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Comments on ‘Legitimation and Strategic Maneuvering in the Political Field’

Corina Andone

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In her paper, Ietcu-Fairclough aims at making a contribution to the analysis of strategic manoeuvring in the political field by proposing the incorporation of a sociological view of legitimacy. The author’s claim suggests that by manoeuvring strategically when they try to convince the public of the legitimacy of their actions, politicians are oriented both towards fulfilling democratic ideals and towards getting the acceptance of the majority of the people. This claim is supported by a case study of a speech delivered by the Romanian president shortly before a referendum in which the people were called upon to vote concerning the issue of the dismissal of the president after being accused by the Parliament of breaking the Constitution. The president’s speech is characterized by the author as an instance of adjudication.

My comments pertain to three aspects dealt with in the paper: (a) the characterization of the president’s speech as an instance of adjudication, (b) the analysis of instances of strategic manoeuvring in the speech presented and (c) the role of the conventions of the activity type and of the rules of the political field in finding criteria for a better evaluation of the fallaciousness of the argumentative moves in the speech.

In my first comment, I would like to question the correctness of judging the speech presented as a case of adjudication. The author starts from van Eemeren and Houtlosser’s (2005) view of adjudication as an argumentative activity type in the legal field and suggests that the speech delivered by the Romanian president is a case in point, because the people whom he is addressing act as a third party that judges the conflict between him and the parliament. However, taking into account only the fact that in the current case the public has to take a decision is not reason enough to consider the speech as one such instance. Moreover, as the author herself observes, in adjudication a neutral, impartial judge has to settle a dispute and the

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parties have to follow the decision taken by this judge. As Maley (1994) points out, the judge has to be neutral and impartial not only with respect to the opposing parties, but also as concerns the matter to be resolved. In the present case, the people that cast their vote on the issue of the president remaining in power are not objective in any of the respects mentioned. Ietcu-Fairclough correctly points out that the people are subjective by judging on the basis of whether the values invoked by the president are appealing to it or not, but not in accordance with facts and evidence as it should ideally happen in adjudication. The people, as representatives of the electorate, are, moreover, not neutral with respect to the matter to be resolved, on the contrary, the issue of the dismissal of the president is directly relevant to the people asked to give their judgement in a referendum. Nevertheless, the author explains that the speech counts as an instance of adjudication, at least to a certain extent, in accordance with the principles of the political field. One needs, in this case, to characterize the speech as an instance of adjudication in accordance with such principles and to show how they regulate the initial situation, the starting points, the argumentative means and the outcome of the discussion in a different way than in the case of adjudication in the legal field.

My second comment is rather a suggestion as concerns the analysis of the speech. The author's analysis shows that the speaker makes use of arguments in order to portray his actions as legitimate for the purpose of enhancing his own image and of creating a bad image of his opponents by showing that they are not competent enough and are dishonest. The connection with strategic manoeuvring could be made prominent at this point by indicating more precisely how the speaker argues apparently rationally to convince the public and to achieve his own ends at the same time. In this way, one can explain not only that the speaker adapts himself to the preferences of the audience, as the author rightly observes in her analysis, but also how this is achieved and to what purpose. Moreover, such an analysis could show how the speaker promotes his own point of view by trying to exclude the opponent's point of view from the discussion. Doing so amounts in pragma-dialectics to the exclusion of the other party from the dispute, a serious obstacle in the process of resolving a difference of opinion, since such attacks are seen as an infringement of the first rule for critical discussion, according to which parties may not prevent each other from advancing a standpoint and from calling it into question (van Eemeren and Grootendorst 2004). If interpreted in this way, the author's attempt to explain how the speaker "delegitimizes his opponent in a more reasonable way" in view of the multi-level framework of legitimacy, as she puts it, becomes more pertinent to argumentation theory.

I think that the author's analysis could benefit from (a) a division of the speech, from a pragma-dialectical perspective, into what can be reconstructed as the stages of a critical discussion in which certain dialectical and rhetorical aims are fulfilled and (b) also from a more systematic analysis of the argumentative moves in terms of the three aspects of strategic manoeuvring. The fragments could be reconstructed as part of the confrontation stage and the argumentation stage with specific dialectical and rhetorical aims. Showing how these aims are fulfilled allows the author to demonstrate how the president is able to legitimate his own actions and to delegitimize those of his opponents. For instance, since the dialectical aim of the

confrontation stage is to achieve a clear definition of the difference of opinion, the rhetorical aim consists in an attempt to shape the difference of opinion in a way that he finds to his best advantage. This could have been shown in the analysis of the example by emphasizing that the president focuses as a matter of strategic topical choice on the issue of modernization for which he can bring more arguments in the argumentation stage. It could also have been shown that he gives force to this strategic manoeuvring by adapting himself to the audience. The analysis could have been stronger if it had been pointed out that the president does this not only by constantly invoking the audience's perspective, as the author remarks, but also by the use of appropriate presentational devices, such as rhetorical questions. Similarly, in the argumentation stage, the speaker brings arguments in favour of his position that are not so easy to criticize both by his opponents and by the audience. This is clearly a case of expedient topical choice. By making use of such arguments, communion with the audience is created by showing that the president and the audience share the same ideal of modernization and that what the speaker achieved towards the fulfilment of that ideal cannot be doubted, since it consists in things visible to everyone, which again exploits the president's topical choice.

My third comment concerns the suggestion made by the author that factors related to the specific activity type and the rules of the political field play a role in the judgement of argumentative moves as fallacious or not. Given that the rules of the political field include rules of democracy or legal rules, it is not made clear how they are relevant in evaluating the reasonableness of argumentative moves in a pragma-dialectical sense. Or rather it might be the case that the rules of the political field are used to evaluate reasonableness in a different sense related to political aspects. If this is the case, it remains to be explained how the dialectical ideal of reasonableness and how the political ideal of reasonableness relate.

To conclude, I believe that Ietcu-Fairclough's aim to investigate the issue of legitimation by incorporating the perspective of social theory and of political philosophy into the pragma-dialectical approach to argumentation is interesting in itself, but it has to be made clearer how the different approaches can benefit from each other.

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