

Chapter 9

Prototypical Argumentative Patterns



9.1 Basic and Extended Prototypical Argumentative Patterns

In examining empirically the differences between how argumentative discourse is conducted in the various argumentative practices, we have first concentrated on how the possibilities for strategic manoeuvring are influenced by the institutional preconditions of the communicative activity types in which the discourse takes place. The next step in carrying out our research program is to answer the question of what the distinctive features are of the argumentative discourses that come into being in the various domains of argumentative reality as a result of complying with the institutional preconditions. This question has always been of paramount importance to practitioners of specific argumentative practices who are keen to get a grasp on these practices in order to judge and improve them. It can only be answered now the standard theory has been extended in such a way that the required analytical instruments have been developed and it has been made clear how the research can be contextualized.

In the communicative activity types that have come into being in the various communicative domains, the initial situation revolves around different kinds of differences of opinion, which vary from a formally defined mixed dispute in a law case to an informal non-mixed difference in a medical consult. The types of standpoints at issue vary from being evaluative or prescriptive in a legal verdict or a parliamentary policy debate to being descriptive in a scientific discussion. In combination with the specific starting points that are characteristic of a particular communicative activity type or cluster of such activity types, which vary from explicitly established starting points in a law case to largely implicit starting points in a personal chat, the specific characteristics of the initial situation will lead to

This chapter is primarily based on van Eemeren (Ed. 2017) and more in particular on van Eemeren (2017a, b).

specific kinds of argumentative exchanges in the empirical counterpart of the argumentation stage. The variety is not only caused by differences between the differences of opinion, the types of standpoints at issue and the procedural and material starting points, but also by the specific requirements pertaining to the way in which the exchange between argumentation and criticism is to take place, which varies from a regulated exchange in a parliamentary debate to an informally structured private discussion, and the kinds of outcome that are to be reached, which vary from a final verdict by the judge in a law case to a change of mind or maintenance of the existing situation in a private discussion.

In view of the kind of difference of opinion to be resolved, the type of standpoint at issue and the specific procedural and material starting points the parties must act upon, different types of argumentation can be helpful in reaching the kind of outcome that is aimed for in the various communicative activity types. In the communicative activity types associated with a particular communicative domain specific types of argument schemes may be pre-eminently instrumental in reaching the desired kinds of outcome. Depending on the type of argumentation that is used and the macro-context of the communicative activity type in which the argumentative discourse takes place, specific kinds of critical questions need to be anticipated or responded to. When choosing a particular argument scheme in support of their standpoint in a particular argumentative discourse, in dealing with the critical responses they are confronted with or anticipate to be confronted with the arguers are supposed to take the institutional preconditions into account that apply to the communicative activity type in which the discourse takes place.

Conducting the argumentative discourse in agreement with the specific demands of the communicative activity types in which the discourse takes place results in different domains in the emergence of different kinds of “argumentative patterns” in the discourse. An *argumentative pattern* consists of a particular constellation of argumentative moves in which, in dealing with a particular kind of difference of opinion, in defence of a particular type of standpoint a particular argument scheme or combination of argument schemes is used in a particular kind of argumentation structure. The occurrence of such argumentative patterns, which manifest themselves empirically in the various kinds of argumentative practices, can be explained by taking account of the institutional points and institutional preconditions characterizing particular (clusters of) communicative activity types and the critical questions pertaining to the argument schemes that are used. In identifying these argumentative patterns, the underlying assumption always is that protagonists may be expected to be out to make the strongest possible case for their standpoint in the macro-context concerned by trying to advance a combination of reasons that will satisfy the antagonist through leaving no critical doubts unanswered. In this endeavour they may be expected to use the argument schemes they deem most effective in the situation at hand and to advance all multiple, coordinative and subordinative argumentation that is necessary to answer the critical reactions that may be expected.

Although some of the argumentative patterns occurring in argumentative reality may well be incidental, certain argumentative patterns that come into being can be

considered characteristic of the way in which argumentative discourse is generally conducted in a specific communicative activity type or cluster of such activity types. This applies in particular to the argumentative patterns that are immediately connected with the institutional preconditions for strategic manoeuvring applying to the communicative activity type concerned. We call these argumentative patterns *prototypical argumentative patterns* (van Eemeren 2017a: 20–22). Prototypical argumentative patterns result from the use of modes of strategic manoeuvring that are pre-eminently instrumental in realising the institutional point of a communicative activity type in accordance with its institutional preconditions and they are characteristic of the argumentative discourse that is carried out in a certain communicative activity type or cluster of communicative activity types. In practice, there may be several argumentative patterns that are prototypical of a particular (cluster of) communicative activity type(s).

On the “first level” of the defence, where the main standpoint (or one of the main standpoints) at issue is defended by the main argumentation, prototypical argumentative patterns manifest themselves in a speech event as *basic prototypical argumentative patterns*. In the case of a basic argumentative pattern it is primarily the type of standpoint at issue that determines which types of argumentation can be appropriately used in its defence. On the “second level” and on all further levels of the defence, a reason that is given on the preceding level of the defence may become a sub-standpoint that in its turn is defended by means of argumentation. Whether argumentation supporting the argumentation on the first level will indeed be advanced, depends in principle on the critical reactions that the argument scheme used in defence of the standpoint evokes or is expected to evoke in the communicative activity type concerned. Depending on the critical questions associated with the argument scheme that has been employed and the characteristics of the communicative activity type concerned, specific kinds of critical reactions may need to be responded to or to be anticipated in defending a sub-standpoint, sub-sub-standpoint etc. This means that in argumentative reality sometimes more elaborate *extended prototypical argumentative patterns* can come into being, which include various levels of defence and may contain argumentation of varying degrees of complexity.

9.2 Contextual Differentiation of Prototypical Argumentative Patterns

In order to reach the kind of outcome aimed for, in the various communicative activity types that have been institutionalized in the various domains different types or subtypes of argumentation may be helpful in resolving a difference of opinion about a certain type of standpoint in line with the prevailing starting points. The various types and subtypes of argumentation that are the options to choose from initiate different dialectical routes for going through the process of resolving a

difference of opinion. This means that using a certain argument scheme in defending a standpoint has specific consequences for the way in which the argumentative discourse will be continued. When the one argument scheme is chosen the dialectical route will be different from the dialectical route that becomes a reality when another argument scheme is used. The different continuations of the dialectical routes are determined by the different sets of critical questions that are associated with the various argument schemes; they make the arguer make different kinds of argumentative moves in response to or anticipation of different kinds of critical reactions.

Following a certain dialectical route in the conduct of argumentative discourse always results in the creation of a particular kind of argumentative pattern in the discourse. Since the institutional point that is to be realized and the institutional preconditions that need to be taken into account are related to the institutionalized macro-context, the prototypical argumentative patterns that come into being in the various communicative activity types and clusters of activity types may vary to some extent in the various domains. Due to the fact that in the communicative activity types that have been institutionalized in a particular domain, characteristically, specific types of standpoints are at issue in specific kinds of differences, the types or subtypes of argumentation that are suitable to resolving the difference of opinion at issue may differ in some respects. This has consequences for the argumentative patterns that will develop. Identifying and explaining the prototypical argumentative patterns that can be observed in the various institutionalized argumentative practices therefore amounts to investigating the functional complexity of argumentative reality. In engaging in this kind of research we have again concentrated on the contextual differentiation in the political, the medical and the legal domain.

When in the political domain a policy standpoint is defended in an argumentative exchange taking place in the communicative activity type of a parliamentary debate (Garssen 2017a) or a report of a European parliamentary committee of inquiry (Andone 2017), a characteristic way of doing so is by making use of pragmatic argumentation. By means of this subtype of causal argumentation it is then argued that the measure proposed in the standpoint should be taken because it will lead to an indisputably desirable result—or (in the negative variant of pragmatic argumentation) that the measure proposed in the standpoint should not be taken because it will lead to an indisputably undesirable result. The argument scheme of pragmatic argumentation is pre-eminently suitable to defend a policy standpoint, but only if the desirability—or undesirability, as the case may be—of the result to be achieved is considered beyond any doubt. If the desirability of the result needs to be motivated, the argumentation remains, of course, causal but loses its pragmatic force of instantaneous effectiveness. When this happens and the desirability of the result is in its turn supported argumentatively, say by means of symptomatic argumentation referring to an authoritative source, the causal argumentation involved turns from pragmatic argumentation into *complex pragmatic argumentation*, because the argumentation has changed from single argumentation into complex argumentation. In such a case it depends, as always, on the argument

scheme that is used and the institutional context in which this happens, which critical questions will be relevant and need to be responded to or anticipated in the argumentation advanced in the continuation of the discourse.

In the medical domain of health communication, consultation and the promotion of a drug are combined in the hybrid communicative activity type of a medicine advertisement. The institutional point of this communicative activity type is to motivate patient-consumers to start using the advertised medical product by providing them with the legally required information that enables them to make an informed choice as to whether or not to use this drug. In “over-the-counter medicine” advertisements the implicit prescriptive standpoint that the drug that is advertised should be bought is on the first level of the defence characteristically supported by pragmatic argumentation (Snoeck Henkemans 2017). According to the regulations that must be observed in this kind of advertising, in making in the advertisement a claim to effectiveness the effect that is claimed may not go beyond what advertisers are officially allowed to claim. When this seems necessary, the basic argumentative pattern created by the use of pragmatic argumentation can be extended by the addition of supporting arguments addressing one or more of the critical questions pertaining to pragmatic argumentation. In case the advertiser expects that the beneficial effect on the consumer’s health claimed in the pragmatic argumentation does not offer sufficient support by itself, further reasons may also be added to this pragmatic argumentation as part of a coordinative argumentation on the first level of the defence. The pragmatic argumentation is then complemented by mentioning other (secondary) desirable effects or benefits, such as ease of use or a pleasant taste.

In the legal domain, where the juridical argumentative practices are generally strongly conventionalized, the difference of opinion at issue in the initial situation of a law case, for instance, will be a well-defined juridical dispute, the starting points will consist of largely codified legal rules and case-related concessions, the argumentation and criticism will be based on legal interpretations of the concessions and other relevant facts and the outcome will be a motivated settlement by a judge. Rather than being determined in mutual deliberation by the parties, the procedural and material starting points of a law case are to a large extent predetermined institutionally. The verdict by the judge is characteristically legitimized by means of symptomatic argumentation in which it is argued that dealing with the case in a particular way is justified because it is covered by a legal rule (Feteris 2017). Since in this domain symptomatic argumentation is prevalent, the critical questions that are relevant and likely to be anticipated are generally those associated with this type of argumentation. When it is first argued that dealing with the case in a certain way is justified because this is covered by a legal rule, this symptomatic argumentation could be followed by analogy argumentation stating that the case is similar to other cases to which the rule applies, but this obvious argumentative step usually remains implicit. If in taking a decision the judge makes an exception to a general legal rule, providing pragmatic argumentation in support of this decision on the next level of the defence can be pre-eminently instrumental.

In identifying prototypical argumentative patterns coming about in different kinds of discourse practices, the theoretical instruments for analysing argumentative discourse developed in pragma-dialectics are put to good use. Among them are the typology of differences of opinions (single/multiple, non-mixed/mixed), the typology of standpoints (descriptive/evaluative/prescriptive), the typology of argument schemes (causal/comparison/symptomatic), and the typology of argumentation structures (single/multiple/coordinative/subordinative). The way in which prototypical argumentative patterns manifest themselves in the various argumentative practices in specific constellations of argumentative moves are described in terms of the categories and subcategories distinguished in these typologies. In order to make clear how the prototypical argumentative patterns manifesting themselves in the communicative activity types of a certain domain depend on the type or subtype of argumentation that initiates the creation of the argumentative pattern, the consequences will be examined that the exploitation of certain suitable argument schemes has for the development of argumentative patterns in these communicative activity types.

9.3 Utilizing Different Argument Schemes in Different Communicative Activity Types¹

In the prototypical argumentative patterns that come into being in specific (clusters of) communicative activity types from different domains, due to the specific types of standpoint at issue and the specific institutional preconditions that need to be observed, different kinds of argument schemes may be exploited. These prototypical argumentative patterns manifest themselves in the use of particular types of argumentation in the main argumentation, which are on the first level or on other levels of the defence sometimes prototypically combined with particular types of other arguments in complex argumentation structures. In our research devoted to exploring prototypical argumentative patterns, we have first concentrated on argumentative patterns that are based on the use of argument schemes in the main argumentation that are pre-eminently suitable to defending the standpoint at issue in accordance with the institutional preconditions prevailing in specific communicative activity types or clusters of communicative activity types in the political, the medical or the legal domain.

In our research concentrating on the political domain we have, for instance, investigated what kinds of argumentative patterns prototypically develop in a legislative debate in the European Parliament (Garssen 2017b). One of the prototypical argumentative patterns that we have identified is exemplified in the following contribution to the debate of labelling fruit juices made by the Swedish

¹Sections 9.3 and 9.4 are primarily based on van Eemeren (2017b).

Member of the European Parliament for the European Greens, Carl Schlyter, on 13 December 2011:

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.

In a legislative debate in the European Parliament the basic argumentative pattern of the argumentative discourse prototypically consists of a prescriptive standpoint [*pres*] supported by pragmatic argumentation [*prag*]:

$$1[\textit{pres}] < 1.1[\textit{prag}].$$

However, when the existence of the problem at issue is in doubt and statistical information demonstrating it is not available, in such a debate this argumentative pattern is prototypically extended by adding argumentation by example [*exam*] on one of the next levels, so that the pragmatic argumentation changes into complex pragmatic argumentation [*comp*] of the problem-solving type:

$$1[\textit{pres}] < (1.1[\textit{prag}] < 1.1a.1[\textit{exam}])[\textit{comp}].^2$$

One of the institutional preconditions applying to a debate in the European Parliament is the “European predicament” that the Members should take the interest of their own country at heart but are supposed to speak in the interest of Europe as a whole rather than only in the interest of one particular country, let alone only in the

²For the sake of clarity the descriptions of the argumentative patterns given in this chapter are restricted to the various single argumentations that are advanced explicitly, without going into their internal composition. In order to give a more thorough account of a specific argumentative pattern, a more detailed description must be given in which its unexpressed parts are also included.

interest of their own country. Because the Members of the European Parliament always have to make clear that their intervention applies to a problem that affects most, if not all, European countries, in using argumentation by example in defence of a proposal giving one example generally does not suffice. This explains what happens in the example.

In the case that is quoted Schlyter turns his argumentation for the prescriptive standpoint that the proposed legislation should be adopted into complex pragmatic argumentation of the problem-solving type by complementing the pragmatic argument that the proposed legislation will solve the problem with food labelling in Europe on the first level of the defence coordinatively with the premise that there is indeed a problem with food labelling and supporting that premise on the second level of the defence coordinatively by stating that on many labels the ingredients are not properly indicated and that this is misleading and fraudulent. On the third level of the defence he supports this coordinative argumentation, again coordinatively, by a whole series of arguments by example, thus remaining in line with an established tradition:

1. The proposed legislation should be adopted

1.1a Adopting the legislation solves the problem with food labelling in Europe

(1.1b) (There is a problem with food labelling in Europe)

(1.1b).1a On many labels the ingredients are not indicated properly

(1.1b).1b This is misleading and fraudulent

(1.1b).1a-b.1a-n [*arguments by example*]

This means that the argumentative pattern displayed in Schlyter's argumentative discourse consists of a prescriptive standpoint [*pres*] defended by complex pragmatic argumentation of the problem-solving type [*comp*], which is in turn defended by symptomatic argumentation [*symp*] supported by argumentation by example [*exam*]. When represented in full, including the unexpressed premise 1.1b, this prototypical argumentative pattern can be described as follows:

1[*pres*]<(1.1a[*prag*]&(1.1b<(1.1b.1a&1.1b.1b)[*symp*]<1.1b.1a-b.1a-n)[*exam*])
[*comp*].

Leaving out the unexpressed part, the shortened version of this argumentative pattern is as follows:

1[*pres*]<(1.1[*prag*]<1.1.1[*symp*]<1.1.1.1a-n)[*exam*])[*comp*].

In our research concerning the medical domain we have concentrated on the communicative activity type of over-the-counter medicine advertisements (Snoeck Henkemans 2017). A basic prototypical argumentative pattern that can be distinguished in these advertisements consists of the prescriptive standpoint [*pres*] that a certain drug should be used supported by means of pragmatic argumentation [*pragm*]:

1[*pres*]<1.1[*prag*].

When further support is needed, on the second level and further levels of defence several prototypical argumentative patterns relating to the critical questions associated with pragmatic argumentation can come into being. These critical questions can pertain to the effectiveness of the drug, its safety and whether there is a better alternative. As a consequence, one of the prototypical ways in which the pragmatic main argumentation, which has now become complex, may be supported consists of symptomatic argumentation [*symp*] that the medical product that is advertised is safe. Prototypically, this symptomatic argumentation can in its turn be supported by an argument from authority [*auth*]:

1[*pres*]<1.1[*prag*]<1.1.1[*symp*]<1.1.1.1[*auth*].

Since it is in over-the-counter-medicine advertising not allowed to claim straightforwardly that a product is more effective than other identifiable products, the argumentation in the advertisements is generally directed at making the addressees draw the conclusion that there is no better alternative themselves. A prototypical way of defending the claim concerned consists of advancing symptomatic argumentation that shows that the product fulfils a certain secondary criterion (e.g. speed of action) better than other products. Another prototypical defence consists of emphasizing the uniqueness of the ingredients of the product or of the way it works. Due to the institutional preconditions again, the safety of the product that is advertised may not be claimed without qualification. Prototypically, in order to comply with this requirement specific types of authority are called upon that are allowed by the advertising code, such as references to a legal authority indicating that the product is licensed and meets the standards, populist argumentation citing the number of people using the product, arguments from experience expertise and appeals to tradition. Just like the safety claim, the claim that there is no better alternative, which is the remaining option, may also be further supported by an argument from legal authority or by populist argumentation (e.g. that the product is a best-seller).

In our research concerning the legal domain it transpired that the justification of a legal decision by a court can only remain restricted to the first level of defence if it concerns a “clear case”, in which neither the interpretation of the facts at issue nor the applicability of the legal rule that is called upon are disputed. If the conditions for application of the rule are indeed satisfied, the legal consequence follows *prima facie*. In principle, it then suffices for the judge to put forward argumentation that specifies the facts of the case and the applicable legal rule (“first-order argumentation”). In such a case, the prototypical argumentative pattern hinges on a specific implementation of the argument scheme of symptomatic argumentation in which it is argued that a particular legal consequence is justified in light of certain legal facts. The basic argumentative pattern prototypical of a motivation of a justification of a legal decision by a court therefore consists of symptomatic argumentation [*symp*] to justify the prescriptive standpoint [*pres*] at issue:

1[*pres*]<1.1[*symp*].

In a “hard case” the facts or the applicability of the legal rule are disputed by one of the parties or the court has reasons to question either of these, so that a further justification consisting of subordinative argumentation will be required (“second-order argumentation”). The second-order argumentation that is advanced will differ depending on whether the facts are at issue or the legal rule. This will result in different argumentative patterns (Feteris 2017). When in a hard case the facts are at issue, the prototypical argumentative patterns of the justification of a legal decision by a court contain on the first level of the defence prototypically, next to the symptomatic argumentation [*symp*] referring to the rule that is applied, pragmatic argumentation [*prag*] justifying the desirability of the consequences in light of the rule and on the second level of the defence a subordinative symptomatic argumentation involving proof of the facts by reference to the authority of written documents, testimonies or expert reports [*auth*]. This leads to the following prototypical argumentative pattern of the defence of the prescriptive standpoint [*pres*] at issue, in which the pragmatic argumentation, due to its need of support, is turned into complex pragmatic argumentation:

1[*pres*]<((1.1a[*symp*]&1.b[*prag*])<1.1a-b.1[*auth*])[*comp*].

Since in different legal systems and fields of law different criteria apply for the truth of the facts, the prototypical argumentative patterns that come into being may vary according to the legal system and the field of law involved.

When in a hard case the applicability of a legal rule is at issue, the court has to establish the meaning of the rule in the case concerned. In its justification the court must specify the grounds for the favoured version of the rule. This justification can in turn be supported by a chain of further symptomatic arguments, so that a more elaborate prototypical pattern of extended argumentation comes into being. Because the interpretation methods pertaining to the meaning of a legal rule that is used in justifying legal decisions are ordered hierarchically, more often than not a combination of symptomatic arguments referring to different kinds of interpretation methods needs to be used. Since in different legal systems and fields of law different criteria for grounding the establishment of the meaning of a legal rule apply, the prototypical argumentative patterns that come into being may again vary to some extent, depending on the institutional preconditions, in different kinds of law cases and fields.

9.4 Utilizing the Same Argument Scheme Differently

Although in principle virtually all types and subtypes of argumentation can be used in all communicative activity types, due to the different institutional preconditions different kinds of prototypical argumentative patterns come into being in the various domains. In Sect. 9.3 we focused on similarities and dissimilarities in prototypical argumentative patterns resulting from the exploitation of particular types and subtypes of argumentation which are pre-eminently suitable to realizing the

institutional point of specific (clusters of) communicative activity types in the various domains. However, even when the same (sub)type of argumentation is used in the main argumentation this may lead to the creation of different prototypical argumentative patterns in communicative activity types from different domains, due to the different institutional preconditions that need to be observed. In demonstrating this we will concentrate on the functionally different uses of a subtype of causal argumentation that we have encountered in all three domains we have concentrated upon: pragmatic argumentation.

In pragmatic argumentation the standpoint that an action should (or, in the negative variant of pragmatic argumentation, should not) be carried out is defended by pointing out that carrying out this action leads to a desirable (or, in the negative variant, undesirable) result. This is a specification the positive variant of the argument scheme of pragmatic argumentation³:

1. Standpoint: Action X should be carried out

1.1 Action X leads to positive result Y

(1.1') (If action X leads to a positive result such as Y it must be carried out)

The following critical questions are associated with pragmatic argumentation:

- (a) Does action X indeed lead to result Y?
- (b) Is result Y really positive (i.e. desirable)?
- (c) Does action X not have unavoidable negative (i.e. undesirable) side-effects?
- (d) Could Y not be achieved more easily or more economically by other actions?
- (e) Would another result not be even more desirable than Y?

When they are implemented in a particular communicative activity type, like in all other cases, these critical questions need to be specified, amended or supplemented in accordance with the institutional requirements. It depends also to a large extent on the macro-context which of these critical questions are pertinent in the sense that they need to be asked and responded to in a certain case. In some cases there already exists mutual agreement between the parties about the answer so that it is not necessary to respond to these questions (e.g. in the case of whether it is positive to put an end to unemployment or to be relieved from a headache) and in some other cases the answer is as it were presupposed in the point of departure of the exchange (e.g. that the cure is supposed to be effective if it is prescribed by a doctor).

Pragmatic argumentation can only offer conclusive support for a standpoint if the positive character (i.e. desirability) of the result that is aimed for is beyond doubt for the parties involved. If the desirability of the result is for some reason or other not so obvious, this desirability needs to be motivated. In such cases the argumentation loses its pragmatic force of leading to instantaneous success and turns into complex

³In the descriptions of argumentative patterns included in this chapter pragmatic argumentation is, just like other types of argumentation, recorded in a simplified way, without specifying its internal composition.

pragmatic argumentation, so that in the prototypical patterns that come into being the pragmatic argumentation will be embedded in coordinatively or subordinatively linked combinations with other types of argumentation. The way in which it is embedded and the rationale for the embedding depend on the institutional pre-conditions pertaining to the communicative activity types concerned.

Prototypical argumentative patterns ensuing from the exploitation of pragmatic argumentation are likely to occur in the main argumentation, on the first level of the defence, in all communicative domains in which prescriptive standpoints are defended. This goes for the political domain but also for the medical domain of health communication, albeit that in both areas more often than not the pragmatic argumentation turns into complex pragmatic argumentation. In the legal domain pragmatic argumentation is only prototypically used in dealing with hard cases.

In the political domain, in the communicative activity type of a plenary debate in the European Parliament, pragmatic argumentation [*prag*] is prototypically used in the main argumentation advanced on the first level of the defence to support a prescriptive standpoint [*pres*] involving a policy proposal:

1[*pres*] $<$ 1.1[*prag*].

Pragmatic argumentation is also prototypically used in the main argumentation to defend a prescriptive standpoint [*pres*] involving a recommendation in reports of European parliamentary committees of inquiry. Since the proceedings of these committees of enquiry are driven by political considerations, in the committee reports having a majority is the definitive test of authority (Andone 2017). This explains why, to increase the legitimacy of the policy claim involved, in these reports the use of pragmatic argumentation [*prag*] is on the first level of the defence prototypically coordinatively combined with the use of argumentation in which the majority is adduced as an authority [*majo*]. This results in the following prototypical argumentative pattern:

1[*pres*] $<$ 1.1a[*prag*] $\&$ 1.1b[*majo*].

In parliamentary debate in the politically divided European Parliament it is common practice that in dealing with a policy proposal more levels of defence are needed because it first needs to be established that the result aimed for in the proposal that is made [*pres*] is indeed desirable, because there really is a problem that deserves to be solved. The prototypical argumentative patterns that come then into being in the argumentative moves that are made by a proponent of the proposal contain complex pragmatic argumentation [*comp*] elaborating on the initially pragmatic argumentation (Garssen 2017a). In support of the intermediate claim inserted in response to critical question (b) associated with pragmatic argumentation that there is a problem that should be solved, argumentation by example [*exam*], causal argumentation from cause to effect [*caus*] or causal argumentation from effect to cause [*effe*] or argumentation from authority [*auth*] are prototypically advanced:

1[*pres*] $<$ ((1.1a[*prag*] $<$ 1.1a.1[*exam*]) $\&$ 1.1b)[*comp*];

1[*pres*] $<$ ((1.1a[*prag*] $<$ 1.1a.1[*caus*]) $\&$ 1.1b)[*comp*];

1[*pres*] < ((1.1a[*prag*] < 1.1a.1[*effe*]) & 1.1b)[*comp*];
 1[*pres*] < ((1.1a[*prag*] < 1.1a.1[*auth*]) & 1.1b)[*comp*].

The causal claim at issue in basic critical question (a) that the proposal that is made solves the problem can in the case of a general claim be supported by argumentation by example and in the case of a particular claim by a descriptive analogy or by symptomatic argumentation such as authority argumentation (van Eemeren & Garssen 2010). A case in point is the defence of the policy claim that the United States should adopt gun control by means of the pragmatic argumentation that doing so leads to a safer social environment. In this case the causal claim is a specific one, referring only to the United States. This means that the pragmatic defence of the policy claim could be readily supported by advancing descriptive analogy argumentation in which the situation in the United States is compared to that in Canada, where gun control proves to lead to fewer casualties. Had the causal claim been general, as in “Gun control generally leads to fewer casualties”, then, instead of descriptive analogy argumentation, argumentation by example should have been expected in its defence.

In the medical domain in the communicative activity type of over-the-counter medicine advertisements pragmatic argumentation is prototypically used in the main argumentation advanced in advertising a medicinal product. According to the formal regulations that constrain the proceedings in these advertisements rather strictly, the advertiser is not allowed to claim any effect that goes further than what is allowed by the rules. The basic prototypical pattern that comes into being on the first level of the defence by complying with these institutional preconditions consists of a prescriptive standpoint [*pres*] being defended by pragmatic argumentation [*prag*]:

1[*pres*] < 1.1[*prag*].

When the beneficial effect that is claimed in the pragmatic argumentation is not expected to offer sufficient support, additional pragmatic arguments mentioning other positive effects—other desirable consequences that will occur—can be added to the pragmatic argumentation as part of a coordinative argumentation on the first level of the defence:

1[*pres*] < 1.1a[*prag*] & 1.1b-n[*prag*].

In case the beneficial effect claimed in the pragmatic argumentation is not expected to offer sufficient support, the basic argumentative pattern of over-the-counter medicine advertisements can also be extended by presenting, instead of coordinative argumentation on the first level, subordinative argumentation on the second level of the defence. In response to the critical questions pertaining to pragmatic argumentation as a way of defending the sub-standpoint connected with the pragmatic argumentation turned complex that there is no better alternative for the drug symptomatic argumentation concerning the positive qualities of the drug that is advertised can be advanced. When this happens, the argument which mentions the positive qualities of the drug is in its turn prototypically

supported by means of symptomatic argumentation such as argumentation from authority referring to scientific evidence, indicating the existence of such evidence or providing testimonials or experience-based evidence from users of the product who are neither health professionals nor celebrities:

1[*pres*]<(1.1[*prag*]<1.1.1[*symp*]<1.1.1.1[*auth*])[*comp*].

As we observed already in Sect. 9.3, causal argumentation in support of the efficacy of medicinal products is in this institutional context likely to consist of the subtype claiming that specific ingredients cause the product's beneficial effect. Because of the institutional preconditions, comparison argumentation making clear that the product is to be preferred to other products is only allowed to refer to secondary qualities of the product (palatability, speed or duration of action). As far as side-effects are concerned, the only arguments that may be stated in response to critical question (c) are that the product has "no known side-effects" or "a good safety profile". A prototypical response to the question whether the advertised medical product is safe consists of advancing symptomatic argumentation [*symp*] that shows that the product is in agreement with safety criteria authorized by institutional regulations:

1[*pres*]<(1.1[*prag*]<1.1.1[*symp*])[*comp*].

In the legal domain, in the communicative activity type in which a legal decision by the court is justified, the court must show by means of symptomatic argumentation that the decision that is made is consistent with existing legal norms and coherent with general legal principles. Pragmatic argumentation prototypically comes in when in a hard case the application of a legal rule is controversial and consideration of the consequences of applying the rule is required. In such a case the symptomatic argumentation justifying the acceptability of the legal decision in light of the relevant legal system is in the main argumentation reinforced by the addition of pragmatic argumentation justifying the application of the legal rule. This means that prototypically in dealing with hard cases in this macro-context symptomatic argumentation [*symp*] and pragmatic argumentation [*prag*] prototypically constitute together a coordinative argumentation in defence of a legal decision [*pres*] on the first level of the defence:

1[*pres*]<1.1a[*symp*]&1.1b[*prag*].

Whereas the desirability of the consequences is in pragmatic argumentation normally presupposed, when in making a legal decision the application of a legal rule is controversial in a hard case it needs to be motivated explicitly that the consequences of applying the legal rule are indeed desirable in the case concerned in light of the purpose of the legal rule. As a consequence, the pragmatic argumentation that is advanced loses its pragmatic status and is in such a case always part of a complex pragmatic argumentation. Further subordinative symptomatic argumentation is necessary to do justice to the various legal interpretation methods that are pertinent to deciding about the meaning of a legal rule. On the next levels of

the defence, these symptomatic argumentations may in turn be supported by referring to certain authoritative sources, such as specific kinds of documents.

Thus, in defending the legal decision of the court [*pres*], symptomatic argumentation [*symp*] referring to the legal rule is on the first level of the defence prototypically backed up by pieces of symptomatic argumentation [*symp*] relating to the various legal interpretation methods, which are authorized by certain legal documents [*auth*]. In addition, in response to the critical questions associated with symptomatic argumentation [*symp*] and the pragmatic argumentation turned complex [*comp*] advanced on the first level of the defence, further subordinative argumentation of the causal type [*caus*] may be needed to justify that the announced result will indeed ensue when the rule is applied and argumentation of the symptomatic type [*symp*] to show the desirability of the result in light of the purpose of the rule, backed up by references to the intention of the legislator or the legal rationale of the rule [*auth*]. When all of this happens, it results in the following prototypical argumentative pattern:

$1[pres] < (1.1a[symp] < 1.1a.1a/n[symp] < 1.1a.1a/n.1a/n[auth]) \& (1.1b[comp] < 1.1b.1a[caus] \& 1.1b.1b[symp])$.

See Fig. 9.1 for an overview of these prototypical argumentative patterns.

Political domain (legislative debate in European Parliament and parliamentary committee reports)

Pragmatic argumentation [*prag*] for *prescriptive standpoint* [*pres*] on 1st level:
 $1[pres] < 1.1[prag]$

When legitimacy *policy claim* [*pres*] needs to be increased in European parliamentary committee reports, *pragmatic argumentation* [*prag*] and *majority argumentation* [*majo*] as coordinative argumentation on 1st level:

$1[pres] < 1.1a[prag] \& 1.1b[majo]$

When necessity to solve problem needs to be established, in support of *complex pragmatic argumentation of the problem-solving type* [*comp*]: *argumentation by example* [*exam*]/*causal argumentation from cause to effect* [*caus*]/*from effect to cause* [*effe*]/*argumentation from authority* [*auth*] on 2nd level:

$1[pres] < ((1.1a < 1.1a.1[exam]) \& 1.1b)[comp];$
 $1[pres] < ((1.1a < 1.1a.1[caus]) \& 1.1b)[comp];$
 $1[pres] < ((1.1a < 1.1a.1[effe]) \& 1.1b)[comp];$
 $1[pres] < ((1.1a < 1.1a.1[auth]) \& 1.1b)[comp]$

When statistical information required for establishing problem is not available: *argumentation by example* [*exam*] likely on 2nd level:

$1[pres] < (1.1[prag] < 1.1.1[exam])[comp]$

When *complex pragmatic argumentation of the problem-solving type* [*comp*] needs defence by *symptomatic argumentation* [*symp*] supported by *argumentation by example* on 3 levels:

$1[pres] < (1.1[prag] < 1.1.1[symp] < 1.1.1.1a-n[exam])[comp]$

Medical domain (over-the-counter medicine advertisements)

Pragmatic argumentation [*prag*] for prescriptive standpoint [*pres*] on 1st level:
 $1[pres] < 1.1[prag]$

When claimed beneficial effect offers not sufficient support: *additional pragmatic arguments* mentioning other positive effects as part coordinative argumentation on 1st level:

$1[pres] < 1.1a[prag] & 1.1b-n[prag]$

In response to pertinent critical questions pragmatic argumentation: subordinative argumentation adjusted to institutional preconditions on 2nd (and 3rd) level; e.g.

- in response to whether medicine leads to positive result: *argumentation from authority* [*auth*] (referring to scientific evidence/indicating existence such evidence/providing testimonials/experience-based evidence from non-professional, non-celebrity users):

$1[pres] < ((1.1a[symp] & 1.1b[prag]) < 1.1a-b.1[auth])[comp]$

- in response to whether advertised product is safe: *symptomatic argumentation* [*symp*] showing product to be in agreement with safety criteria authorized by institutional regulations:

$1[pres] < (1.1[prag] < 1.1.1[symp] < 1.1.1.1[auth])[comp]$

Legal domain (motivation legal verdict judge)

In clear case: *symptomatic argumentation* [*symp*] that juridical decision [*pres*] is in agreement with a legal rule (a particular legal consequence ensuing from the legal facts) on 1st level:

$1[pres] < 1.1[symp]$

To show applying rule does justice to the various legal interpretation methods: further *symptomatic argumentation* [*symp*] (if necessary supported by authoritative documents).

In hard case, when application rule controversial and consideration consequences of applying rule are required, coordinative reinforcement symptomatic argumentation by *pragmatic argumentation* [*prag*] on 1st level:

$1[pres] < 1.1a[symp] & 1.1b[prag]$

When facts at issue in hard case: subordinative *argumentation from authority* [*auth*] involving proof of the facts by reference to written documents, testimonies or expert reports on 2nd level:

$1[pres] < ((1.1a[symp] & 1.1b[prag]) < 1.1a-b.1[auth])[comp]$

Pragmatic argumentation is in this context complex pragmatic argumentation requiring extended subordinative causal argumentation to show that applying the rule in case concerned leads to announced result and symptomatic argumentation that result is desirable in light purpose rule:

$1[pres] < (1.1a[symp] < 1.1a.1a/n[symp] < 1.1a.1a/n.1a/n[auth]) & (1.1b[comp] < 1.1b.1a[caus] & 1.1b.1b[symp])$

< = is supported by	[...] = type of
<i>auth</i> = authority argumentation	<i>caus</i> = argumentation from cause to effect
<i>effe</i> = argumentation from effect to cause	<i>exam</i> = argumentation by example
<i>majo</i> = majority-as-authority argumentation	<i>prag</i> = pragmatic argumentation
<i>pres</i> = prescriptive standpoint	<i>comp</i> = complex pragmatic argumentation
<i>symp</i> = symptomatic argumentation	

Fig. 9.1 Prototypical argumentative patterns in political, medical and legal discourse

9.5 Examining the Variety of Patterned Argumentative Diversity

In a general sense the argumentative patterns that are prototypical of a communicative activity type are all connected with its institutional point, its institutional conventionalisation and its institutional preconditions. The basic prototypical patterns on the first level of the defence are more particularly related to the type of standpoint that is at issue in the main argumentation. The more elaborate argumentative patterns on the second and further levels of the defence are more particularly related to the pertinent critical questions associated with the argument schemes that are used. In theoretically-inspired qualitative empirical research the prototypical argumentative patterns described in Sects. 9.3 and 9.4 have been identified as patterns that are functional in some specific (clusters of) communicative activity types in the political, the medical and the legal domain. In order to account more fully for the diversity of argumentative reality, this research should be expanded by the identification of other prototypical argumentative patterns in the same as well as in other communicative activity types and domains.

Although argumentative patterns that are prototypical of a communicative activity type may be expected to be found regularly in speech events that are specimens of the argumentative practice concerned, the fact that these patterns are prototypical does not necessarily mean that they need to occur frequently, let alone that they will always be present (van Eemeren 2017a: 22). In certain argumentative practices some prototypical argumentative patterns may in fact occur frequently while other prototypical argumentative patterns do not and in some (clusters of) communicative activity types certain prototypical argumentative patterns will be strikingly dominant while other prototypical argumentative patterns may hardly ever occur. The frequency of occurrence of the various prototypical argumentative patterns that have been identified still needs to be investigated. Based on the results of this research these frequencies are then to be compared with the frequency of occurrence of other argumentative patterns in the same communicative activity type and with their own frequency of occurrence in other communicative activity types in the same domain and other domains. Only if its occurrence is relatively frequent in at least one of these senses, a prototypical argumentative pattern deserves to be called a *stereotypical argumentative pattern*.

While prototypical argumentative patterns can be brought to light by means of qualitative empirical research, for the detection of stereotypical argumentative patterns quantitative research is required. Starting from the results of the qualitative explorations of prototypical argumentative patterns in specimens of certain (clusters of) communicative activity types, their frequencies of occurrence must be determined by means of quantitative research of corpuses of discourse that are representative of particular communicative activity types or domains. The results of this research can be used for making systematic comparisons between the frequencies of occurrence of prototypical argumentative patterns within a specific communicative activity type or domain and between their frequencies of occurrence in different communicative activity types and domains. In this way it can be established which argumentative patterns that are prototypical of certain (clusters of) communicative activity types are also stereotypical.

By systematically documenting the institutionally motivated diversity of argumentative practices in this way, an empirically-based understanding can be achieved of the proliferation of argumentative reality that provides more insight into the extent to which argumentative discourse is context-dependent. Thus making an inventory of prototypical and stereotypical argumentative patterns paves the way for a more thorough account of the fundamental issue of context-independency and context-dependency of argumentative discourse than could be provided so far. Unlike earlier views that have been expounded on this issue, such as Toulmin's (2003), which are largely intuitive, this account is based on a systematic combination of theoretical considerations and empirical evidence.

In further investigating the context-dependent diversity of argumentative discourse, special attention should also be paid to the cultural or ideological background that may be responsible for differences in the way in which argumentative discourse is conducted. In certain cases the differences between prototypical and stereotypical argumentative patterns coming about in the same or similar communicative activity types in different geo-political settings can be explained by taking account of the different cultural or ideological backgrounds against which these communicative activity types have been institutionalized. In this way it can, for instance, be made clear why in some argumentative practices, such as a parliamentary debate or a law case, the prototypical and stereotypical argumentative patterns may take a somewhat different shape in a Chinese setting than in a European or an American setting.

Another dimension of the coming about of the diversity of argumentative patterns that should be given its due in the research is the strategic design involved in the creation of such patterns. In accounting for the argumentative patterns manifesting themselves in argumentative discourse strategic considerations can sometimes have an explanatory role. More often than not the strategic considerations that are put to good use in this endeavour will be related to certain specific characteristics of the institutional environment in which the argumentative discourse takes place. This means that in such cases the communicative activity type or domain in which the discourse takes place can be brought to bear in explaining the strategic plan that can be ascribed to the arguer who is making his or her case. Such a

strategic plan can be seen as the arguer's *strategic scenario*. In determining which outlines of argumentative patterns may be indicative of which strategic scenarios an understanding of the domain and the communicative activity type concerned and the institutional goals and missions of the participants will play an important role.

When identifying argumentative patterns and tracking down strategic scenarios attention should also be paid to systematic differences in "argumentative style". *Argumentative styles* are prototypical ways of strategic manoeuvring resulting in stereotypical argumentative patterns that are characteristic of certain individual arguers or groups of arguers. When argumentative styles manifest themselves in more or less fixed argumentative patterns, tracing these argumentative styles can be worthwhile in certain cases since this may be helpful in explaining more precisely how exactly in argumentative reality the aiming for reasonableness and effectiveness is given shape.

Last but not least, the prototypical and stereotypical argumentative patterns detected in specific communicative activity types or clusters of communicative activity types can be a useful point of departure for undertaking interventions aimed at improving the conduct of argumentative discourse in the argumentative practices concerned. Prototypical argumentative patterns can provide useful guidance in creating context-related formats or designs that can be helpful in enhancing the quality of the production, analysis and evaluation of argumentative discourse. To take the medical context as an example: by starting from observed prototypical argumentative patterns in health communication, appropriate guidelines can be developed for conducting argumentative exchanges in doctor-patient consultation, more adequate instructions can be given for analysing health brochures and more effective tools can be made available for evaluating and writing medical advertisements. Especially if the recommended procedures can be formalized and computerized, they can be instrumental in enhancing the quality of such argumentative practices.

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