problem, an inherent part of the *status quo*?’ The affirmative has to show that the problem is caused by the current regulations or the existing system and that without adopting the proposed policy the problem will continue to exist in the future: ‘The affirmative must prove that the significant harm it identifies is built into the essential nature of the status quo through legal structures and/or societal attitudes’ (Freeley & Steinberg, 2005, p. 189).⁷
3. Plan: ‘Would the action suggested by the resolution eliminate the inherent problem?’
4. Practicality: ‘Is it reasonable to assume that the plan implied by the resolution could be implemented if it were found desirable?’
5. Advantages-disadvantages: ‘Would the plans suggested by the proposition be free from detrimental side-effects if they were put in to effect?’
6. Counterplan: ‘Is the policy stated in the proposition the best way to eliminate the problem?’

These six stock issues seem all relevant to Parliamentary debate, save for the inherency stock issue. The definition of the inherency stock issue is often vague and debate textbooks are not always in agreement about its use. According to one interpretation of the inherency stock issue the problem should be caused by the current legislation or policy (the *status quo*). This may be an interesting issue in academic debate, it is not very likely that it will ever play a role in legislative debates in the European Parliament. For this reason I choose not to include the inherency stock issue.

The remainder of the stock issues can be easily related to the premises of pragmatic problem-solving argumentation and complex problem-solving argumentation. Stock issues 1 (problem) is related to premise 1a (there is a problem) in complex problem-solving argumentation. Stock issue 4 (plan) is related to premise 1b (implementation of the proposal will solve the problem). Stock issue 4 (practicality), stock issue 5 (advantages-disadvantages) and stock issue 6 (counterplan) are all related to the connecting premise 1.1’ (If a proposed legislation X solves problems such a Y, the proposed legislation X should be adopted) belonging to pragmatic problem-solving argumentation and the connection premises 1.1a-1.1b’ (If there is a problem Y and the proposed legislation X solves this problem, it should be adopted) belonging to complex problem-solving argumentation. This means that we can list the following critical questions for pragmatic argumentation and complex problem-solving argumentation:

7. See for a more detailed account of the inherency stock issue Ihnen (2012, pp. 42–44).

1. Is there a significant problem?
2. Will the legislative proposal solve the problem?
3. Is the proposal feasible?
4. Are there major disadvantages?
5. Are there better means to solve the problem?

In order to answer these critical questions or to anticipate doubt in line with these critical questions directly, the protagonist has to provide argumentation that backs up the specific premise under attack. Based on this list of critical questions we can investigate what type of argumentation can be used to anticipate the expected kind of criticism. In the following, I make a provisional inventory of the argument schemes that can be used to support the different components of complex problem-solving argumentation.

Argumentation to support the premise stating that there is a problem

As explained, the problem statement is complex, since it includes an existential and a normative presupposition. The existential presupposition that a certain problem situation exists can be defended by a whole range of argument schemes. Among them are:

- Causal argumentation from cause to effect: ‘situation x will occur because y will occur and y leads to x’
- Causal argumentation from effect to cause: ‘situation x exists because y exists and y only can be caused by x (or is probably caused by x)’
- Argumentation by authority: ‘situation x exists because authority y says so’ or ‘situation x exists because that is what the official data y indicate’
- Argumentation by example: ‘situation x exists because of example y’.

The normative presupposition that situation x is unwanted will most likely be supported by causal argumentation:

- Causal argumentation from cause to effect: ‘situation x is troublesome because it leads to problematic situation y’.⁸

8. It may seem that the normative presupposition can also be supported by other types of argumentation, such as argumentation by authority, but this is not really the case. However, argumentation such as argumentation by authority *can* be used to support the causal claim put forward to defend the normative presupposition. This causal claim, however, may not be expressed. This makes it look as if argumentation by authority or other types of argumentation are directly relevant to the normative presupposition.

Argumentation to support the premise that the proposal solves the problem

The causal claim that the implementation of the new legislation will solve the problem is a particular statement: it is not a general causal statement expressing a general causal principle like the connecting premise in causal argumentation (causes of type x lead to effects of type y). The particular causal claim can be defended by symptomatic argumentation, authority argumentation and descriptive analogy argumentation:

- symptomatic argumentation: ‘the proposed legislation x will solve the problem y because, in general, events of type x will lead to events of type y ’
- authority argumentation: ‘the proposed legislation x will solve the problem because authority y says so’ or ‘the proposed legislation x will solve the problem because that is what official data y indicate’
- descriptive analogy argumentation: ‘the proposed legislation x will solve the problem because a similar measure y solved the problems in a similar situation’

Argumentation to support the connecting premise

The connecting premise is directly related to the following critical questions:

1. Is the proposal feasible?
2. Are there major disadvantages?
3. Are there better means to solve the problem?

In this case it is much harder to list possible candidate argument schemes that can be used in support of the premise. The reason is that the questions are quite general. They should be specified in order to be able to find the types of argumentation the arguer can rely on when reacting to the three questions. An opponent attacking a legislative proposal will, for instance, not only claim that this proposal is not feasible, he or she will also show *why* it is not feasible.

3.5 Argumentation to attack problem-solving argumentation

MEPs attacking the initial problem-solving argumentation are most probably opponents of the legislative proposal. Following the list of stock issues discussed in Section 3.3, they can use the following main arguments for the standpoint that the proposed legislation should not be adopted:

1. There is no serious problem.
2. The proposed legislation does not solve the problem.
3. The proposal is not feasible.
4. There are major disadvantages (the proposal has negative side-effects).
5. There are better means to solve the problem.

Argumentation to support the premise stating that there is no problem

The opponent denying that there is a problem can try to show that the existential presupposition is unacceptable, which boils down to showing that the claims made by the opponent about the existence of a certain situation are wrong. It is very hard to list the types of argument schemes that can be used in this endeavour. The opponent can also try to show that the normative presupposition is unacceptable. He can do so by showing that the negative consequences of the problematic situation will not occur or that the consequences will not be negative.

The normative presupposition that situation *x* is unwanted can only be attacked by causal argumentation:

- Causal argumentation from cause to effect: ‘situation *x* is not troublesome because it does not leads to problematic situation *y*’.

Argumentation to support the premise stating that the legislation does not solve the problem

- authority argumentation: ‘the proposed legislation *x* will not solve the problem because authority *y* says so’ or ‘the proposed legislation *x* will not solve the problem because that is what official data *y* indicate’
- descriptive analogy argumentation: ‘the proposed legislation *x* will not solve the problem because a similar measure *y* did not solve the problems in a similar situation’

Argumentation to support the premise stating that the proposal is not feasible

The proposal cannot be feasible for a great many different reasons. That makes it harder to find a type of argument that can be used to support it. However, in many cases symptomatic argumentation seems to be the most likely candidate:

- symptomatic argumentation: ‘the proposal is not feasible because it is not in line with the current legislation’ or ‘the proposal is not feasible because it is too expensive’

Argumentation to support the premise stating that there are major disadvantages

Pointing to disadvantages means pointing at side-effects, which involves making a causal claim (implementation of the proposal will lead to disadvantages side-effects) This causal claim can be defended by means of argumentation by authority and by argumentation by analogy:

- argumentation by authority: ‘the proposed legislation x will have major disadvantages because authority y says so’ or ‘the proposed legislation x will not solve the problem because that is what official data y indicate’
- descriptive analogy argumentation: ‘the proposed legislation x will have weighty disadvantages because a similar measure y did have such disadvantages’

Argumentation to support the premise stating that there are better means to solve the problem

Pointing at alternative solutions leads to an argumentative pattern containing coordinative argumentation: the problem will be solved by an alternative measure (causal claim) and this measure is better than the original proposal (symptomatic argumentation)

3.6 Prototypical argumentative patterns

Now I have made an inventory of argumentations that in principle can be used to defend components of the initial pragmatic argumentation (which then becomes problem-solving argumentation), it is possible to establish what kind of argumentation is most likely to be found in the plenary debates in the European Parliament and what kinds of argumentative patterns are to be expected. Since there is no official regulation for the use of types of argumentation, this (incomplete) investigation of prototypical argumentative patterns is based on analytical considerations concerning the MEPs choices when they are using argumentation for a certain purpose. For a number of reasons the proponents of a proposal are more likely to defend the claim that there are serious problems than that they go into the matter of the effectiveness of the proposal or start defending the connecting premise (feasibility, disadvantages, alternative proposals). In other words, the proponents will deal with the problem rather than with the causal claim.

The first reason is that in a political environment it is of primary importance to show that new legislation is absolutely necessary. This will be so in national parliaments but also in the European Parliament, where there are persistent voices against more regulation and bureaucracy. The second reason is that if there is a

need to defend the causal claim, this is most likely already done in the report of the Parliamentary Committee. There is much more room for technicalities in dealing with the causal claim in that report than in the short speaking turns of the plenary debate. In such a debate these technicalities will be lost. The third reason is that it is easier to point at problems and their significance than to defend the effectiveness of the proposal. The fourth reason is that strategically it does not seem opportune to raise questions of feasibility, disadvantages and alternatives when these have not been put forward by the opponents (let sleeping dogs lie).

If a proponent tries to defend the claim that there is a problem he or she is most likely to do so by pointing at specific examples rather than by going into technicalities. The following argumentative pattern comes into being when an argument by example is used:

1. The proposed legislation should be adopted
 - 1.1a There is a problem
 - 1.1b Implementation of the proposal will solve the problem
 - 1.1a.1 Argumentation by example

MEPs in support of a proposal often try to underline the seriousness of the problem (and therefore of the desirability of the results the proposal will bring about) by using arguments by example which are connected coordinatively. In a debate about clear labels for fruit juices that are sold in Europe (13 December, 2012), for instance, Carl Schlyter defended a proposal for clearer labelling of fruit juices in the following way:

13 December 2011, Carl Schlyter, Verts/ALE (European Green)

Mr President, I would like to thank everyone involved in the negotiations. At times, the negotiations were rather amusing. It could be considered strange that we have spent so many hours on such a limited subject as fruit juices, but at the same time, it was a question of rather important principles. Should we maintain the EU's high standard, where one exists, as opposed to the standard incorporated into international agreements? If we are to have a properly functioning single market, we must stop deceiving consumers.

During the negotiations, I brought these juice cartons with me and I am still bringing them with me right to the bitter end. Here is one example of juice packaging: high quality, full of lovely cranberries. The problem is that cranberries are not the main ingredient of the juice – it is apple. However, I do not see apple mentioned on the packaging or in the name. This is a product from France.

Here I have a product from Sweden/Finland. It is called raspberry/blueberry and there are raspberries and blueberries on the packaging. Hidden behind an enormous blueberry there is a very tiny apple. This is misleading, because this juice consists mostly of apple – it contains 10 times as much apple as raspberry and

blueberry. Here is another fruit drink that is also sold on the European market. It has lovely strawberries and passion fruit on the packaging, but what do you think is the dominant fruit? It is apple, of course.

Here is another one that is sold in six other countries in Europe. It states strawberry here, but do you think it contains any strawberries? Yes, it contains a very small amount of strawberries, but as usual it is mostly apple, and the apple on this packaging is hidden behind a symbol so that you can barely see it. This is misleading and fraudulent, and we are at last doing something about it. This is what I have been fighting for, and I am very pleased that this was the end result.

This argumentation is complex problem-solving argumentation in which the arguer defends the claim that there is a problem by using arguments by example. This results in a slightly more complex structure than the basic argumentative pattern involving the argument by example:

1. The proposed legislation should be adopted
 - 1.1a There is a problem with food labelling in Europe
 - 1.1a.1a On many labels the ingredients are not indicated properly [existential premise]
 - 1.1a.1b This is misleading and fraudulent [normative presupposing]
 - 1.1a.1a.1a-n [various examples]
 - 1.1b Adopting the proposed legislation solves the problem

Just as it is to be expected that the proponents will first of all deal with the problem, the opponents are expected to focus on the causal claim, on negative side-effects and on alternative solutions. Again, these expectations have to do with the choices the MEPs presumably made when selecting their arguments from the topical potential. It is not very likely that the opponents will attack the problem, because in most cases the Commission and the parliamentary committee will have made clear that there actually is a problem and that this problem is serious enough to take action. It is much easier for the opponents to attack the proposal itself. Since the proposal has not been implemented yet there will always exist some uncertainty about its effectiveness and negative side-effects.

A specific argumentative pattern comes into being when an opponent puts forward argumentation to support the standpoint that the proposal should not be adopted because it is not effective:

1. The proposed legislation should not be adopted
 - 1.1 The proposed legislation does not solve the problem

A case in point is the following contribution by Georges Bach in a debate about a European railway regulation:

14 November, 2011 Georges Bach, EPP (European People's Party)

Madam President, Commissioner, I would like to start by thanking the rapporteur and all the speakers for their work on this report.

Above all, this document will consolidate the powers of national regulators responsible for overseeing the correct application of rules by railway undertakings and providing non-discriminatory access to infrastructure.

Realistically, however, this document will not resolve all the sector's problems. The quality of customer service and safety should be a key focus. In addition to fair conditions of competition, there is an urgent need for investment in infrastructure and equipment, for an increase in rolling-stock capacity, for the simplification of procedures, for technical interoperability on a European level, as well as for improved technical and social conditions.

Yet, unfortunately, we are currently seeing the opposite trend in many countries: services and connections are being cancelled, stations are being closed and the number of jobs in the sector is falling.

This is certainly not in keeping with the ideological vision of full liberalisation which we are working towards.

In this example the argumentative pattern is extended by complex argumentation, resulting in coordinatively structured support:

1. The proposed legislation should not be adopted
 - 1.1 The proposed legislation does not solve the problem
 - 1.1.1a The proposed legislation only solves part of the problem
 - 1.1.1b The proposed legislation does not solve an import part of the problem

Opponents also regularly present coordinative argumentation in which consequences are mentioned that are contrary to the proclaimed objective of the proposal:

1. The proposed legislation should not be adopted
 - 1.1a The proposed legislation will have consequences that are counterproductive in solving the problem

An example is João Ferreira's argumentation against measures that should strengthen the bargaining power of dairy farmers (14 February, 2012):

14 February, 2012 João Ferreira, GUE/NGL (United Left/Nordic Green Left)

[...] this proposal for a regulation does not resolve the fundamental problems in the dairy sector. It is a further step down the path of excusing the unacceptable and disastrous decision to abolish milk quotas in 2015 and that alone makes it already unacceptable. The rest is a fantasy that those preparing to approve this proposal have been selling to milk producers, whose situation is deteriorating by the day. It

is fantasy that it is possible to guarantee producers fair prices in the free and deregulated market that they advocate. It is fantasy that the right of every country to produce as much as it needs can be guaranteed without instruments for regulating production. It is complete fantasy. This path will boost the power of big business; of the major retailers and processing companies. It will further concentrate production with a few producers and countries, destroying it in other countries, where many producers will be ruined. It will continue to facilitate dumping between Member States and the flooding of national markets with imported milk. It will continue to promote intensive, export-orientated production that jeopardises food security and quality and environmental sustainability. For all these reasons, what is actually needed is to reconsider reviewing the abolition of dairy quotas and their adaptation to the needs of each country and to the relative level of development of its productive capacity. It is important to have market regulation and intervention instruments that guarantee producers fair prices, taking production costs and retail prices into consideration, so that value added is distributed fairly along the sector's value chain.

In their argumentation opponents may also point at possible negative side-effects of the implementation of the legislative proposal. When they support the claim about negative side-effects by way of analogy argumentation the following argumentative pattern comes into being:

1. The proposed legislation should not be adopted
 - 1.1 Implementing the proposal leads to negative side-effects
 - 1.1.1 This was also the case in a similar situation

An example of this pattern is provided by Catherine Grèze, rapporteur for the opinion of the committee on Development, in a debate in the European Parliament held on 20 November, 2012. This debate is about the environmental impact of shale gas and shale oil extraction activities. Ms Grèze:

20 November 2012, Catherine Grèze, rapporteur

I am absolutely against the extraction of shale gas. [...] Imagine yourselves what the consequences could be, and how devastating they could be, in developing countries where access to water is vital. But the extraction of shale gas is also about land grabbing and poor land quality; in other words, it brings into question food sovereignty in many countries. Therefore, ladies and gentlemen, despite the publicity, despite the brazen lobbying that has been carried out even at the very door of the hemicycle, I would urge you to shoulder your responsibilities.[...] I saw an excellent film, Gasland, which is worth seeing, and which showed the truly dramatic consequences, no pun intended, on water resources and human and animal health in the United States, which as you know is a highly developed and technologically advanced country.

Grèze points in her pragmatic argumentation at the negative consequences of shale gas exploitation for water resources. Then she defends the causal claim involved in this argument by comparing exploiting shale gas in developing countries with the exploitation of shale gas in the United States.

Another type of argumentation used to support the premise that there are side-effects is argumentation by example. The argumentative pattern then is as follows:

1. The proposed legislation should not be adopted
 - 1.1 The implementation of the proposal will lead to negative effects
 - 1.1.1 [Examples x-n make this clear]

In his argumentation for the standpoint that the new EU energy policy should not be adopted Evžen Tošenovský points at a specific negative side-effect and he gives an example (excessive support to solar power) to support his claim:

18 April 2012, Evžen Tošenovský, ECR Group (European Conservatives and Reformists)

Mr President, the directive submitted is an important part of the key debate on EU energy policy. The submitted draft again, unfortunately, involves heavy administrative intervention in the energy sector. With the current preference – and the sometimes exaggerated direct financial support – for renewables, the situation on the market may get even worse. In some countries, for example, we have seen excessive support for solar power, with long-term commitments to purchase electricity at inflated prices. [...]. I am therefore concerned about this heavy regulatory intervention, which may lead to a downturn in manufacturing opportunities in many countries, and may also have significant and incalculable social effects in Member States. Overall, this may put at risk the global competitiveness of the EU.

Another argumentative pattern that is likely to occur, comes into being when an opponent of legislation points at an alternative solution and supports the premise that this alternative is better by making clear that it is more likely to be effective:

1. The proposed legislation should not be adopted
 - 1.1 There is a better alternative
 - 1.1.1a The proposed legislation does not solve the problem
 - 1.1.1b The alternative solution will solve the problem

An example is provided by Jacky Hénin, who is convinced that there is a problem with the European energy security and that changes are necessary, but who nonetheless does not agree with the proposal for a pan-European energy policy.

21 September 2010, Jacky Hénin, GUE/NGL (European United Left – Nordic Green Left)

Mr President, do we need to ensure energy security and independence? Yes we do. However, to fully ensure security and independence, it is essential that we remove gas and other energy sources from the serious problems caused by speculative markets, declaring them public assets, and enter into tariff agreements that respect the people of producer countries and provide security for European consumers. [...] Unlike our rapporteur, I am not convinced that the free action of the market and private companies operating in the gas industry will secure gas supplies in the Union. To guarantee gas supplies for all citizens of the Union we need to nationalize the large gas groups and create, out of these entities, a European interest group under multinational and, above all, public control.

Finally, although opponents hardly ever directly deny the existence of problems, in some exceptional cases they do. In the following contribution Nick Griffin goes against the proposal for a common European energy policy by simply denying that there is a serious problem. In his argumentation, he simply states that there is no problem:

18 April 2012, Nick Griffin, NI (Non Inscrits)

Mr President, lawyers chase ambulances: where there is an accident, there is a parasite rushing in to profit from someone's misfortune. The advocates of European Union are ambulance-chasers extraordinaire: from the fantasy of man-made global warming, to earthquakes and forest fires, every crisis becomes an excuse to grab even more power.

The Russia-Ukraine gas crisis was an artificial problem caused by neo-con interference in the politics of Eastern Europe. The answer is to stop 'baiting the bear' and to leave the nations of Europe free to buy the gas that Russia needs to sell us. Instead, the crisis is used as an excuse for the EU to seize control of gas supplies and ensnare us all in a web of interdependence designed to enforce the Union that voters would never approve.

This is not about gas supplies. It is the creeping tyranny of a Socialist super state using deceit to grab what it cannot get democratically. When it drops the mask of reasonable necessity, its new fascism will be imposed, not with castor oil, but with deadly cold. That is why freedom lovers will vote against this report.

3.7 Conclusion

Argumentation in parliamentary debate revolves around pragmatic problem-solving argumentation or complex problem-solving argumentation. In order to give an idea of the possible argumentative patterns that may occur in parliamentary debate, I made an inventory of types of argumentation schemes that may be used by MEPs to defend or attack the original pragmatic argumentation put forward in defence of the proposal that is made. From that inventory I selected the argument schemes that most likely will be used by MEPs and will be part of prototypical argumentative patterns.

In parliamentary debate the proponents of a proposal may be expected to focus on the fact that there is a problem that needs to be solved. They will then argue that there is a problem and try to make clear that the problem is serious. They will do so by showing that the problem is widespread or that the problems are numerous. The opponents, on the other hand, will focus on the causal premise: they are likely to cast doubt on the statement that the proposal will solve the problem or they will point at possible alternative solutions. This leads automatically to other argumentative patterns.

Argumentative patterns used by the proponents of a plan contain prototypically pragmatic problem-solving argumentation or complex problem-solving argumentation that is supported by means of argumentation by example. Prototypical argumentative patterns used by the opponents of the plan involve argumentation showing that the plan is not effective or that it has serious side-effects or that there are much better alternative solutions.

In this paper I investigated the prototypical argumentative patterns put forward by the rapporteur and by MEPs. The question remains whether these prototypical argumentative patterns are also stereotypical. Another question is whether there are more of such prototypical and perhaps stereotypical argumentative patterns. Based on the inventory of possible supporting types of argumentation I have presented, systematic empirical research of a quantitative nature needs to be carried out to establish the most prominent stereotypical argumentative patterns occurring in legislative debate in the European Parliament.

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