

REVISITING APOLOGIE DE LA POLÉMIQUE: COEXISTENCE IN DISSSENT AND ITS “FELICITY CONDITIONS”

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Although public polemics does not answer the rhetorical ideal of deliberation, it fulfils some important functions in the democratic space. Among others, it ensures coexistence in dissent in a society where diversity and differences are respected. Revisiting my book *Apologie de la polémique* (2014), I claim however that there are additional conditions that guarantee the possibility of living peacefully together in disagreement, which are linked to institutional and socio-political factors.

KEY WORDS: coexistence in dissent, discrediting the opponent, dichotomization, democracy, polarization, polemics.

1. INTRODUCTION

While preparing this paper, a heated controversy in the French media drew my attention. When the newly elected French President Emmanuel Macron decided to implement the reforms announced in his electoral promises, many voices vehemently claimed that he has no legitimacy to do so. In other words, part of the citizens did not recognize the right of their leader to rule according to his program. Their main arguments were that he had a weak score in the first round (18% of the registered citizens), and that the 66% he obtained in the second round were only 44% of the citizens registered on the lists – in short, he had no absolute majority. Moreover, the contention was that people voted for him only in order to prevent Marine Le Pen, namely the extreme-right, from winning the elections, and not because they adhered to his so-called neo-liberal program. The expression “the President of the rich” was immediately coined to emphasize that he was not the legitimate representative of the French people.

Here is a sample of the opponents’ discourse – in this case the founder and journalist of *Mediapart*, the Trotskyite Edwy Plenel: “Are

we not at the heart of a misunderstanding? You have not been elected by a majority adherence to your program. You have received, in the first round, 18% of the registered voters. And you are the product of an accidental, exceptional circumstance". (Interview with the President, Bourdin and Plenel on BFMTV, April 15, 2018)¹. And here is an echo of this stance in a talkback of the newspaper *Le Parisien*, after the TV interview:

You seem to be proud of this junk president (*de pacotille*). But I tell you again, this man is not legitimate. 18% is smoke and mirrors (*fumisterie*), totalitarianism and above all, it is no plebiscite. You might take advantage of his politics but do not neglect the people [...] Someday History will bounce back [...] beware of the guillotine (*my translation*).

At some point, rumours were even spread about the fact that France had no more constitution since a law voted in 2017, so that Macron was not legally elected and could not be a legitimate President. Thus, with the help of the social networks, polemical attacks were reinforced by fake news.

Now the arguments against the attacks on the President's legitimacy were that the sore losers (such as Jean-Luc Mélenchon, the leader of the leftist party Les Insoumis) were trying to question the results of the election instead of submitting to the democratic rule; that the opponents lacked understanding of the electoral system, or even deliberately refused to recognize it; and that such a denial of legitimacy of the President and of the constitutional system endangered French democracy. "Some people do not care anymore for the Republican order", Macron said in his TV interview with Plenel. "It is possible to change the constitutional laws but within the democratic framework".

No doubt a controversy on the legitimacy of the President elect is possible in a democratic space where freedom of speech is a superior value. It is clear however that such a verbal confrontation could not lead to any resolution of the conflict. The fake news on the unconstitutional nature of Macron's election were denounced and rejected; but the discussion on the legitimacy of the President to carry out his reforms did not lead to any agreement. The Opponent – a heterogeneous group made up of quite different and even antagonist parties, from the extreme left to the extreme right – went on challenging Macrons' right to implement his liberal politics and economic measures, whereas his

¹ <https://www.bfmtv.com/mediaplayer/video/revoir-l-integralite-de-l-interview-d-emmanuel-macron-sur-bfmtv-rmc-mediapart-1060113.html>

supporters went on repeating the claim that the President had the right to launch reforms.

What is then the point of such a polemical exchange? Does it perform any function in the public space? To what extent does it comfort, or disrupt, the democratic order? My contention is that it has a regulating function in the democratic system, but that this function can be fulfilled only when the institutional frameworks and principles of democracy are fully respected. To demonstrate it, I will divide my presentation into three parts: (1) the need for a rhetoric of dissent, and the problem it nevertheless raises (2) a brief exploration into the nature and functions of verbal polemics in the public sphere, and (3) the institutional conditions necessary to make the regulatory function of public polemics work.

2. TOWARDS A RHETORIC OF DISSENT: AN OVERVIEW OF SOME CURRENT ISSUES

In my book entitled *Apologie de la polémique* (2014), I claim that public controversy in its polemical form fulfils important functions in the democratic space. Obviously, the idea that sharpening disagreement can contribute to democracy contradicts the contemporary doxa as well as the main trends of academic research.² From the argumentative point of view, disagreement is an indispensable ingredient in a free society founded on diversity and difference; however, it is supposed to be eventually overcome in order to allow for some form of common decision. Otherwise, how could we act together and rule the *polis*?

It is well known that the search for agreement is precisely the task assigned to rhetorical argumentation. According to Chaim Perelman and Lucie Olbrechts-Tyteca (1969: 37-38), rhetoric consists of a communicational process leading to an agreement not on the Truth, but on the “reasonable” – namely, on a stance that any man and woman of reason can see as plausible and acceptable. It is because it does not fulfil this rhetorical ideal that polemical discourse is blamed. The New Rhetoric opposes what it calls “debate”, an eristic exchange where each participant defends his own convictions without considering the arguments that could undermine them, and “discussion”, a fertile dialogue where the participants look together for a solution to a controversial matter. This notion of discussion is also at the heart of pragma-dialectics which provides the rules any exchange should follow in order to achieve conflict resolution. In these conditions, why should any argumentation scholar undertake an apology of polemics?

² For interesting exceptions, see Kock’s « Constructive controversy: rhetoric as dissensus-oriented discourse » (2009), or Ivie (2015).

What I claim in *Apologie de la polémique* is that, among the various functions it fulfils in democracy, public polemics allows voicing conflicting opinions and fighting for antagonistic solutions, without recurring to brutal force. To clarify it, I coined the expression “coexistence in dissent”. To use Chantal Mouffe’s words (2000:102), polemical exchanges can transform “enemies” into “adversaries”: enemies to be destroyed are replaced by adversaries whose right to speak is recognized, even if their opinion is regarded as wrong, if not highly irritating. Polemics thus authorizes what is called in French a “vivre-ensemble”, a possibility of living together. It enables people who do not share the same opinions, or even the same premises, to share the same national space without destructive outbursts of violence. I will elaborate on this central point below.

Beyond the theses presented in my apology of public controversy in its polemical forms, I want to reflect on a point that has not been fully elaborated in the book. It should be emphasized that emphasis on dissent and its polemical management is not without raising some disturbing questions concerning the conditions of possibility, and the limits, of the so-called coexistence in dissent. Indeed, we can see that the use of polemical exchanges does not always suffice to prevent citizens from physically fighting each other. In the case of the discussion on Macron’s legitimacy to rule and implement his reforms, the verbal polemics was accompanied by huge and endless street demonstrations. No doubt, demonstrations are part of the democratic order since they express the counter-power, or as Rosanvallon (2006) puts it, the “counter-democracy”, meaning that some procedures are needed to check and restrain a power that always threaten to derail. But the demonstrations of the yellow vests also led to outbursts of violence verging on riots, as extremists broke store windows and deteriorated monuments; shops were looted, battles between the police and the demonstrators caused injuries among the civilians and the policemen, etc. We could hardly call it a successful coexistence in dissent.

The same can be said about a Western democracy such as Germany, where outbursts of violence against refugees regularly occur although the polemical discussion on the topic is vivid. Or about an emerging democracy such as Ivory Coast, where polemics was tolerated in the 2010 Presidential campaign but did not prevent the outbreak of civil war after the results of the vote were disputed by the defeated party of Gbagbo.

What, then, are the “felicity conditions” needed for public polemics to secure a peaceful living together in the framework of persistent and sometimes deep disagreements that can hardly be avoided in the democratic space? Clearly, I use the pragmatic notion of felicity conditions in a metaphorical sense. For a speech act (such as

promising, warning, etc.) to achieve its purpose, some conditions must be met; similarly, for a polemical exchange to ensure non-violent coexistence, some conditions must be fulfilled, in the absence of which public polemics cannot play any positive role. Looking into these conditions seems a necessary extension of my apology of polemics, and I will try here to provide some guiding lines for this new exploration. Thus, after rapidly revisiting the findings of my first research into dissent and its polemical management, I will try - on the basis of a few contemporary examples - to outline some of the “felicity conditions” necessary to ensure the contribution of public polemics to a peaceful coexistence in dissent.

3. REVISITING THE DEFINITION OF POLEMICAL DISCOURSE

3.1 *General considerations*

The main theses of my book published in 2014 in French concern the nature of polemical discourse and its functions in the democratic sphere. It is important to emphasize that I chose to base my study on the analysis of case studies, mainly in the French media. I thus examined more or less thoroughly a public controversy on the actor Gérard Depardieu who went into exile to avoid paying taxes in France (and globally on the phenomenon of going into exile to escape taxes); on the interdiction of the burqa or rather niqab (the full veil) in public places in France; on the question of bonuses and stock options in periods of crisis, etc. A close examination of the *corpora* showed that the three pillars on which public polemics is built are: dichotomization, polarization and attempt at discrediting the opponent.

However, before elaborating on these points, it is important to recall that polemics is an integral part of argumentation: it is not an erratic, violent exchange of blows between adversaries moved by passion, but an exchange of arguments between two parties who manage their disagreement in the framework of a radicalized confrontation. It thus appears as a clash of contradictory answers to the same question.

Thus, in polemical exchanges, the adversaries do not really care to persuade each other: they engage in a verbal duel where each one is committed to winning the case at all costs. Polemics as derived from *polemos*, war, is a struggle and its objective is to persuade not the opponent, but the third party, of the veracity of the speaker's stances as diametrically opposed to those of the adversary. This entails that it plays no role in conflict resolution and does not look for a reconciliation between the conflicting parties.

Moreover, the actors of a public controversy are not just two individuals engaging in an ordered dialogue, where each participant symmetrically answers the other. In public polemics, we are faced with two conflicting stances on a question judged of public interest, that is defended and justified in the media and the social networks at different moments, in different formulations, on different platforms – by different voices. Polemics takes place in the circulation of discourses that built up the public space. In this space, recurrent arguments gather into clusters, reservoirs of *topoi* on which everybody can draw. Of course, two individuals can engage in a polemical exchange of arguments in the framework of a formal dialogue (TV debate, or exchange of open letters, for example); but they do so on the background of a general circulation of discourses. Whether they are conscious of it or not, the interdiscourse with its ready-made arguments feeds their own reasoning and speech.

3.2 The three basic components of polemics

In a framework where the contradiction between opposite answers is exacerbated, there is no negotiation. Each side tries to discredit the thesis of the other, or to discredit the persons or the formal entity incarnating it or standing for it. To do so, all the rhetorical means at the disposal of the speaker are mobilized, including *ad hominem* attacks, irony and ridicule, hyperbolic statements, insulting formulations, verbal violence, etc. (Kerbrat-Orecchioni, 1980, p. 12) Discrediting the adversary is thus the first formal characteristic defining polemical discourse.

The second characteristic is dichotomization. A discourse is polemical when in a debate concerning public affairs opposite opinions are presented as contradictory to such a degree that they become irreconcilable. It is black or white – there are no intermediary shades. Dichotomization is not a static opposition between two given elements or notions, it is an act – the act of radicalizing oppositions so that they look exclusive of each other. Here is Dascal's definition:

DICHOTOMIZATION: radicalizing a polarity by emphasizing the incompatibility of the poles and the inexistence of intermediate alternatives, by stressing the obvious character of the dichotomy as well as of the pole that ought to be preferred. (Dascal, 2008, p. 34-35).

I would like to add a few words about the construction of dichotomies in public controversies. They do not only diametrically oppose two conflicting theses in a clear-cut pattern. They are often built on several layers where oppositions of different kinds are highlighted and

exacerbated. This structure reflects the complexity of public polemics when examined on the ground, in its socio-political framework.

Let us take an example. A controversy about the necessity of a law forbidding women to wear the full veil in the French public space opposed the defenders and the opponents of the bill. However, the justifications of each stance were deployed at different confrontational levels. On the one hand, the proponents (those who supported the bill) interpreted it as a protection of women's rights – in their eyes, the niqab or burqa violates their dignity of human beings; the opponents saw in the interdiction to wear the full veil a severe infringement on the freedom of expression (one can dress as she wants). Thus, for the first party, the law protects human rights, for the second party it violates them. It is an ethical if not forensic matter. However, another dichotomy was construed on another level, the level of culture. For the proponents, the bill protects the Western and moreover the French republican way of life; for the opponents it violates the principle of diversity and the right of all French citizens to their religious practices and habits. Thus, the defenders of the supremacy of French culture in France clashed with the defenders of diversity as well as the defenders of Islam in France. Dichotomization also emerged on the social level as it radically opposed the right of minorities to their difference (here the Muslim minority) to the imperative of integration if not assimilation in the French secular culture.

We can thus see that two conflicting stances on a bill (for/against the authorization of the full veil in the public space) were justified through a series of arguments borrowed from different domains (ethical, cultural, social, etc.), and promoted by a great diversity of actors. This multi-layered structure shows the complexity of dichotomizations in the public sphere. However, the basic principle of the polemical process remains the same – namely, the creation and radicalization of an opposition in a way that makes it look irreducible.

Dichotomization leads to polarization – the creation of antagonistic groups. According to Anderson & King (1971), "Polarization, as a rhetorical phenomenon, may be defined as the process by which an extremely diversified public is coalesced into two or more highly contrasting, mutually exclusive groups". The shared beliefs of each group construct a "we" as strongly opposed to a "they". Thus, whereas dichotomization is an abstract process of cognitive nature, polarization is not purely conceptual: it is social. The division is no more between black and white, it is between "we" and "them". Adherence to a common thesis and to common values creates homogeneity between quite different individuals (Anderson speaks of a "an extremely diversified public") who engage in controversy against all those who hold and defend opposite views.

As a social phenomenon, polarization is closely linked to identity building. The adherence to and the struggle for common values define us socially. If the fidelity to a set of values plays a crucial role in the perception of our self, we tend to stick to stances promoting these values; as a result, we are impermeable to arguments that do not comfort our preconceived views. As some aptly put it, it is no more a matter of persuasion, but of conversion.

Here too, I would like to add a remark about the complexity of polarization as it can be observed on the ground. In the framework of polemical exchanges, polarization divides the population into conflicting groups holding contradictory opinions and promoting different agendas. This divide may reproduce prior conflicts and lead to the confrontation of groups already existing on the socio-political map. But we can observe that polemical exchanges – in talkbacks or social networks, for example – also build groups that did not exist prior to the exchange. In the case of the bill on the prohibition of the burqa in the public space, the internet users of a talkback of the left-wing magazine *Marianne* met on the net where, in spite of their diversity, they created a united body – a transient unity that in part at least disintegrated after a decision had been reached (the bill was adopted). It is also interesting to observe that polemical exchanges can sometimes reconfigure social or political divisions. Thus, the radical left, the Communists, and the extreme right in France found themselves on the same side to fight the legitimacy of Macron in the controversy mentioned above.

As a result of these remarks, polarization should always be carefully examined in its cultural, ideological, social and political dimensions. No abstract schematization or ready-made pattern can account for its complexities. However, in all cases, we are faced with two conflicting groups divided into a “we” and a “they” along the lines of an essential dichotomy, where adherence to a thesis is part of identity construction.

3.3 The social functions of polemical discourse

Now what are the functions of a verbal confrontation that does not look for conflict resolution and promotes irreconcilable stances by a process of cognitive and social radicalization?

Its most obvious role has already been mentioned: it is to persuade the third party in a contest where the options are dichotomized so that the opposition between them appears as clear-cut. The second function is – paradoxically- the capacity to weave or strengthen social ties. Polemical discussions on the Net – mainly talkbacks and social networks - expose people to worldviews in

complete contradiction with their own and occasionally create interactions - be they agonistic - between individuals who do not normally interact. Moreover, they create virtual communities where people who do not know each other can express their adherence to the same thesis and fight for the same cause. The third function is linked to the possibility of voicing protest. The role of dissent in enabling protest and bringing about social change has been emphasized in the fifties by Lewis Coser (1964 [1956]) in his pioneering works on social conflicts. Dichotomization that radicalizes oppositions and stresses the pole to be preferred can be operational: it incites the audience to recognize the wrongs of the adversary, and vehemently attacks his options. Polarizing groups around contradictory opinions and programs, public polemics can eventually lead to a social movement and accompany its development - as it happened in the case of the attacks on Macron's so-called illegitimate reforms.

However, the most important function of public polemics seems its capacity of providing a possibility of coexistence in dissent. This sounds paradoxical, since it implies that the main objective of argumentation - bringing about agreement - has not been and maybe cannot be achieved. The inability to reach a consensus can be considered a failure. Nonetheless, we have to admit that it happens in many cases, especially when we deal with deep disagreement - this is the expression the informal logician Fogelin (2005 [1985]) used not so much for violent verbal confrontations than for disagreements rooted in premises (values, beliefs, doxastic opinions) that cannot be reconciled, and thus impervious to reason. It leads to what Marc Angenot called "cognitive breaks (2002) or, in his magistral work on the question, the dialogue of the deaf (2008).

What are we to do in such cases? Fogelin suggests that other means than rational argumentation should be called for, but he does not point out concrete measures. My suggestion is that in a society where groups are polarized around contradictory worldviews and value systems, that is, a society based on diversity and conflicting objectives, not all disagreements can be solved - so that people have to learn how to live together within dissent without recurring to armed violence. In this situation, they need to voice their disagreements in a verbal confrontation where the expression of their point of view is both legitimate and legal, even if they remain minority opinions. They have the possibility of fighting the adversary and trying to advance their own cause. This is the function of public polemics in democracy - which tolerates violent verbal confrontations when the conflicting views fail to be solved in the framework of a debate looking for consensus. Thus, polemical exchanges as circulating in the public sphere are both the sign of an inability to achieve agreement, and a regulating tool that allows for

disagreement to be part of a non-violent coexistence as a key to democracy. This is a function that is linked not to the ideal of rational discussion, but to the needs of a democratic society endlessly torn between contradictory interests and competing worldviews.

4. SOME “FELICITY CONDITIONS” OF COEXISTENCE IN DISSENT

But what are the conditions required to make this kind of coexistence work? Why is polemical discourse effective in some cases while it fails to secure peaceful coexistence in others? Looking at case studies suggests that it only succeeds within the institutional frames that shape democracy. In other words, public polemics contributes to regulate the democratic space only if it is deployed within its borders and submitted to its basic rules. This is to say that when laws and democratic principles are not respected, polemical exchanges are deprived of their power and social functions.

Take one of the examples previously mentioned. The public polemics about the burqa (niqab) in France broke out when a group of deputies asked for a parliamentary commission to examine whether the “full veil” can be tolerated in the French public space. The harsh confrontations that took place to promote or attack the bill were concluded by a Court decision in September 14, 2010 and approved by the Senate one month later. The adopted law forbids people to dissimulate their face in the public space and imposes a fine on anyone who transgresses this prohibition. Although the matter seemed to be settled to the advantage of the side condemning the burqa, the disagreement remained. Even if the question did not make newspaper headlines anymore, the discussions emerged at different points of time under various guises. The court had given a final decision, but it could not ease all the tensions concerning the way women should dress in the public space, no could it appease the confrontations on the status of Islamic culture in France. People who disagreed with the prohibition of the burqa continued to discuss its soundness and to protest at each opportunity. The inability to close the debate once and for all might appear as a weakness if not as a failure. This inability often characterized public polemics, especially when it is grounded in deep disagreement. However, the right to pursue the polemical exchange means that the minority is authorized to express itself, to vent its discontent and to continue fighting for its opinions. At the same time, no part of the French population tried to oppose the law by force; no acts of violence were committed. The public polemics worked insofar it was deployed in the institutional and forensic frameworks delimiting the democratic space.

Let us take another French example, where the regulation of public polemics did not work so smoothly. Marlène Schiappa is the Secretary of State for Equality between men and women in Emmanuel Macron's government. She is 36, very active in her defence of women's rights, and has moreover taken a strong stance against some of the demands and actions of the *Gilets jaunes*, the yellow vests who demonstrated every week against Macron's policy and took to the streets – sometimes exerting violence. Among others, she strongly condemned the online pool ("*cagnotte*") organized in favour of a yellow vest, a well-known boxer who had beaten a policeman fallen on the ground. This pool raised a vehement controversy in the media and the social networks, as it had received more than 100.000 € in one day. Schiappa thus declared on TV: "This pool is a shame, it would be good to know who contributed to it because it is a form of complicity", and also: "I wonder what degree of hatred we have reached to have people decide to finance gratuitous acts of violence against someone whose responsibility is to maintain the public order" (*my translation*). This was on January 9, 2019. As a result, the Minister received in the internet violent, vulgar and sexist insults and threats: "The whore of the Elysée", "the Jews' whore", "Macrons' female dog", "we are going to hang you", etc. Some internet pools were also put online to reduce Marlène Schiappa to silence – one of the initiators said that it is meant "to make MS et all those who kindle hatred against the yellow vests and that they should sometimes shut up or think before they speak"³ (*my translation*). Let us keep in mind that polemical discourse is based on pro and con arguments – contradictory answers to a question of general interest, that are radicalized and thus appear as irreconcilable. It is not a series of random insults and verbal abuses. Those might accompany a polemical exchange but cannot replace it.

In March 2019, Schiappa declared on a popular TV show entitled "On n'est pas couché":

What was really striking in my eyes is that during a few months, it was enough to put on a yellow vest to become the people [...]. The speech of a person wearing a yellow vest who thus became the people was sacred and could not be contradicted. Even when you had in front of you elected politicians endowed with democratic legitimacy, it was impossible to have a contradictory debate [...] The people is also the yellow vests but it is not only the yellow vests. Each of

³ [//www.ouest-france.fr/pays-de-la-loire/le-mans-72000/le-mans-une-cagnotte-contre-marlene-schiappa-collecte-plus-de-1-400-eu-6165867](http://www.ouest-france.fr/pays-de-la-loire/le-mans-72000/le-mans-une-cagnotte-contre-marlene-schiappa-collecte-plus-de-1-400-eu-6165867)

us is part of the people and I think the people and the crowd are not to be confused (*my translation*).

Thus, Schiappa was pleading for an open debate, a confrontational exchange of views where everybody could defend her stance. Instead, the Minister was confronted not only with insults but also with physical violence. Some 40 yellow vests came to her private residence where she was sleeping with her husband and her children, on a Friday night, shouting insults ("Collabo!" "Schiappa demission!") and death threats ("On est venu te crever!"). They threw firecrackers and deteriorated the main entrance door. After an invasion of her privacy that terrorized her young children, Schiappa declared that a red line had been crossed and she filed a lawsuit.

We can see what happens when the institutional and forensic rules that frame democracy are violated: polemical exchanges can no more fulfil their role. Even if they continue to be deployed in the public space, they are accompanied and eventually dominated by verbal and physical violence that leaves no room for contradictory debates. No doubt, this violence falls under the rule of law, and can be punished. But this procedure leads to a dynamic of transgression and punishment quite different from the dynamic of polemical interaction. When people do not respect any more the democratic mechanisms that regulate debate and public polemics, the latter can no more guarantee a peaceful coexistence in dissent. Eventually, its voice is stifled, and it is ejected from the stage.

That is why contemporary democracies draw a red line between the space where polemics can be deployed, and the space where violence predominates and stifles verbal confrontation. Angela Merkel's Germany is a good case in point. A heated polemical debate opposed (and still opposes) those who supported Angela Merkel's welcome culture - she declared in 2015 that Germany would open its borders to about a million migrants, claiming : "Wir schaffen das - we can do it" - and those who strongly opposed this liberal policy. Exacerbated debates raged in the media, and political pressures were made on the Chancellor even by her own party (the CSU, the Bavarian wing of the CDU). But in addition, there were outbursts of violence against the migrants - burning of the asylum seekers' centres, attacks in the streets, etc. These acts of violence were in large part initiated by Pegida (Patriotic Europeans Against the Islamization of the Occident), a nationalist far-right movement that organized demonstrations against the growing number of Muslims in Germany. They were not interested in dialogue and substituted acts to words.

Merkel very clearly distinguished between legitimate public discussions between fierce adversaries (polemics about the welcome

culture, about the financial and practical measures to be adopted, about the limits to be respected, etc.), and acts of physical violence originating in xenophobia. At several occasions, the Chancellor asked the German citizens not to follow those who tried to involve them in demonstrations calling for the elimination of the Other. She made clear that discourses of hatred leading to acts of violence against an Other defined as an enemy to be expelled or destroyed – discourses reminding Germany of its dark Nazi past - cannot be tolerated in a State grounded on the respect of human rights and dignity. In doing so, Merkel drew a line between the “us” including all Germans authorized to democratically express their conflicting opinions, and engage in public controversy, and the “they”, those who replaced verbal confrontation by physical violence and thus excluded themselves from the national body. Her criticism entails that when people do not respect any more the principles of the democratic regime, they exclude themselves from the public sphere where polemics plays its regulatory role.

5. CONCLUSION

Polemical exchanges cannot fulfil their constructive function when the participants do not recognize the democratic principles underlying the letter of the law, and do not consider them as the very core of their own identity. This is not necessarily the case in emerging democracies; but we can see that it is not always the case in well-established Western representative democracies, part of which seem to be undergoing today a severe crisis. Macron, in his answers to Plenel, pointed at this crisis when he complained that people do not care anymore for the republican order, disregard constitutional rules and transgress the law.

The controversy on the legitimacy of the French President mentioned at the beginning of this paper bears on the very principles that are supposed to make polemics possible and instrumental: although authorized, such a public controversy on the State's authority puts into question the very frame that makes its regulatory function possible. Not only does it turn the constitutive principles of democratic regimes into a question that can be discussed and criticized, but it also draws the consequences of such a disruption. If the order on which democratic authority is built is illegitimate, it can easily be challenged and swept away by a wave of violence claiming legitimacy for itself.

Thus, the success of achieving a peaceful coexistence in dissent is not only based on verbal factors: it is linked to institutional and socio-political conditions. To make polemics work, namely, to allow it to accomplish its mission of regulation, an institutional framework rooted in a democratic constitution is needed, as well as a shared respect for its basic rules. Those seem to be the felicity conditions of public polemics.

This seems to be the lesson of rhetorical argumentation understood as a rhetoric of dissent – a lesson to be remembered in our troubled times.

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