CONTESTING INTERNATIONAL TRADE AGREEMENTS: ARGUMENTATION PATTERNING IN EMBEDDED DISCOURSES

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Abstract – This chapter looks at the ideological positioning and argumentation patterning of three sets of interrelated data, which can be considered vertically organized in a hierarchical configuration: these sub-corpora consist of the drafts of a major International Trade Agreement, the TiSA, (Trade in Services Agreement), a series of revelations and exposures authored by WikiLeaks, and a collection of online publications produced by the campaigning group, Friends of the Earth International. The objective is to identify how a process of 'entextualization' is realized through the various discourses – from the normative codification of legislation, on to the detailed specialist exposition and critique from legal experts, and over to the affectively-charged discourse of resistance and protest in the public domain. The conceptual and explanatory frameworks for the analysis derive from two disciplinary fields, argumentative studies and discourse analysis, where the role of language studies in describing discursive construal has traditionally played rather different roles. The analysis of the corpus starts from a linguistic perspective, comparing and contrasting semantic profiling, topicalization, and verb usage over the three sub-corpora. Using accounts of argumentative structure and procedures – elaborating the notions of schema, frames, moves and strategies, it is possible to identify distinctive patterns of reasoning, revealed through linguistic indexicality. In this way, argumentation can be related to the three varying communicative contexts, their authorship, audiences and rhetorical purposes. This study is, therefore, an attempt to integrate the two fields of argumentation studies and discourse analysis more systematically, recognizing the mutual benefits this carries for both, providing a body of empirical evidence necessary to further theoretical models and theories of argumentation, on the one hand, while extending discourse analysis into more challenging areas of investigation and taking a wider textual perspective than has often been common to date.

Keywords: argumentation; discourse analysis; ideology; entextualization; international trade agreements; campaigning discourse.

1. Argumentation studies: relevant models and theoretical frameworks

1.1. Argumentative structure: moves, schema, patterns, styles

A large number of fields and disciplines are reflected in argumentation studies: classical and modern rhetoric, formal and informal logic, critical thinking and reasoning, media and communication studies, law, linguistics, pragmatics, discourse analysis, psychology and philosophy, containing a great variety of theoretical approaches and backgrounds (Lunsford *et al.* 2009; van Eemeren *et al.* 2014). This paper makes use primarily of the theoretical insights provided by pragma-dialectical theory, developed by Frans. H. van Eemeren and Rob Grootendorst (1984, 1992, 2004) at the University of Amsterdam, together with scholars working within this tradition. In pragma-dialectics, argumentation is conceived of not only as a communicative and interactional phenomenon but it is also studied from a normative (thus elucidating the *best* way to argue) as well as a descriptive perspective. In the extended version, where the rhetorical purpose is more fully incorporated along with the dialectical, interlocutors engage in a process of strategic maneuvering in order to achieve an aim of 'effectiveness' as well as an aim of 'reasonableness' (van Eemersen, Garsen 2012, p. xiv).

Pragma-dialectical theory regards argumentation as 'ideally' being part of 'a critical discussion', targeted at the 'reasonable' resolution of a difference of opinion (van Eemeren, Grootendorst 1984, p.17). Four discussions stages can be identified in this resolution process: 'the confrontation' stage (introducing the standpoints at issue), the 'opening' stage (defining the divergence of opinion), the 'argumentation' stage (laying down reasoning itineraries and advancing arguments) and the 'concluding' stage (presenting the outcome of the process), (van Eemeren, Grootendorst 1984, pp. 85-88). At each stage, argumentative moves come into play, constructing a chosen 'dialectical route' (van Eemeren 2018, p. 74). The argumentative pattern characterizing the discourse provides a description of this dialectical route.

Various typologies of argumentation can be implemented to enhance the acceptability of a standpoint, each of them characterized by the employment of a specific 'argument scheme', (argument by analogy, or argument by citation, for example). Pragma-dialectical theorists have produced numerous sets of 'argument schemes' and 'argument frames', constituting series of argumentation structures that can be used to identify the relationships between argumentative moves. Those of van Eemeren are particularly useful for the purposes of this paper – 'symptomatic', 'comparative', and 'causal'. In symptomatic argumentation the argument

scheme is used to establish a relation of likeness and similarity between the argument at stake and the position that is supported; in comparison argumentation a relation of correlation is established; and in causal argumentation a relation of trigger and effect is described (van Eemeren, Grootendorst 1992, pp. 94-102).

Theorists relate these abstractions to concrete argumentative discourse events: different kinds of 'communicative activity types' can be distinguished constituted by different kinds of macro-contexts for conducting argumentative discourse.[1] It is possible to discern 'prototypical' argumentative patterns and specific constellations of moves in different domains of argumentative reality, constituting 'strategic scenarios' and 'argumentative styles' (van Eemeren 2019, pp. 161-163). In line with these concepts, the discourse domains reported in this paper will be seen to reveal specific patterns, structures and styles of discussion over the three sets of data.

Finally, according to van Eemeren (2018, pp. 166-167), the strategic maneuvering which arguers use in order to achieve their dialectical and rhetorical objectives can be described along three inter-related dimensions:

- A motivated selection from the available 'topic potential';
- Strategic adaptation to 'audience demand';
- Chosen 'presentational devices', in degrees of propositional explicitness or vagueness, for example.

These parameters, topicalization, persuasive rhetorical strategies, and pragma-linguistic resources are the main focus in this chapter in so far as they construe different discourse patterns of argument.

1.2. Linguistic indexicality: indicators, features, interconnectivity

The theoretical avenues to the study of argumentation in context are many, using a wide range of methodological tools. Contemporary work by argumentation scholars is characterized by an integrated approach combining linguistic and argumentative theoretical insights, drawing on linguistic pragmatics, text linguistics, conversational analysis as well as studies in linguistic philosophy, rhetoric, formal logic and practical reasoning. (Frans H. van Eemeren and Bart Garssen, 2012, provide a comprehensive overview of case studies which draw on this wide range of disciplines.)

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[1] Fields treated most recently include the historical, the legal, the academic, the medical, the media, and financial contexts (van Eemeren, Garssen 2012, p. xiii).

At the same time, discourse analysts use a variety of methodological avenues in the study of argumentation and the related concepts of evaluation and persuasion (Hunston, Thompson 2000; Martin, White 2005). Much attention has been paid by scholars to the role of argumentation in the discursive construal of identity, trust, legitimization, and authenticity (Candlin, Crichton 2013; Salvi, Bowker 2013; Spencer-Oatey 2007). Studies cover a wide variety of fields, including academic, economic, institutional, legal, medical, scientific, and journalistic discourse, with a strong emphasis on cross-disciplinary comparison. For discourse analysts of argumentation, metadiscursive indicators are a powerful tool in revealing the interactional, interpersonal and communicative characteristics of texts. Specific linguistic features are correlated with their rhetorical and pragmatic force: frequently studied categories include hedges and boosters, attitude and engagement markers, stance and representation indicators. (Douglas Biber, 2006, and Ken Hyland, 2005, for example, have provided classic taxonomies of these.) This, in turn, allows analysts to identify broader discursive strategies in argumentation patterning such as intensification-mitigation, inclusion-exclusion, concur-concede-counter dynamics, in differing textual and generic contexts. There is, then, a consolidated tradition in discourse analysis on this complex and challenging subject, together with a range of developed and sophisticated methodologies from which to draw.

1.3. Contextualizing procedures: ideology, values and beliefs

Discourse scholars with linguistic interests in argumentation do not adhere to the normative objectives of standard argumentative theory, namely the judgement of the critical discussion in terms of its rationality and in accordance with some theoretical notion of 'the perfect argument'. Linguistic discourse description is neither prescriptive nor evaluative of the validity of arguments, as discourse linguist Ruth Amossy (2009) points out.

> Rather than the art of putting forward logically valid arguments leading to Truth, argumentation is here viewed as the use of verbal means ensuring an agreement on what can be considered reasonable by a given group, on a more or less controversial matter. What is acceptable and plausible is always co-constructed by subjects engaging in verbal interaction. It is the dynamism of this exchange, realized not only in natural language, but also in a specific cultural framework, that has to be accounted for. From this perspective, it is not enough to reconstruct patterns of reasoning. […] Abstract schemata have to be examined in their verbal realization in a given situation of discourse […] takinginto account their discursive and communicational aspects, as well as argumentation's constitutive dialogism and its inscription in a set of common representations, opinions and beliefs. (Amossy 2009, pp. 1-12)

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Nor do discourse linguists believe that argumentation is displayed or is only retrievable in formal, logically-describable ways in contexts of overt disagreement. In many ways, argumentation can be considered an aspect of the overall functioning of discourse.

> Even when there is no overt controversy, discourse is pervaded by a general argumentativity. It always answers some explicit or hidden question, or at least suggests a way of looking at the surrounding world – argumentativity constitutes an inherent feature of discourse. […] The argumentative nature of discourse does not imply that formal arguments are used, not does it mean that a sequential order from premise to conclusion is imposed on the text. […] Orienting the way reality is perceived, influencing a point of view, and directing behavior, are actions performed by a whole range of verbal means. (Amossy 2009, p. 2.)

In this perspective, argumentation can take various shapes according to the context of situation and communicative event: alternative patterns of reasoning may supersede logical patterns of discussion – where obliqueness is required, or where persuasive effectiveness and *pathos* is to the fore, or where self-evident and common knowledge does not need to be spelt out.

For these reasons, it is important to reconcile the two approaches: to place discourse analysis in a central position in argumentation theory and reciprocally, to incorporate *logos*, with its schemes of reasoning, into the linguistic investigation. Ruth Amossy (2009) proposes a descriptive framework for this endeavor, which specifies the following:

- The situation of communication (who speaks to whom, where, when, and why);
- The genre of the discourse event;
- The dialogical dimension and interdiscursivity – the social discourse currently in circulation at the time and the incorporation of previous texts;
- The speaker's positioning in a specific 'institutional' or ideological dimension.

The analysis carried out in this paper will include these dimensions of contextualization. A word should be said about the view of 'ideology' adopted here. Amossy's reference to the specific cultural framework and the inscription of argument in a set of common representations, opinions and beliefs adheres to the broad interpretation of ideology elaborated by the noted critical discourse analyst, Teun van Dijk, who has elaborated a cognitive model for the construction of meaning at a societal level.

> Through complex and usually long-term processes of socialization and other forms of social information processing, ideologies are gradually acquired by members of a group or culture. Ideologies mentally represent the basic social characteristics of a group, such as their identity, tasks, goals, norms, values, position and resources. (van Dijk 1998, p.18)

It is this wide-ranging conceptualization of ideology which underpins the analysis contained in this study rather than any narrow political or sectorial definition of the term. Powerful ideological concerns can be said to guide the actions and discourses of the Treaty's law-makers just as much as they motivate their critics and the activists striving to obstruct them.

The argumentation patterns described in this chapter belong to three sets of data which are vertically organized in a hierarchical sequence. They are connected through a process of entextualization, which is intended to mean the embedding and transference of language (both materially and conceptually) pertaining to an identifiable generic text type towards other text types (Blommaert 2005). The notion of entextualization can be considered one aspect of the very broad phenomena of intertextuality and interdiscursivity, which reflect the intrinsic polyphony and dialogicity of textual expression.[2] In a social semiotic perspective, Scollon and Scollon (2003) elaborate this concept of interdiscursive dialogicity:

> Several discourses co-exist simultaneously in a particular semiotic aggregate […] their co-presence produces a kind of dialogicity between them so that each takes part of its meaning from the co-presence of the other. (Scollon, Scollon 2003, p.193)

This is also an integral aspect of the concept of context, in this case referring to the recontextualization of legal language in the discourses of rebuttal and contestation on the part of the critics and campaigners. In line with Bazerman's idea of 'intrasystem intertextuality' (Bazerman 2004, p.86), we can consider the legislative data as the primary texts, followed by the interaction between lawyers and other specialists, in the secondary texts of WikiLeaks, through to the tertiary texts of the media consumers of Friends of the Earth International. We will now move on to a description of this data and its analysis.

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[2] Sometimes the terms 'intertextuality' and 'interdiscursivity' are used by different scholars in different ways, or conversely, are used to talk about much the same thing. Quite often the ideas overlap. These distinctions are not treated in this paper.

2. The data: entextualization, vertically embedded discourses

2.1. The sub-corpus of legal language: International Trade in Services Agreement, TiSA

The data for the legal sub-corpus is constituted by the latest in the New Trade Trio of international commercial legislation, the *TiSA, Trade in Services Agreement*.[3] Along with the *TTIP, Transatlantic Trade and Investment Partnership*, and the *TPP, Trans-Pacific Partnership*, these form a corporate blueprint for the global economy. As well as opening up new export markets and global supply chains for transnational companies (based in the US and the EU, in particular) these mega-regional trade agreements aim to deliver and lock-in rules that privatize public services and surpass local, national and regional social and environmental regulations that might hinder international trade. Until now, none of these Agreements has been ratified and gone into force. The rounds of negotiations continue.

The problem with access to the drafts and the documents derived from these negotiations lies in the private (the contesters would say, "secret") nature of proceedings and the confidential nature of communications. The material has, in fact, been obtained through the publication online by *WikiLeaks* of the *TiSA Core Text* and a wide range of *Annexes*, working papers and draft provisions.

The extremely restricted access to the documents is made clear in the opening headings and closing recommendations: "Restraint, for official use only"; "Without prejudice for TiSA participants only". The closed-door policy is summed up by the lengthy waiting period of silence planned on completion: "Derived from Classification Guidance. Declassify on 5 years from entry into force of the TiSA".

Together with the draft provisions of the *Core Text*, there are *Annexes* on wide-ranging topics: *Electronic Commerce* (2013), *Retailing* (2015), *Domestic Regulation* (2015), *State-Owned Enterprises* (2015), *Services in The Environmental Sector* (2015), *Energy Related Services* (2015), *Road, Freight and Logistics* (2015), *Financial Services* (2016), *Telecommunications* (2016).

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[3] Twenty-three World Trade Organization members are currently taking part in the TiSA talks: Australia, Canada, Chile, Chinese Taipei, Colombia, Costa Rica, Hong Kong China, Iceland, Israel, Japan, Liechtenstein, Mauritius, Mexico, New Zealand, Norway, Pakistan, Panama, Peru, South Korea, Switzerland, Turkey, the USA and the EU (comprising 28 countries).

2.2. The sub-corpus of legal enquiry and criticism: WikiLeaks disclosures and evaluations

The second sub-corpus consists of the articles, reports and accounts in *WikiLeaks* which accompany the disclosed legislation proposals. These published criticisms of the source legislation by jurists, jurisprudence academics and lawyers in independent legal practices, provide a fine-tuned, in-depth, professional critique of the legal discourse. The detailed commentary and legal glosses often challenge the technical details in the formulation of the law and expose the flaws in the reasoning used in its argumentation. Just as significantly, they also challenge the legislators' motivations and claims to impartiality. We shall see how the information flow is constructed and how legal language is entextualized across the normative, regulatory discourse of the law, produced by institutions, governments, corporate lawyers and other interested parties, to the legal experts and authoritative bodies criticizing it.

2.3. The sub-corpus of campaigning, protest discourse: Friends of the Earth International online publications

The third plane of these vertically-organized, interrelated texts is the campaigning discourse of the organization *Friends of the Earth International* (*FOEI*), using a selection of their online publications on the topic of "Economic Liberalism and Economic Justice", in which international trade law features extensively.

   The three discourse domains are hierarchical, the language of the law being appropriated finally in the public knowledge domain of activists who are organizing protest and resistance (*Mobilize, Resist, Transform* is the FOE mission/vision motto). The analysis will trace this re-representation and en-textualization through the interaction of texts.

   The preparation of this third sub-corpus was challenging due to the multimodal, multimedial nature of the FOEI website. This involved extracting running text from complex formats: tables, charts, infographics, inserts, boxes. The lack of linearity in the text, the prevailing hypertextuality of display, creates a patchwork format of information. The multimedial nature of the site means NEWSFEED, with news loops and newsflashes on incoming topics, combine with photo-reporting. Radio and video reports are options at all points of entry.[4]

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[4] Hypertextuality and mutimodality are not part of the scope of this enquiry. However, this dimension of analysis is part of the growing interest and scholarly enquiry into citizen or civic journalism in the public domain (Bednarek 2012, 2014).

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A selection was made, limiting the data to the FOEI publications contained in the *Economic Justice and Resisting Economic Liberalism* resources section.[5]

As explained above, the criteria for the selection of the three sets of data for the study were, availability, (given the mostly confidential, secret nature of the legal information), consistency, (given the potentially wide range of topics in the FOEI sources), and practicability (to create treatable running text from the FOEI multimedial presentation format). The relative size of the three sub-corpora is included in the table below.

Sub-corpora	Tokens	Types
TiSA Agreement	c50,000	3,341
WikiLeaks	c70,000	5,792
FOEI	c100,000	7,948

Table 1
Size of the sub-corpora: tokens and types.

3. Methodology

This study belongs to the Corpus Assisted Discourse Studies (CADS) approach to textual analysis (Baker, McEnery 2015; Partington *et al.* 2004), which provides an integrated methodology for the inclusion of both quantitative corpus linguistic techniques together with qualitative discovery and interpretation. Corpus linguistics is directed towards the quantification of linguistic forms and textual patterns. This is supported and, at the same time, guided by discourse analytical models and tools, which aim to describe the interpretation of language use in socio-cultural settings and contexts, over a variety of textual genres, fields and domains.

This research aims to create a further integrated model of analysis, extending the descriptive and explanatory frameworks of CADS to include some of those used in argumentation studies, as elucidated in Section 1.1.

Each stage of the automated analysis is consistently corroborated and extended, manually, with text analysis, often covering very long stretches of language, and usually whole documents. So, in line with CADS methodology, there is a dual direction of analysis of the corpora, electronic

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[5] Other publication sections include: *Climate, Justice and Energy*; *Food Sovereignty, Forests and Biodiversity*; *Human Rights Defenders*, *Resisting Mining, Oil and Gas*. A sample of the publications included in the section under consideration includes: "*Dangerous Liasons: The New Trade Trio*", "*FOEI Position on Trade and Investment Issues*", "*The Hidden Costs of RCEP (Regional Comprehensive Economic Partnership) and Corporate Trade Deals in Asia*", "*Investment Court System Put to the Test*", "*Lawyers subverting the Public Interest*".

treatment and close-up, manual inspection, going backwards and forwards throughout the texts.

Using WMatrix3 (Rayson 2003), standard word frequencies and occurrences were compiled for the three sub-corpora, and keywords, collocations and concordances investigated (Anthony 2013; Sinclair 1991). WMatrix3 revealed the semantic patterning (Hunston 2008) and the 'aboutness' (Bondi, Scott 2010) of the sub-corpora, demarcating key semantic fields and their exponents. These constituted the argumentative indicators to uncover some of the argumentative patterning of the three sub-corpora: the topical composition; ideological standpoint; the main assumptions, claims and positioning of the protagonists; the rhetorical strategies at work, and their impact. The analysis also pointed to the dialectical itineraries they will take in their argumentation, the use of causality, providing evidence for claims, reporting undeniable, indisputable facts, and so on.

Then, secondly, WMatrix textware uncovered the occurrence and distribution of verbal patterning across the sub-corpora: modality, tense and aspect. The differences were considered to be discourse indicators of the strategic manoeuvring taken by the arguers in the three communicative sets. Using verbal indices as argumentative pointers, the functions of propositions and their connectivity could be evaluated: the amount of explicit as opposed to implicit argumentation, the detailed justification of claims compared to self-evident, taken-for-granted declaration, and the use of logical reasoning in contrast to extensive exemplification.

The investigation then turns to extended qualitative textual analysis, in order to trace how these indicators create the argumentation in detail, the stages and moves which make up the dialogical route. Finally, the overall results of the analysis are reported in argumentative schema, which may serve to draw conclusions about possible prototypical patterns and strategic scenarios for the three types of discussion.

4. The analysis

4.1. Key semantic fields: topicalization, standpoint and participant positioning

The starting point for the analysis consisted in the compilation of a semantic profile for each of the three sub-corpora. Using WMatrix3 textware, the key semantic fields and domains were extracted, together with their semantic

exponents.[6] Table 2 below shows those with the most prominent statistical relevance for the sub-corpus of TiSA.[7]

Semantic field / domain	Semantic exponents[8]
law and order	legal system, arbitration, rules, court, tribunal, regulations, sue, legislation, lawyer, arbitrator, counsel, judges, protocols, punish
business /selling	trade, market, suppliers, exports, consumers, buying, importers, services, transaction
government	governmental, pacts, parliaments, president, country, state, nation, council, civil, state-owned, ministry, authorities, commissioners, ambassadors, public bodies
future time	shall
in power	committee, control, appoint
mental object, means, methods	procedure, solution, framework, mode
deciding	resolution, rulings, measures, determination
Sensible	reasonable, rational, legitimate, equitable, justifiable, fair
suitable	relevant, appropriate, quality, eligible, manifest

Table 2
Semantic profile for the TiSA sub-corpus.

As only to be expected, the specific normative and juridical interests of the legal data were to the fore, namely backing for the legislation by a group of nations and governments on the question of the internationalization and privatization of public services. These key domains of *law*, *business* and

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[6] The WMatrix semantic tag set, USAS, contains over 300 categories; UCREL, the WMatrix semantic analysis system, organizes semantic exponents into superordinate and subordinate categories in a branching arrangement. The relative frequencies for the tokens was arrived at using a log likelihood ratio calculation normalized against the British National Corpus Written.

[7] The key semantic fields displayed in Table 2, and subsequently Tables 3 and 4, are those identified as belonging to the top 12, for each sub-corpus respectively. They are arrived at from WMatrix's calculation of normalized relative frequency word lists. In WMatrix, the derived semantic domains are also displayed in the software in the form of semantic profile word clouds, which show the comparative similarity or difference in their prominence. For reasons of space, this visual data is not included in the paper. Any statistical variation in these top semantic fields can only be seen through the frequencies of the single semantic exponents, and these statistics have been omitted for our purposes here. The exponents included in the Tables are listed in order of frequency and are taken from those identified by WMatrix as statistically significant. Clearly, as explained in the paper, the single exponents direct the in-depth concordance analysis to follow and constitute the data for this next step.

[8] The list of exponents is by no means exhaustive (often covering a large number of items), and this is only an indication of the most widely-used in any one semantic field. Also, the complete classes of word derivatives (singular/plural, noun/verb/adjective etc) are not included.

government, reflecting the 'aboutness' of the discourse, occupy the top three positions in terms of frequency. (*Green issues*, on the other hand, was statistically insignificant, cited on only a few occasions in the context of the *Environmental Services Annex*.)

The main agents and creators of the argumentation are clearly delineated, together with the essential actions to be accomplished – forming committees, passing resolutions, making rules, controlling procedures, building frameworks, passing measures, and providing solutions for the trading and supplying of services. Not only, the transgressors of these rulings, prospective errant states, public bodies, and state-owned industries will be punished, will have to face legal action, will be sued in arbitration courts and special tribunals, using specifically appointed lawyers and judges. The fundamental ideology and standpoint of the law-makers is apparent.

Language choices also reveal argumentative stance in the quite explicit evaluation of the proposed legislation – what will happen is deemed both *sensible* and *suitable*, legitimized by virtue of its existence as a product of the law. Any opposition to the new rulings, or resistance in the face of threats to unfair, inequitable, unjustifiable and unreasonable. The scaffolding for the construction of the legal argumentation can be reduced to a simple "either / or" choice, as we will see later in the paper.

From the profile, it would seem that no explicitly-articulated argumentative procedures are followed, such as providing a rationale for the Treaty, a defence of its usefulness in anticipation of any criticism, or evidence of its benefits when applied to any set of definable, specified circumstances. The following examples, (1 to 3), illustrate the above findings.

(1)   Each Party shall publish promptly and at the latest by the time of their entry into force, all relevant measures of general application which pertain to or affect the operation of this Agreement. International agreements pertaining to published.

(2)   Each Party shall maintain or institute as soon as practicable judicial, arbitral or administrative tribunals or procedures for the prompt review of, and where justified, appropriate remedies for, administrative decisions affecting trade in services.

(3)   Each Party shall ensure that all measures of general application within the scope of this annex are administered in a reasonable, objective and impartial manner.

Similarly, argumentative stance, ideological standpoint and the corresponding positioning of protagonists is also identifiable from a semantic analysis of the second sub-corpus, the revelations of WikiLeaks, as shown in Table 3 below.

Semantic field / domain	Semantic exponents
business general / business selling	stakeholders, consumers, incomes, wages, salaries, capitalization
government	citizens, constitution, governance, regime, nation, sovereignty
law and order	law firms, lawsuit, tribunals, privileges, loopholes
green issues	environment, energy resources, nature, ecological, conservation
constraint /no constraint	constraint, limit, bound, regulate, restrict, moratoria, allowed, permitted, deregulate, liberalization, release, neoliberal
strong / no obligation or necessity	must, should, have to, necessary, duty, stipulation, impose, obligation, responsibility, compulsory, binding, free, exempt, waive
cause and effect	reason, result, depend on, based on, entail, ramifications, impact, influence
helping / hindering	services, service companies, defend, support, enabling, benefit, in favour of, protect
wanted	policy, requirements, purpose, schedule, target, strategy, intention, plan, aim
closed / hidden / hiding	secret, covered, block, confidential, disguise, privacy
evaluation / bad / difficult /failure / ethical	disaster, crisis, catastrophe, fatal, worst, onerous, loose, defect, go wrong, breakdown
investigate / examine / search / test	analyse, assess, review, investigate, seek, hunt, research, survey, scrutiny

Table 3
Semantic profile for the WikiLeaks sub-corpus.

The semantic profile for the WikiLeaks corpus is rather different from the previous one. Although the main topic areas in the three highest frequency fields are the same as in the TiSa corpus, they vary considerably in their expression, reflecting their diametrical differences in standpoints and positioning. *Business in General* includes reference to the potential victims of the new state of affairs, the stakeholders and consumers with their own vested interest in work conditions and economic growth; *Government* is seen to consist not only of pacts and parliaments, authorities and commissioners, but lays emphasis on citizens, the protective power of constitutions, and the quality of governance. *Law and Order* comprises a critical look at law firms and lawsuits, characterized by privileges and loopholes.

Not only do different sets of components occur for the key domains, but when the same ones (*nation, state, sovereignty, tribunal,* for example) are used, the resulting concordances provide a mirror image of each other in the two contrasting positions, the proposed law and its critique: "Rights and obligations of the Parties", in the TiSA data, compared to "Human/citizens'/ workers'/community rights […] above corporate profits", in FOEI, for example.

New, or differently weighted semantic domains or fields, also contribute to creating the argumentation propositions: concern for *Green Issues* is at the core of the contestation, and the arguments in general consider what the possibilities and probabilities of an international Treaty in Trading Services would mean, what would be freely permitted, and what the effects of such binding stipulations and obligations would be. As we shall see later, linguistic modality and verbal usage in general contribute in no small way to the structure and framing of the argumentation of the three intersecting sets of texts and embedded discourses.

Argumentation in the WikiLeaks disclosures is also characterized by a detailed examination of causes and effects, intentions and results, which take the form of multiple chains of reasoning and logical inference in the text, based on a fine-tuned legal review of claims and counter-arguments. This will be examined in detail later.

Finally, WikiLeak's analysis and investigations lead to an overwhelmingly negative evaluation of the Agreement, these 'secret' negotiations behind closed doors disguising the risk of crisis, and social, economic and environmental breakdown. Space does not permit more than a few illustrative examples, (4 to 6), of the above summary of findings.

(4)   Today, Wednesday 25 May 2016 WikiLeaks releases new secret documents from the huge Trade in Services Agreement (TiSA which is being negotiated by the US, EU and 21 other countries that account for 2/3rds of global GDP. […] The leaked "core" text provides further evidence of their game plan to bypass other governments in the WTO and rewrite its services agreement in the interests of their corporations. By adding new rules and changing some existing ones they aim to tighten the handcuffs on the freedom of governments to regulate their services.

(5)   TiSA treats services as marketable commodities and deny altogether their social, cultural, environmental, employment, and development functions. People are not viewed as citizens or members of their communities – they are consumers.

(6)   "Transparency" in TiSA means ensuring that commercial interests, especially transnational corporations, can access and influence government decisions that affect their interests – rights and opportunities that may not be available to local business, to economic and social stakeholders, or to national citizens.

The ideological stance is perfectly clear also in the third sub-corpus, the campaigning discourse of Friends of the Earth International, albeit in a rather different form, and using varying argumentative resources. The semantic profile for the FOEI sub-corpus are included in Table 4, below.

Semantic field / domain	Semantic exponents
business general	economy (ies), companies, enterprises, corporations, firms, contractors, consultancies
business selling	trade(ing), exports, consumer, supplier, market, sale, bidding
law and order	courts, regime, arbitration, sue, tribunals, lawsuit, judges, litigants, prosecutors, litigants, testimony
government	parliament, citizens, authorities, governance, public bodies, civil, (inter) governmental
money and pay	banking, savings, funding, subsidy, credit, trade, investment, wages, profits, GDP
green issues	environment, nature, ecological, conservation, deforestation, ecosystem, polluting
belonging to a group	groups, grouping, society, communities, network, alliances, allies, opposition, collectively, grassroots, united, bond, hand-in-hand
allowed	right, approve, ratify, concession, approval, permit, authorize, consent
cause and effect	consequence, result, impact, lead to, determine, due to, reason, depend, link
damaging and destroying	threat, force, attack, toxic, abuse, devastation, ruin, collapse
ethical, crime, danger	violent, angry, aggressive, harm, violate, victim
the universe, weather	world, planet, storms, hurricanes, floods, droughts, climate

Table 4
Semantic profile for the FOEI sub-corpus.

The starting point for this description is, again, the semantic profile, as shown in Table 4. Again there is a degree of overlap with the previous two sub-corpora in the delineation of the key semantic fields in the data, but compared to WikiLeaks a noticeably different slant is taken when describing the protagonists, locations, circumstances, and events. The communicative purposes of these text producers are divergent: these people are not legal experts intent on uncovering the flaws and fallacies of the proposed law through detailed specialist analysis, but, rather, investigative journalists and political activists concerned to win over their audience – the general public, political institutions and international organizations – to the cause of resisting the current practices of transnational corporations, together with business's own self-sponsored legislative and juridical support.

Belonging to a group is a prominent category in both FOEI and WikiLeaks, but the lexical set, here, refers to communities and alliances, the need for networks, solidarity and groups. The argumentative propositions and claims are based on the reporting of real events, actual experiences, existing contexts and circumstances, the changing fates of peoples, states and regions of the world. The economic changes described are concrete and the litigation battles ongoing and relentless. The potentially devastating effects of TiSA to society and the environment are narrated through strongly affectively-marked evaluative lexis, making full use of their communicative multi-modal channels and media.

This discourse is distinct from that of WikiLeaks: the argumentation of contestation and protest is based on exemplification, analogy, and evidentiality rather than verbal logical analysis; the rhetorical stance appeals to *ethos* and *pathos* rather than *logos*. The following brief examples (7 to 9) illustrate the FOEI narrative.

(7)   Friends of the Earth International's vision is for a peaceful and sustainable world based on societies living in harmony with nature. For over two decades FOEI and member groups have opposed corporate trade and investment regimes that put profits before people and the planet. Essential rights that protect citizens and the environment are considered as "trade barriers".

(8)   Many of these agreements undermine democratic processes and seek to both expand and lock in privatization, deregulation, and other neo-liberal policies among the countries subject to them and globally.

(9)   Rules for business, rights for people! Over 50 million land grabs during the last 10 years. 246 million child laborers worldwide. Time for Justice, time for a Treaty. After decades of struggle from communities across the world, the idea of corporations being held legally responsible for their crimes no matter where they occur is finally becoming a reality. The new Human Rights Treaty has the support of more than 800 organizations, the UN Human Rights Council, the Vatican, and many diverse governments. Join the Treaty Movement, Mobilize and Resist!

In this Section we have analysed topicalization across the three sets of vertically-organized and connected discourses. The nature of their textual embeddedness has emerged, revealing interconnected propositional fields and semantic components. Key concepts are similar and overlap, but also differ to a significant extent: text producers make use of different linguistic choices to convey varying ideological standpoints to audiences, in the expression of viewpoints, evaluation and judgement, in line with individually distinctive communicative purposes.

This can be considered a useful starting point for the analysis of argumentative patterns over the three sub-corpora, to identify the broader

outlines of what they share and what sets them apart. Semantic profiling provides us with information not only about the content of the arguments, the nature of the various claims and underlying assumptions of the declarations of the various parties, but also about argumentative strategies and itineraries, that is, the procedural composition of argument in each case. This is retrievable, to some extent, as we propose, from linguistic indexicality.

We have detected some of the different argument schemes and styles at work – in the formal, normative language of the law, the logical reasoning of expository critique, and the highly-charged testimony of the campaigners. The next Section will deepen this search into the linguistic indicators of argumentation with a view to being able to elaborate the argumentative patterning with more precision.

4.2. Verbal patterns and argumentation: strategic maneuvering

4.2.1. Modality: moves and propositional relationships

The starting point for the analysis was the identification of the key concepts and semantic profiling for the three sets of data, as described in Section 4.1. The categories of *(no)constraint*, *(no) (strong) obligation or necessity*, *allowed* and *avoid*, *helping* and *hindering* emerged as key domains for WikiLeaks and FOEI, while the TiSA corpus had only one modal semantico-grammatical component, "shall", tagged, in this case not completely satisfactorily, as *future time*. Interesting variation in the distribution of modal auxiliary verbs is displayed in the results shown in Table 5 below.

Modality (+) (-)	Rel. Freq. Treaty	Rel. Freq. WikiLeaks	Rel. Freq. FOEI
be + necessary	**0.14***	0.06	0.04
can	0.05	**0.36***	**0.19***
could	0.03	**0.23***	**0.13***
have to	0.0	0.05	0.03
may	**0.49***	**0.17***	0.03
must	0.002	**0.12***	0.05
shall	**1.4***	0.06	0.01
should	**0.1***	0.06	**0.13***
will	0.04	**0.13***	**0.22***
would	**0.1***	**0.44***	**0.22***

Table 5
Distribution and frequency of modal verbs in the three sub-corpora.

The relative frequencies of the modal verbs were obtained by WMatrix3 software, normalized against the British National Corpus Written. The most significant results are indicated in bold and an asterisk in Table 5 above. The

most frequent modal resource in the TiSA data is the normative juridical use of deontic "shall", indicating both deontic permissibility (what is allowed) and obligation (what needs to be done). "May" is often used as a substitute to indicate official permission and authorization. These are combined on occasions with the third most frequent expression of modality, "be + necessary", opposed to "have to" or "must", which are statistically insignificant. "Can", "could" and "will" constitute low profile modal verbs.

In contrast, the WikiLeaks data reveals a significantly different pattern, reflecting differences with the legal text in communicative purposes and argumentation. "Shall" carries relatively little weight and is confined to intertextual referencing, when citing the TiSA. Instead, "can" and "could" are textually marked in the authors' elucidation of the potential damage and the possible action which would be opened up on the Treaty's adoption. Similarly, "would" describes a scenario of unbounded transcorporate practice with its forecasted devastating results for the wellbeing of societies and the environment. "Will" states what is indisputable and inevitable according to WikiLeaks, and "may" describes what will be permissible under the law. "Have to", "should" and "be + necessary" are relatively low profile.

Modality, both epistemic and deontic, is less marked in the FOEI subcorpus compared to the other two, concentrating mainly on "can", "could" expressing possibility, capability and permission, on the one hand and "will", "would" to describe future predictions and hypothetical scenarios. In this way, the macro-propositions in WikiLeaks related to the negative consequences of TiSA are reiterated and re-enforced, but with much less attention paid to the technical argumentation conveyed by modality. These differences across the sub-corpora will be seen in the examples in the next section.

4.2.2. Verb types

The sub-corpora were run through the POS (Parts of Speech) grammatical tagging function of WMatrix3, in order to identify prevalent, high frequency verb classes, which confirmed, first of all, the frequency of modal verbs (as shown above in Section 4.2.1.). Secondly, it quantified features of verbal tense and aspect as used over the three sub-corpora. Then, detailed concordancing work identified the lexical verb types which served as the main exponents of these categories, as shown in Table 6. In general, the results corroborate the textual function of each text type – the normative function of the legislation, the expository function of WikiLeaks, and the descriptive, narrative functions of Friends of the Earth International's investigative reporting.

TiSA	WikiLeaks	FOEI
stative / factive verbs: be, have	**mental state verbs, cognition and perception**: (e.g. believe, think, know, understand, suppose, mean, imagine, want, hope decide, expect, recognize) **verbs of argument, enquiry**: (e.g. investigate, impact, search, test, criticize, counter, assume, imply)	**dynamic or activity verbs, event verbs:** (e.g. change, develop, increase, grow, protest, save, campaign)

Table 6
Verb type prominence in the three sub-corpora.

Together with the findings for modal verbs, described in Table 5, these verbal indicators can be used to trace the argumentative framing and patterning across the three sets of data. But a further step in the analysis is required in order to integrate this evidence into the argumentative description, which involves seeing how these verb types are contextualized in the discourse. The following examples show the argumentative itineraries involved in the three sub-corpora. Examples 10, 11 and 12 discuss the implications the proposed law will have for the restriction on the powers of national sovereignty with regard to the regulation of transcorporate practices, showing the different conceptual colouring of the three sub-corpora.

(10) **TiSA**
Nothing in this Article shall prevent a Party from adopting or maintaining measures inconsistent with paragraph 1 to achieve a legitimate public policy objective, provided that such measures are not applied in a manner which constitute a means of arbitrary or unjustifiable discrimination or disguised restriction on trade.

(11) **WikiLeaks**
In new wording added to the October 15 draft, the US states that TiSA's Transparency Article could apply to regulation at any level of government resulting in an absurd situation where even the smallest local government would have to assess their regulation for all possible impacts on foreign commercial interests and create a procedure for foreign intervention in their regulatory process […]. TiSA national treatment (foreign services and suppliers must be treated at least as well as their local counterparts) is where the major change occurs. It is presumed that all services, and all ways of supplying them, are covered by the TiSA rule.

(12) **FOEI**
In principle, each country should base its policies on social and economic goals and programmes and its services policy should support and enable these government objectives. However, this isn't how the TiSA champions would

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organize the world. The combined impact of the leaked TiSA documents provisions would constitute serious barriers for any state wanting to invest in, manage and operate its national infrastructure, to plan development, or to defend social and safety standard**s.**

The entextualization is clear: the topic is the same but the argumentation is markedly different in each. The Treaty states its basic claim: a different juridical position to that of the proposed law is in theory possible but any application will be declared illegal – a circular argument based on what the law *is* and *has* the power to do.[9] WikiLeaks provides a close-up critique of the Article in question, which, in fact, is the underpinning of the entire legislation, and elucidates in detail its effect on national, state and regional powers in juridical terms. FOEI, on the other hand, leaves the technical details aside and concentrates on the impact of TiSA on the freedom of state governments to make policies which guarantee social and economic protection for all.

Examples 13, 14 and 15, below, refer to the TiSA proposals for the global deregulation of energy and environmental services. The same kind of argumentative profile emerges for the three sub-corpora as in the previous three examples.

(13) **TiSA**
With respect to measures affecting trade in services as defined in Article I-1(2), no Party may set out a condition or qualification affecting the supply of an environmental service in Section A of Part 1 of its Schedule […]. Each Party shall undertake commitments without limitations to permit cross-border supply as described in Article I-1 […]. This Chapter shall apply measures affecting trade in energy related services, irrespective of the energy source deal with, technology used, whether the energy source is renewable or non-renewable, and whether the service is supplied onshore or offshore.

(14) **WikiLeaks**
TiSA's new deal would recklessly undermine urgent work worldwide to reduce dangerous carbon emissions, create clean energy jobs and increase energy security for economies everywhere. Among the most inappropriate ideas included in TiSA's ERES proposal is to establish as Article 1 a principle of technological neutrality whereby commitments would extend across all energy

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[9] In fact, there is extended reference in the WikiLeaks and FOEI data to the "spurious arguments" and "mendacious reasoning", of the Treaty, its "circularity", its "false claims" and "pseudo-arguments", its "arcane and tendentious language". Much room is given in the campaigning discourse to denouncing its "vague" language use, and its undefined applications. In fact, we can consider the Treaty, from a linguistic point of view, not so much as 'vague', in that semantically it is not indeterminate and is quite clear in what it actually says, but *pragmatically* equivocal, in that interpretation is left open, when it can be applied, the circumstances of its interpretation, by whom to whom and to what ends. This is, however, probably a characteristic of legislation in general, and beyond the reach of this paper.

sectors regardless of the fuel source or technology, freeing regulators from the need to distinguish solar from nuclear, wind from coal, or geothermal from fracking.

(15) **FOEI**
TiSA's proposed text states its scope will apply to all energy sources and types of technology, leaving the interested public and its elected policy-makers unable to encourage renewable over non-renewable, clean over dirty, or local over imported […]. The annex on Environmental Services reveals that TiSA will aim to ensure that national environmental protection within TiSA countries will be harmonized down, promoting the interests of multinational companies providing water purification, sanitation and refuse disposal services over worker safety, public health and the natural environment.

The absolute power of the Treaty is unequivocally pronounced in the legislation: no negotiating Party will be allowed to do differently from what *is* and *will be* in the law. WikiLeaks denounces the "Environmental Services" part of the Treaty, detailing the implications of the Article in question and exposing the dangers of the principle of technological neutrality. It remains for FOEI to spell out what WikiLeaks has already technically analysed, targeting the attention of policy-makers and the general public to the machinations of transcorporate self-interests, and encouraging people to campaigning action.

The last part of the chapter will attempt a simplified outline of the argumentative structure of the three sub-corpora according to the linguistic indicators retrieved from the quantitative and qualitative analysis. More specifically, these indicators were derived from the semantic profiling and verbal patterning described in Section 4.

5. Argumentative structure: schemes and moves

Argument is used here to indicate both a logical process and a verbal dialogue. And so a discourse approach to argumentation analysis focuses on the language used to express and organize claims, together with the evidence elicited to support them. The basic categories of argumentative exposition are used in the description to follow: 'the claim', constituting the central component of the argument; 'the premise', which underpins the claim and provides the reason for the assertion. These reasons can be arrived at through a process of inference, leading to 'a maxim', or the route may be that of allowing the audience to arrive at a conclusion from given facts, assessing 'the data' provided to support the claim. The argumentative structure of the three sub-corpora is presented below, describing some brief examples of their various stages, patterning, schemes and propositional relationships. The models and theories described in Section 1.1 can now be more fully applied.
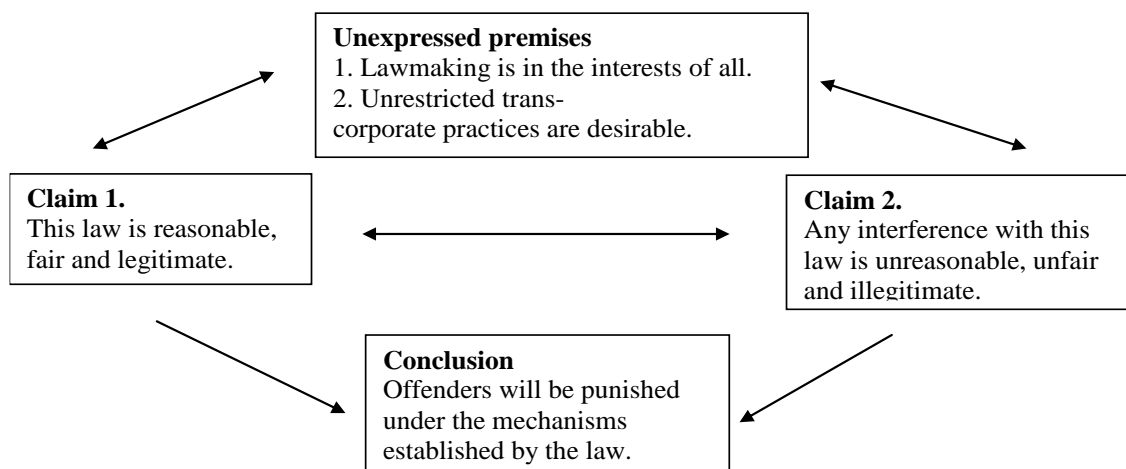
5.1. The TiSA

Figure 1
The symptomatic argumentation scheme of the TiSA sub-corpus.

In Figure 1 above, the underlying assumptions are implicit and so remain unexpressed as to the authority and legitimacy of the law. Hence, the law-makers' claims remain unsupported by any formal process of argumentation or reasoning. The argumentation scheme is symptomatic, establishing a relation of concomitance and similarity between the topic and the argument. The law simply 'is' and what is contrary to the law simply 'isn't'. As such, the law is self-standing, and needs no justification.
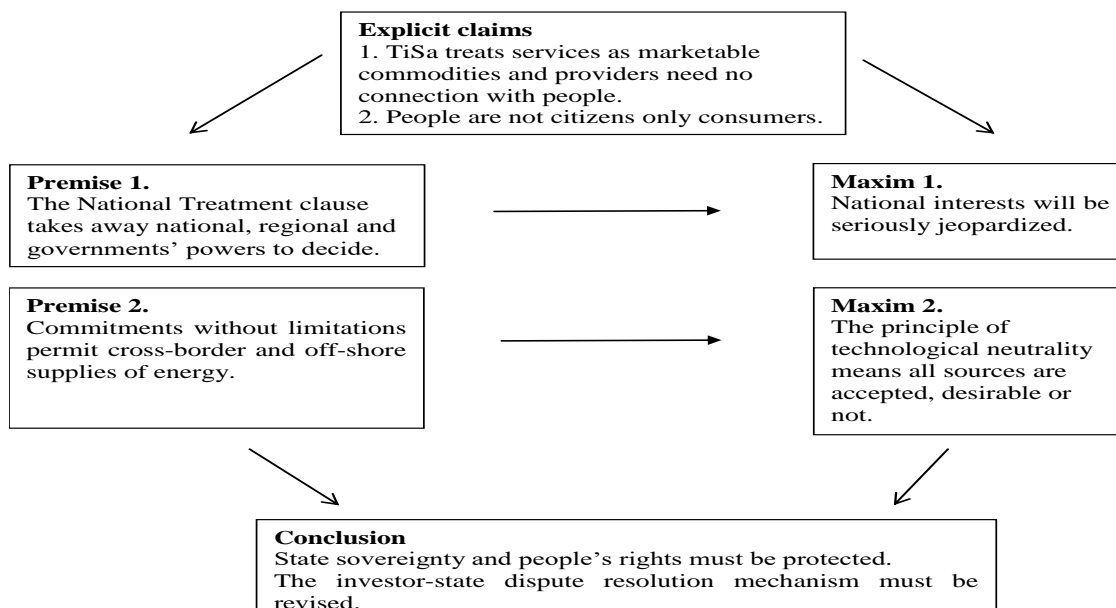
5.2. WikiLeaks

Figure 2
The causality argumentative scheme of the WikiLeaks sub-corpus.

Figure 2 shows, in contrast, how WikiLeaks constructs an explicit, formal counterargument to the Treaty's assumptions and major claims by using a causality scheme. These two examples are indicative of how the arguers use a series of elaborate premises and justifications in de-legitimizing the formulations and implications of the Treaty, moving through detailed sequences of cause and effect, creating chains of derived inferences and maxims. Their conclusions are arrived at through an explicit route of dialectical reasoning.

5.3. FOEI

Claims
1. The TiSA works to protect the interests of unscrupulous global corporations, supported by governments and lobbies (mainly the EU and America).
2. Unrestricted transnational corporate practices and the privatization of public services are endangering the safety and wellbeing of the whole world.

Premises
The indisputable existence of:
Environmental disaster and climate change.
Economic and social unsustainability.
Local community impoverishment and cultural destruction.

Data, the evidence
Fires, floods, droughts, hurricanes.
Health rules and food safety at risk.
Privatization of public water supplies.
Landgrabbing.
Unsustainable mining, fracking.

Conclusion
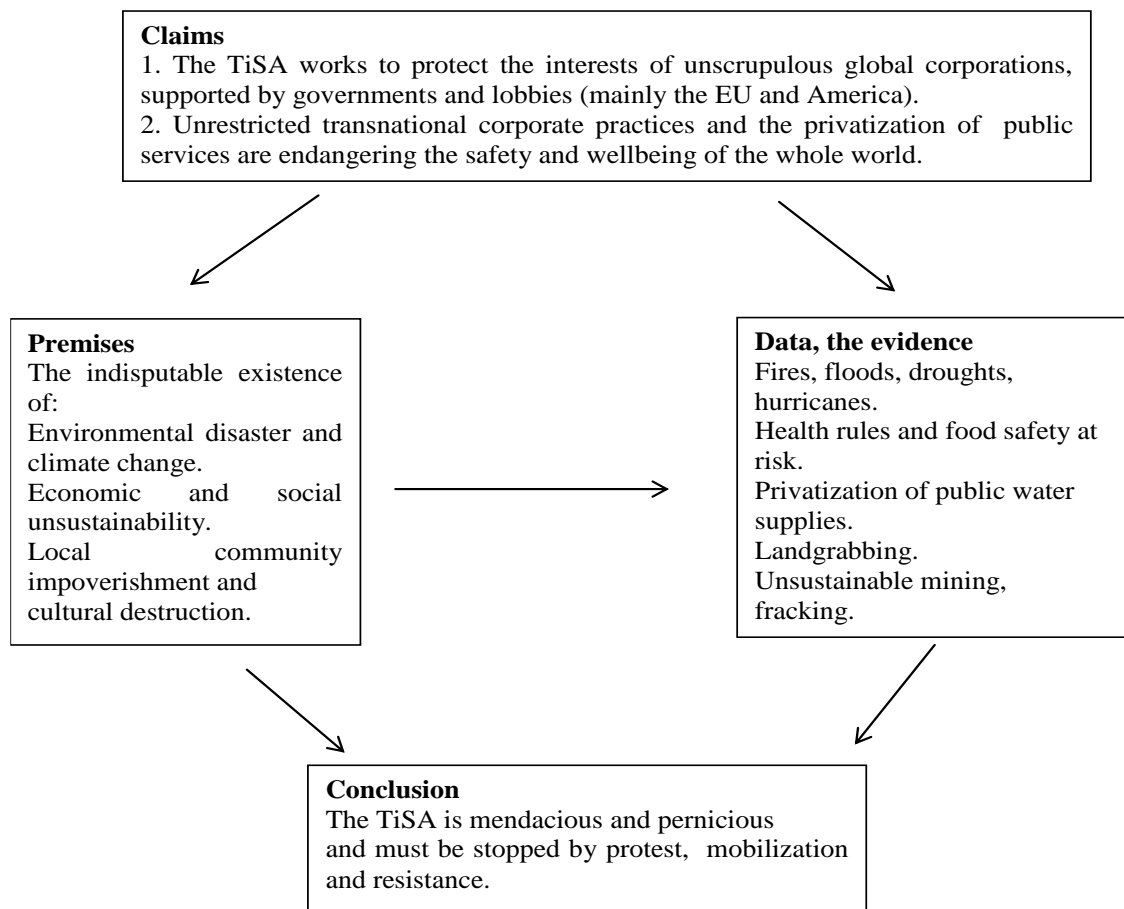The TiSA is mendacious and pernicious and must be stopped by protest, mobilization and resistance.

Figure 3
The comparative argumentative scheme of the FOEI sub-corpus.

As shown in Figure 3, the argumentative patterning of the FOEI sub-corpus is different, in accordance with its audience and the communicative purposes of investigative journalism. The confrontational, opening stage is explicit and unequivocal in its denouncement of international commercial law, seen to be in the pockets of big business. Formal argument makes use of cross-referencing with the WikiLeaks documents but the main strategic maneuvering takes place in a comparative argumentation scheme consisting

in extensive, in-depth exemplification, comparing and contrasting the Treaty's worst effects. This time the dialectic itinerary is based on the presentation and evaluation of hard data.

6. Concluding remarks

This chapter has traced the nature of entextualization over three intersecting, vertically-organized sets of data pertaining to the controversial topic of international trade agreements, the spread of neo-liberal commercial policies, and the de-regularization of services worldwide. A series of discursive indicators were identified, using corpus analysis textware, in order to reconstruct the argumentative patterning at work over the three sub-corpora: these aimed at describing semantic profiling, topicalization, and verbal usage. Applying these linguistic features, it has been possible to distinguish the ideological positioning of the protagonists, the distribution of their dialectical roles, and the strategic itineraries they follow in the construal of their arguments. The theoretical and descriptive tools of argumentative studies have, then, provided a way to link these linguistic findings with the main rationalizing processes at work – in terms of the various schema employed and the major moves taken through specified argumentative stages.

It was found that the text producers frame their claims and major premises differently, and make use of formal argument, inference, causality, and supporting data in distinctive ways, in accordance with their specific rhetorical intent – varying across the normative formulations of law makers, the specialized critique of adversaries by legal experts, and the campaigning discourse of the activists in the public domain. The study concluded by observing that the three sub-corpora implement different argumentative schema (symptomatic, causal and comparative), comprising distinctive features: respectively, the role of implicit, unexpressed premises, the articulation of a formal logical scheme, and the use of argument based on persuasive appeal to *pathos* and *ethos* rather than *logos*.

This has been an attempt to integrate more closely the models of argumentative studies with the conceptual frameworks and practices of current corpus-assisted discourse analysis, with a view to encouraging mutual benefit for each area of research. The eminent argumentation scholar Frans H. van Eemeren recently made a plea for more empirical discourse-based research in order to make progress in developing fields such as argumentative style and prototypical patterning (van Eemeren 2019, pp. 168-170). At the same time, this may well be an opportunity for corpus-discourse linguists, also, to go beyond keywords and *ngrams*, and to broaden their horizons of investigation.

Lingue e Linguaggi

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