

**A PRAGMA-DIALECTICAL APPROACH TO THE DISCOURSAL  
FUNCTIONALITY OF ARGUMENT SCHEMES IN COUNTY ASSEMBLY  
DEBATES, KENYA**

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Conferment of the Degree of Doctor of Philosophy in Applied Linguistics of  
Masinde Muliro University of Science And Technology**

**August, 2025**

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## **DEDICATION**

To my wife Janet, and our children Mily, Emily, Arnold and Augustine, whose love for creativity in their academic sojourn and independence of thought in their world view are virtues nobody can take away.

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## ABSTRACT

The communicative interaction between discussants in parliamentary debates is aimed at exchanging different viewpoints through discussion in order to arrive at a policy decision. In debates in Nairobi County Assembly, discussants are believed to put forward their standpoints in order to win arguments, and to do so in a persuasive language that helps build conversations, minimize potential conflict and maximize personal profit. Debating on proposals, plans, and policies and arriving at a resolution by both the protagonists and antagonist sides of the assembly requires employing appropriate and convincing arguments that are also reasonable to the discussants in such debates. The aim was to examine the discursive functionality of argument schemes in County Assembly Debates using the pragma-dialectical theory. The specific objectives were to categorise discursive texts, identify and describe the prototypical argument schemes employed by interlocutors, and finally to determine the strategic manoeuvring employed by discussants in debates for a period of ten months between February to November in the year 2023. A descriptive case study design was used in the study. Qualitative approaches were used in the study in order to allow a deeper enquiry into the phenomenon of debates in real life contexts using data from online archival materials of Nairobi County Assembly. The study was carried out in Nairobi County Assembly from where the discussants, that is, the Members of County Assembly are drawn from. The study targeted 48 debate transcripts of the print version of the *Hansard* that were collected from sittings of the Nairobi County Assembly over the months of February to November 2023. Additionally, public documents from the County Assembly registry consisting of schedules of the sectorial committees of the assembly that make up the ministries in the county government and the standing orders were collected from the websites of the assembly. Purposive and simple random sampling procedures were employed to obtain a list of complete debates from each of the thematic areas selected from the sectorial committees of the assembly. Qualitative data were analysed with simple and complex speech acts forming the units of analysis. These were the data that were subjected to analysis using the critical discussion method as the analytical tool. This helped to determine the qualities of reasonableness and efficacy of the discussions in attempting to convince discussants to agree with the speaker's standpoints. Data of debate transcripts that had been analytically processed, and provided all analytically relevant argumentative moves that were made in an argumentative discussion was presented for discussion. This data consisted of permutations, deletions, addition and substitutions of data transcripts that were relevant in the analysis. The data was presented in form of detailed descriptions following the four stages of the criteria of a critical discussion. Internal validity was provided in the use of the pragma-dialectical theory through which the study did an objective evaluation of the discussion moves using defined criteria for a critical discussion as envisaged. Reliability of the findings was observed by anchoring the study in pragma-dialectical approach which serves as a heuristic tool for evaluating discourse in speeches and related debates. The study established that discussants used argument structures to serve the function of supporting the standpoints and minimizing anticipated doubt or criticism of the standpoint. Discussants employed strategic manoeuvres deliberately and more often at the beginning of the debate to persuade the antagonists to agree to their standpoints. The study established that discussants used symptomatic argumentation, especially argument from administrative authority to give directions on debates. The study was useful in suggesting procedural interventions aimed at improving parliamentary argumentative practices that could benefit practitioners of parliamentary discourse. Furthermore, new argumentative practices from a population not earlier studied, that was, the county assembly level provided new insights into deliberative strategies in the political genre.

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## **ABBREVIATIONS AND ACRONYMS**

<b>CCAN</b>	City County Assembly of Nairobi
<b>CEC</b>	County Executive Committee member
<b>CoK</b>	Constitution of Kenya
<b>IREC</b>	Institutional Review and Ethics Committee
<b>JP</b>	Jubilee Party
<b>MEP</b>	Member of European Parliament
<b>MCA</b>	Member of County Assembly
<b>MP</b>	Member of Parliament
<b>NACOSTI</b>	National Commission for Science, Technology and Innovation
<b>ODM</b>	Orange Democratic Movement
<b>PWDs</b>	People with Disabilities

## OPERATIONAL DEFINITION OF TERMS

**Argument scheme** – an underlying structure or pattern of reasoning employed by a discussant during a debate that is used to support a claim

**Discussant** - a person who takes part in a debate in the county assembly

**Difference of opinion** - in argumentation theory, a "difference of opinion" is the core starting point. It refers to a disagreement on a specific issue or point of view, leading to the need for argumentation to be presented to resolve it. Argumentation involves presenting reasoned arguments, or reasons, to support a specific standpoint or conclusion, with the aim of persuading others to accept that position.

**Discoursal texts** - these are dialogic texts generated by discussants during debates in the county assembly by either the mover or the antagonist in the course of argumentation.

**Functionality** – refers to pragmatic and dialectical purpose that argument schemes serve in a debate.

**Standpoint** - a theoretical concept that refers to the first move made by a discussant to claim a position during a debate.

## **CHAPTER ONE**

### **INTRODUCTION**

#### **1.1 Overview of the Chapter**

This section consists of an overview of the chapter, a background to the study, statement of the problem, purpose of the study, objectives and research questions, significance of the study, scope and limitations, assumptions of the study, and finally a summary of the discussions of the chapter. This study examined the discursive functionality of argument schemes in Nairobi City County Assembly debates using the pragma-dialectical approach. The study considered the debate sub-genre, by analyzing and evaluating argumentation schemes employed by interlocutors, and how they use strategic manoeuvres to support their standpoints during argumentation in order to fulfill certain commitments by using either of the strategies such as topic potential, audience demand or preference, and the use of appropriate presentational devices in order to resolve differences of opinion on merits during debates.

#### **1.2 Background to the Study**

Article 95(2) of the Constitution of Kenya (2010) stipulates that the National Assembly discusses and addresses matters of public interest. Secondly, the principal role of legislatures globally is to enact legislation pertaining to the advancement and effective governance of the nation. These roles, among others, are mostly performed through Parliamentary discussions, deliberations, and resolutions. Issues necessitating the House's decision are invariably resolved by the Chair (the Speaker) posing the question subsequent to the presentation of a Motion. Moreover, parliamentary debates may focus on topics selected by MPs or emphasize the activities of parliamentary committees. Debates offer Members the opportunity to examine government policies, proposed legislation, and engage in discussions on contemporary problems.

Debates enable Members of Parliament to evaluate and respond to the problems and interests of their constituents. Members may also address concerns raised by the public. Debates are intended to facilitate the House in making informed choices.

The county assemblies serve a crucial function under devolution within their designated jurisdictions. Their roles of representation, legislation, and monitoring parallel those of the national assembly. The efficacy of county assemblies in Kenya is associated with Goal 16 of the Sustainable Development Goals (SDGs), which aims to mitigate bribery and corruption in all manifestations, while fostering the development of effective, transparent, and accountable institutions to ensure parliamentary involvement in decision-making that is responsive, inclusive, participatory, and representative. The primary function of the county assembly is to oversee the executive branch of the county governments. County assemblies aim to guarantee that devolved governments exhibit both transparency and accountability. In debates, participants are thought to present their viewpoints to secure victories, employing persuasive language that fosters dialogue while reducing possible conflict and enhancing personal gain (Sperber *et al.*, 1995). Comprehending the complexities of arguments, particularly in newly established and devolved units, constituted a valuable area of study. This study examined the phenomena of debate in a devolved county, elucidating the effects of culture on the debate genre and how this culture may shape the conclusions reached by participants in discussions. The results of this study hold substantial implications for future research in the political genre, particularly within the discussion genre.

Ilie (2015) observes that parliament is the central institution through which the will of the people is expressed, laws are passed, and government is held to account. As elected bodies that represent society in all its diversity, parliaments are considered to embody

the will of the people in government and to carry their expectations that democracy will be truly responsive to the needs of the entire society under their remit as well as helping solve the most pressing problems that confront the citizens in their daily lives (Ilie, 2015). Kenya's county assemblies are a creation of the constitution under Art 177 (Constitution of Kenya, 2010). Kirui and Murkomen (2011) argue that the constitution creates a bicameral parliament with the National Assembly as the lower house, and the Senate as upper house. The Senate legislates bills on behalf of counties and safeguards the autonomy of the regions by protecting the interests of the peoples of the various regions. However, while the Senate generates bills specific to counties, such bills should not be in conflict with the constitution. The adoption of devolution after enactment of the Constitution of Kenya (2010), created a quasi-federal system of governance, which then caused the establishment of forty-seven county assemblies as houses of representation at the county level.

The role of Member of County Assembly (MCA) in legislating bills that are specific for the development of the county government, is particularly significant, given that such discussants are not only involved in persuading inside audience in the county assembly, but also seek to persuade a non-participant audience, their ward members, on whose behalf they are elected to do so.

In their roles as ward representatives, the MCAs maintain close contact with the electorate and consult on issues before or under discussion in the assemblies. MCAs also represent the people by presenting their views, opinions, and proposals before the county assembly. The conduct of debates in county assemblies is, therefore, a double-edged sword, where MCAs are in conflict between balancing their political party interests as interlocutors in the assembly viz a viz the interests of the whole house,

while taking care of the interests of the non-participant audience who make up the electorate.

The present study argued that during debates in the county assembly, MCAs are keen to resolve differences of opinion on merits with their antagonists, while at the same time, seeking to be seen to be pushing an agenda that is in concordance with the people they represent. It was established that while the MCAs debate bills and approve policies in the assembly, they do it in a way that is reasonable and therefore rational, while at the same time seeking to convince the antagonist of their arguments without offending them. Despite the fact that MCAs have other avenues of resolving debates such as calling for a division in the house to determine the direction of bills, findings of the current study established that such county assembly representatives rarely used division as a way of resolving differences of opinion. As illustrated in the findings of this current study, protagonists of the positive standpoint always sought to persuade the antagonist in the debate by presenting their arguments using rhetorical means in order to be effective in putting across their positive standpoints.

The essence of debates, therefore, is known from the quality of such debates that are held in county assembly chambers. This quality was determined by conducting a study that described the general pattern of debate, the general conditions which determined the direction of debates that members found convincing, as well as the general structure of arguments that discussants used during debates.

### **1.2.1 Parliamentary Discourse**

Parliamentary discourse refers to discourse that is construed within a framework of institutions established in a society for legislation purposes, where formal rules of engagement are applied and principles, norms and attitudes that make up that social

system are observed (Konstantinova *et al.*, 2019). Makarov (2003) observes that parliamentary discourse has a rigid structure, a maximum of speech restrictions, and is characterized by the primacy of a global organization that regulates the communication of roles and goals of the institution.

Karasik (2016) argues that parliamentary discourse as institutional discourse is further characterized by the presence of mandatory components of speech situations that include institutional voices, strategies of participants in the discourse, their goals and values, key concepts that concerns such discourse, the discourse chronotope, its subject genres and institutional discursive formulae. These characteristics are what distinguishes parliamentary discourse from personal discourse and other informal genres of discourse. Truan (2021) observes that parliamentary debates are a form of political interaction or dialogue that epitomizes the instantiation of polyphonic voices, that is consisting of discussants on opposing sides engaged in a debate with each of them having an obligation towards fulfilling their own goal (Walton, 2008). Truan (2021) further notes that politicians during debates construct their ethos as they willingly engage with other discourse participants in dialogue.

Amossy (2001) refers to ethos as the public image that speakers or discussants discursively construct, and stands out during parliamentary discourses as speakers seek to highlight aspects of their identity through such debates.

Fetzer & Bull (2012; Kranert, 2017) observe that in some instances political actors use certain devices such as the first-person forms of grammar and related verb constructions in order to enact their personal identity in debate narratives. Debate narratives stand out as privileged forms for making sense of self by bringing the coordinates of time, space and personhood into a unitary frame thus making debates

powerful tools for the construction of the ethos of a politician (Bamberg *et al*, 2008).

Kondratenko et al. (2020) deduce that parliamentary discourses are best exemplified through debates where issues relevant to society are discussed as well as laws enacted. However, before such decisions as laws being enacted is reached, parliamentarians engage in adversarial exchanges as manifested in position-claiming and opponent-challenging acts on the one hand, and a spirit of cooperativeness that is evidenced through joint decision-making and cross-party problem-solving processes in order to reach commonly acceptable goals regarding future policies and lines of action (Ilie, 2004).

The various ways of language-framing and reshaping for political purposes by discussants during parliamentary debates becomes visible in dialogic discourse, since language-framing and reshaping is steered by social, historical and ideological thinking patterns that have developed in societal institutions and in different socio-cultural communities (Ilie, 2009). Further, Ilie (2009) notes that the use of language for political purposes is manifest in articulating political ideologies and practical strategies in the performance of political actions that legitimize political leadership. There is need to explore the recurring linguistic patterns used by MCAs to reveal their ideological commitments, hidden agendas and argumentation tactics to understand the role of parliamentary discourse practices in identifying, defining and articulating the citizen's concerns and interests.

The present study analyzed county assembly discourse by discussants in order to determine the nature of arguments made by them as they interact and make discussion moves that would convince their antagonists to agree with their standpoints while debating on government policies, plans, proposals and strategies.

Ilie (2001) posits that the nature of parliamentary discourse lies in the existence of opposing political camps with divergent standpoints and representation of reality. Such ongoing confrontation during debates is paralleled by ongoing attempts to destabilize the power balance for the antagonist, while the protagonist tries to re-establish that power balance. The protagonist formulates a standpoint while the antagonist calls the standpoint into question. The two interlocutors are then involved in a debate with a view to resolving their differences of opinion and finally determining who has won the discussion. According to Nyanda (2016), political actors are indebted to the public to whom they convey their goal during debates. At the center of such interactions is the intention to influence the public on different issues under discussion.

Consequently, politicians' arguments are designed to alter the audience's perspectives (Fetzer, 2002; Reisingl, 2008; Ilie, 2009). Van Dijk (2010; Ilie, 2004) note that adversaries in political interactions engage in a power struggle for resource access, where those in possession of power and resources advocate for the preservation of their dominance, while others lacking such access endeavor to attain it. Politics is the collaboration with established practices of political institutions designed to address conflicts of interest regarding financial resources, influence, and freedom. This collaboration is attained by negotiated consensus as stated by Msekwa (2000), Chilton (2004), and van Dijk (2010).

Nevertheless, achieving consensus can occasionally prove challenging, as participants in legislative debates represent conflicting political factions. They possess conflicting interests and, hence, adopt both collaborative and adversarial stances during contacts, thereby either reinforcing or challenging the prevailing power disparity. The language employed in political discourse is also of greater significance. Conversants make

linguistic selections that indicate their political affiliations and the objectives they aim to accomplish.

Valk (2003) asserts that politics and language are intricately connected, as discourse is the fundamental activity of politics. Language serves to attain agreement, deliberate on legislation, conduct campaigns, advocate for or contest policies, and facilitate negotiation and conflict mediation. Only via the research of political discourse can we comprehend the objectives politicians want to attain and the techniques they utilize to reach these objectives. Holy (1989) contends that the articulation of meaning in political discourse is ambiguous and the speaker's intentions are concealed. Consequently, language is crucial in enabling the daily operations of politics.

### **1.2.2 Debates as political discourse**

Engaging in debate, as a means of articulating diverse viewpoints on matters of societal significance, is a crucial element of deliberative democracy. According to Gutmann and Thompson (1996, p. 161), deliberation is characterized as “a conception of democratic politics in which decisions and policies are justified in a process of discussion among equal citizens.” This perspective posits that decisions are reached and policies are validated through discussions that are mutually agreed upon and conducted with reasoned deliberation. Dutwin (2003) observes that political deliberation functions as a means to educate citizens and energize public opinion.

For deliberation to fulfill these objectives, the discourse must demonstrate specific normative traits that align with the principles of equality and rationality (Habermas, 1996). Equality is realized when every participant's perspective is acknowledged; rationality is attained when the arguments presented in deliberative discourse are grounded in logical reasoning relevant to the discussion at hand. In the realm of

political literature, the objective of deliberation is recognized as having dual purposes: one that focuses on decision-making and another that concentrates on the formation of opinions.

The process of thoughtful consideration directed towards reaching a decision constitutes the central institutional focus within parliamentary dialogues concerning policy formulation. Benhabib (1994) posits that deliberation directed towards decision-making constitutes a rational process through which binding decisions are rendered regarding issues of significance. The process of decision-making is fundamentally grounded in majority rule; nonetheless, this should not imply that the validity of a decision is solely contingent upon numerical superiority. Legitimacy is fundamentally rooted in the ability to persuade a significant portion of the populace through reasoned and thoughtful discourse. Benhabib (1994) contends that if the conclusion “‘A’ is the right thing to do” emerges from discursive deliberation, it retains its validity until it is contested by superior reasons put forth by another group. This indicates that the presentation of compelling arguments supporting a decision is the primary element in its legitimization.

The secondary objective of deliberation acknowledged in political discourse is the formation of opinions. The primary objective of communicative activities, such as public debates, is to facilitate opinion-formation, allowing ordinary individuals the opportunity to express their views on matters that hold considerable significance in their roles as citizens. According to Habermas (1996), the existence of general public spheres that facilitate diverse communicative exchanges among ordinary citizens is a significant benefit for the establishment of democracy.

The examination of political discourse has likewise been conducted through a rhetorical lens. Reisiigl (2008) examines the characterization of political speeches through the lenses of rhetoric and politico-linguistics. Reisiigl (2008) characterizes a speech as a structured verbal chain of coherent speech acts articulated on a particular social occasion for a distinct purpose by an individual and directed towards a more or less defined audience. Reisiigl (2008) analyzes a speech as a communicative event characterized by distinct communicative objectives and a targeted audience. He contends that speeches are texts that are seldom generated spontaneously. These are structured compositions that adhere to the speaker's intended format for delivery, typically in formal contexts. Reisiigl (2008) notes, however, that speeches vary significantly across several dimensions, such as length, topic, function, audience, speaker, style, structure, occasion (time and place), and so forth.

It has been noted that speeches have been subject to analysis through the lens of rhetorical genre theory since the time of Aristotle. Reisiigl (2008) argues that the rhetoric employed in political discourse can be enhanced by a framework that seeks to integrate and unify rhetoric, linguistic analysis, and argumentation. Reisiigl (2008) proposes a multi-dimensional framework for analyzing political speeches, aiming to elucidate the workings of language across diverse socio-cultural contexts. While he recognizes the distinct differences in structure, audience, length, and function between these speeches and parliamentary speeches, it is noteworthy that all of them can be considered 'political' in a tripartite manner; encompassing polity, policy, or politics from a politico-linguistic perspective. Reisiigl (2008) delves into the characterization of these political speeches by employing a tripartite framework that encompasses polity, policy, and politics.

This study focused on the characterization of speeches and debates and sought to analyse the structures, strategies and style that are extant in these speeches and debates in order to better understand how language works in county assembly debates in Kenya. What is important to deduce from Reisigl's (2008) research is that parliamentary speeches and debates are characterized as political speeches, hence spoken genres.

### **1.2.3 Rhetoric in parliamentary language**

Discussants in debates would invariably attempt to employ strategies in their language to convince their antagonists to agree with their standpoints by making moves and countermoves that are reasonable and in an efficient way (van Poppel, 2021). Osnabrugge *et al.*, (2021) note that emotive rhetoric is used by politicians as a strategic tool in order to appeal to audiences. As a consequence, emotive rhetoric is likely to be used in debates during legislation especially when a large general audience is in attendance (Kondratenko *et al.*, 2020). Emotions are often used by politicians to convey a message, persuade their constituents, or trigger a reaction from the opponent (Prior, 2018; Finlayson & Martin, 2008). According to Osnabrugge *et al* (2021) such emotional appeals are also used for agenda-setting and ideological positioning during debates.

However, parliamentarians seeking to persuade their audience have to balance between their ethos, that is ethical appeals, with their logical appeals and emotional appeals in order to create constructive debates (Black *et al*, 2016; Scalia *et al*, 2008). Gennaro *et al* (2021) note that many speakers try to overwhelm their audience by using language that appeals to their emotions because it makes their audience empathize with them.

Jorke (2014) contends that the deliberative process is influenced by the fundamental inclinations and habits of participants, as well as their capacity to engage in discourse or allocate responsibilities in a manner that fosters collegiality among their peers. Deliberative processes are social practices wherein reason is not the exclusive instrument of persuasion; the social and identity-specific conditioning of speech styles, facial expressions, and gestures also contribute to effective persuasion. The emotions, attitudes, and preferences of participants in deliberative processes are equally crucial to the effectiveness of these procedures as the arguments presented.

Aristotle in his *Rhetoric* observes that any form of deliberative democracy which is experienced in modern democratic institutions must recognize the existence of what he refers to as the triadic model of argumentation which consists of a need to deliver convincing arguments, a need to be perceived as trustworthy, and the ability to set the audience in a certain mood. Therefore, Aristotle's contribution focuses on an increasing integration of rhetorical skills in debates in order to increase the effectiveness of debates (Jorke, 2014).

Gennaro and Ash (2022) observe that persuasion can be achieved through either logical argumentation or emotional arousal of the audience and such success depends on selecting the most appropriate strategy for the given context. By this study attempting to relate the peculiar linguistic strategies employed by discussants in debates in county assemblies to the stages of a critical discussion in debates, and thus attempting to link the use of such linguistic strategies to the quality of debates, this study seeks to fill a gap in knowledge.

### **1.3 Statement of the Problem**

Debates are a fundamental tool for exploring and understanding important issues, and the ability to engage in dialogue is a vital skill that helps us navigate differences and find common ground. It is hard to come by studies that evaluate texts critically by considering not only the discussants' reasoning in such texts, but also what psycholinguistic tools the discussants employ to convince their fellow arguers when resolving a difference of opinion in debates. Further, although there exist extant studies that seek to establish a nexus between language used in texts and the sociolinguistic factors influencing such language use in European parliamentary debates and British House of Commons, few studies exist that critically examine the dialogical processes through which discussants argue out their points in debates and what psycholinguistic factors influence decisions discussants use to choose the paths of arguments they will use to convince their fellow discussants in debates. The Nairobi County assembly is a deliberative chamber where discussants discuss plans, policies and proposals on issues that affect the common man using strategies and processes. In argumentation theory a criterion for argument quality in debates has been established using the pragma-dialectical theory. Arguments proffered by discussants have to meet these criteria in order to be convincing. The criteria establish procedures that argument schemes follow in order to make arguments in debates both reasonable and persuasive. This study examines the validity of argumentation-theoretic properties and criteria, primarily derived from empirical data in jurisdictions such as the British House of Commons, the Dutch parliament, and the European parliament, in the context of African parliaments. Consequently, the research issue that this study seeks to explore is two-dimensional: The study initially examines the characteristics and attributes of argument quality within debates, recognizing the necessity for county assemblies to

enact legislation that will facilitate the effective functioning of governance systems in counties. How discussants in county assembly debates negotiate their positions in order to resolve their differences of opinion stands out as an issue worth studying. The social and cultural constraints that determine how decisions are arrived at in debates is also an issue worth investigating.

#### **1.4 Purpose of the Study**

This study aimed to contribute to political discourse by examining ways in which discussants employ arguments to achieve a desired outcome using the pragma-dialectical approach in county assembly debates in Kenya.

##### **1.4.1 Objectives of the Study**

The study objectives were;

- i. To categorise the discursal texts employed in county assembly debates.
- ii. To identify and describe prototypical argument schemes employed by interlocutors in county assembly debates.
- iii. To determine the strategic manoeuvres employed by discussants in county assembly debates.

##### **1.4.2 Research Questions**

In order to respond adequately to the objectives stated above, the study was guided by the following research questions;

- i. What are the discursal texts analyzed in county assembly debates?
- ii. What are the common argument schemes employed by interlocutors in county assembly debates?
- iii. Which strategic manoeuvres are employed in county assembly debates?

### **1.5 Significance of the Study**

This was a pragmatic study of argumentative debates in the political discourse of county assemblies with specific reference to Nairobi County Assembly debates. It sought to add onto the body of knowledge on the art of argumentation in local settings that would significantly appraise researchers on how interlocutors negotiate talk during parliamentary debates, and how they negotiate their differences of opinion with a view to resolving those differences during debates and other house business.

This study was also useful in suggesting procedural interventions aimed at improving parliamentary argumentative practices that could benefit practitioners of parliamentary discourse. Furthermore, new argumentative practices from a population not earlier studied, that was, the county assembly level provided new insights into deliberative strategies in the political genre. The current study examined how social and cultural constraints might be significant in reconstructing the critical discussion rules in the pragma dialectical theory and thus add onto knowledge of how best to improve the pragma-dialectical theory.

European and American studies on argumentation have a setting which is fairly monolingual in nature and for that purpose, conducting this study in a country with diverse languages and this would help understand the peculiarities of debates in African settings. Pluri-lingual settings were likely to provide deliberative engagements which were enriching in terms of strategic manoeuvring and would add value to how analysis of parliamentary debates could be enhanced using the pragma-dialectical theory.

Studies on parliamentary discourse at a regional level, that was, at county assembly level, potentially presented new findings on argumentation since few political jurisdictions especially in Africa had a bicameral parliament with regional assemblies, as was the case in Kenya. Decisions made by regional assemblies were specific to regions, and therefore, provided local solutions for the specific locales that the MCAs represent in the legislative chambers. An investigation of the use of strategic manoeuvring in argument schemes to support a standpoint in debates as envisaged in the study might offer significant findings that would inform future research and enrich the pragma-dialectical theory.

Finally, the typical and conventional argumentative patterns identified within a specific communicative activity type or a group of such types may serve as a valuable foundation for initiating interventions designed to enhance argumentative practices that numerous practitioners have shown considerable interest in. The identified patterns offer strategic direction for crafting appropriate formats or designs that facilitate the optimal execution of the relevant verbal activities, alongside suitable methodologies for their production, analysis, and evaluation. In light of the current quasi-legal framework surrounding political communication, one might begin by examining established prototypical patterns. This approach could facilitate the development of more appropriate formats for engaging in argumentative discourse during debates, as well as the creation of enhanced tools for assessing political campaign speeches. Ultimately, should the suggested methodologies be systematized and digitized, the caliber of these argumentative practices could be significantly improved.

## 1.6 Scope and Limitations

This study falls within the fields of pragmatics and discourse analysis. The study focuses on an analysis of spoken discursal texts, especially the argument schemes by discussants in Nairobi County Assembly debates. The printed version of spoken discourse (*Hansard*) is our primary source of data since spoken texts are usually more spontaneous compared to written forms of discourse. Spoken language also captures the discussants in more natural settings where other unique features of communication might be manifested. However, such aspects of extra-linguistic features are usually edited and removed from the linguistic text of the *Hansard* and have, therefore not been considered in our analysis of data.

The study also targeted Nairobi County Assembly as its setting. County assembly debates belong to the genre of politics, but were more formal compared to political speeches made during campaigns which were not part of this study. Debates conducted in the county assemblies are more conventionalized activity types with rules and regulations guiding the conduct of such debates compared to more spontaneous discussions that are in speeches. This study specifically chose county assembly debates since this domain exhibits some distinct levels of formality as compared to school academic debates which could be less formal. The county assemblies provide a new angle through which we could examine argumentative practices in political discourse. The purposive choice of Nairobi County Assembly offers an opportunity to study in depth the structure of texts during debates and generate unique characteristics of debates as opposed to a survey of county assemblies that would generate replicable data.

The present study was also limited to parliamentary discourse as compared to other forms of political discourse such as speeches, interviews or campaign speeches. Compared to these other forms of political discourse, parliamentary debates are regarded as more formal and norm-regulated (Ilie, 2009; Bayley, 2004). The institutional practices applicable to parliaments and in this case selected county assemblies were determined by the *Standing Orders* of the house. Although county assemblies had sessions both at committee stage as well as the plenary where the committee of the whole house sits, this study examines data from the plenary session where members deliberate in a more formal way, and members had an opportunity to voice their personal opinion but also that of the political party they represent (Treimane, 2011). In any case, plenary sessions of the house were easily accessible through the websites of the various county assemblies, and in this case Nairobi County Assembly that had been selected purposively for the study.

The current study was limited to examining a corpus of data from archival records of the Hansard. Thus, no physical recording of data was done, nor data collected from live proceedings of the county assembly. The study did not therefore benefit from extralinguistic cues to inform debates in the Nairobi county assembly, since Hansard recordings are edited from brevity and clarity of information. This means that the study lost out on paralinguistic cues during debates whose contribution in understanding meaning in context is equally significant. The researcher missed out on making personal observations on how debates were actually carried out in the county assembly. Personal observations would have been significant in examining the impact of prosodic features such as intonation and stress patterns which would have enriched this current study. This area of linguistic studies was not considered in the collection of data. The pragma-dialectical theory did not anticipate the use of paralinguistic

features in the analysis of data. Textual data was sufficient for analysis using the pragma-dialectical theory whose main thrust is in argument schemes generated in data through texts. Relating on a one-to-one basis with discussants through interviews would have helped shed light on the conversational nature of the discussants during county assembly, and it is hoped this kind of information would be quite revealing and enriching to the current study. Further, interviews would have enabled the investigator to get a personal account of what informs the use of manoeuvres by discussants during debates. The current study was interested in argument schemes already generated from archival records. Archival data gives the investigator a fair process of data collection that is unobtrusive and free from biases compared to when an investigator collects data directly through one's own audio recordings. The study relied on written website transcripts of the county assembly sittings that were converted from oral verbatim recordings of the county assembly debates.

### **1.7 Assumptions of the Study**

The study was based on the following assumptions;

- i. The use of strategic manoeuvres employed in the argumentation schemes, and argument structures reflected in the argumentative practices of Nairobi County assembly debates are a representation of argumentation in all the forty-seven county assemblies in Kenya.
- ii. The data obtained from the Hansard records (both print and electronic versions) are objective recordings since the researcher's observations are unobtrusive.
- iii. The participants in debates employ strategic manoeuvres in order to persuade their audience of their standpoints.

## **1.8 Chapter Summary**

This chapter provided the background to this study, the statement of the problem, the purpose for the study, the objectives and focused research questions of the study. Further, the chapter stated the significance of this study in terms of bringing new insights into theory development and an eclectic approach towards studying devolved units of legislation with multilingual settings. Finally, the chapter made certain assumptions that informed the direction for the study of argumentation.

## CHAPTER TWO

### LITERATURE REVIEW AND THEORETICAL FRAMEWORK

#### 2.1 Introduction

This chapter offers a comprehensive examination of existing literature on parliamentary discourse, aiming to contextualize the study within the broader academic field. This section explored the essence of parliamentary discourse, emphasizing its role as a public forum for discussion, deliberation, and decision-making, as well as the governing rules and norms that shape it. The section elucidated the ways in which political culture and historical context shape parliamentary discourse. The subsequent section concentrated on the sub-genre of parliamentary debate and its classification within the broader category of political discourse. The texts utilized by participants in the discourse were systematically categorized, and the abstract argumentation schemes employed during the discussion phases, as outlined by the pragma-dialectical theory, were identified and elaborated upon. The notion of strategic manoeuvring as an argumentative approach utilized by individuals engaged in discourse has been conclusively established.

#### 2.2 Overview of parliamentary discourse

Parliament serves as the arena in which decisions that are obligatory for both the nation and its populace are made. The analytical dialogues intended for decision-making within a parliament adhere to established protocols of appropriate behavior. Habermas (1996) emphasizes that “in establishing parliamentary procedures, the allocation of decision-making powers (and designated political responsibilities) shapes the structure of deliberations through argumentation and is defined concerning the issue at hand” (p. 308).

The plenary discussions in the European Parliament serve as a forum to foster a cohesive "European decision" by assembling Members of Parliament (MEPs) from various European countries, each embodying a unique political viewpoint. The purpose of the debates is to promote discussion on the sensitive issues related to European politics, with the goal of attaining the widest possible consensus on choices that will ultimately obligate the entire European Union before the MEPs cast their votes. The President of the Parliament supervises the proceedings, ensuring strict adherence to the established Rules of Procedure during the discussions.

Van Eemeren and Garssen (2010) analyze the European parliamentary debate as a communicative activity, demonstrating that plenary debates in the European Parliament are influenced by institutional requirements concerning the debate format and by factors related to the institutional goals of these discussions, including the political ambitions of the Members of Parliament. Members of the European Parliament, representing a variety of nations and often differing political viewpoints, must take into account both the broader European interest and the particular interests of their respective states.

Van Eemeren and Garssen (2010) delineate the structure of a conventional European parliamentary debate as a distinct form of communicative activity. It is observed that there frequently exists a diverse array of perspectives concerning a contentious policy matter. The conduct of the debate is governed by a set of clearly defined rules, alongside certain unspoken guidelines that also play a significant role. The discourse within the debate hinges on the advocacy or opposition of a particular proposal or policy in question, engaging with both existing and prospective critiques. The debaters exhibit both overt and subtle acknowledgments regarding the contentious subject

matter at hand. Consequently, the divergence of perspectives is resolved through majority voting following the conclusion of the debate.

The British House of Commons provides a unique context. The debates in the British House of Commons are essential for maintaining a democratic political culture via reflection. During Prime Minister's Question Time, it is the responsibility of the participants to hold the Prime Minister accountable for government policies, in accordance with established conventions and procedures, including the House of Commons Rulings from the Chair (van Eemeren 2010: 141). To assess arguments from an argumentative perspective, one must consider the broader context of the communication. According to van Eemeren and Houtlosser (2005), argumentative practices take place within contexts characterized by differing levels of institutionalization, where specific conventions regulate the dynamics of argumentative interactions in various settings. Levinson (1992) utilized the idea of activity type to signify regulated, rule-governed settings of communication inside institutional frameworks.

Van Eemeren and Houtlosser (2005) introduced the concept of argumentative activity type, intended to distinguish between various institutionalized communicative practices that prominently involve argumentation. The comprehensive pragma-dialectical theory asserts that individuals engaged in arguing discourse, across diverse contexts, strive to achieve both dialectical and rhetorical objectives. In all forms of argumentative engagement, participants navigate strategically to align their dialectical objective resolving differing opinions in line with the norms of reasonableness—with their rhetorical goal of achieving a favorable outcome in the discussion (van Eemeren & Houtlosser, 2002).

The argumentation that transpires within parliament holds significant value, as it serves as a political forum where governments are compelled to articulate and rationalize their actions and strategies to the representatives of the citizenry. Consequently, it falls upon Members of Parliament to compel governments to substantiate and rationalize their proposals through reasoned discourse. Fairclough and Fairclough (2013:5) claim that "in a modern democratic state, policies proposed by government cannot be merely asserted, without giving reasons, that is, without providing arguments; moreover, these reasons themselves have to withstand critical examination." This statement is echoed by this. It is incumbent upon Members of Parliament, as the elected representatives of the populace, to scrutinize the proposals and legislation put forth by the government.

To accomplish this, Members of Parliament must partake in "reasonable discussion" (Van Eemeren, 2010:1-5), wherein the government articulates its policies and proposals as the "protagonist" in opposition to the "antagonist" who challenges them. This can be achieved by engaging in a series of argumentative exchanges that determine the resilience of the protagonist's positions against the critiques posed by the antagonist (Van Eemeren, 2010:3-4). The objective of the actions is to achieve a consensus between the two parties. This is characteristic of parliamentary debates, where Members of Parliament typically engage in various argumentative strategies to articulate their perspectives.

### **2.3 The Argument Structure of Discoursal Texts**

Different structures of argumentation range from simple argumentation to complex argumentation which consists of multiple argumentations, coordinatively-compound argumentation and subordinatively-compound argumentation (van Eemeren and Grootendorst 1992; Juthe, 2015). Considering the nature of parliaments and how

debates are conducted, Ilie (2001) observes that debates are hierarchically- based and rule- regulated. In order to succeed in this performance-driven and competitive institutional setting, parliamentarians must become experts in persuasion and reasoning if they want to boost their own reputations and win arguments. In these critical exchanges,

...parliamentary debates are meant to achieve a number of institutionally specific purposes, such as negotiating, persuading and position- claiming, both along and across ideological and party lines (Ilie 2001: 235).

In the final phase, the involved parties engage in contemplation regarding the ongoing discourse to ascertain if the existing divergence of views has been reconciled. One may conclude that “either the standpoint of the protagonist is accepted, with doubts resolved in favor of the protagonist, or the standpoint of the protagonist must be retracted—thereby leading to a resolution in favor of the antagonist” (van Eemeren, Houtlosser and Snoeck Henkemans 2007: 12). Nonetheless, should the opposing party dissent from the proposed conclusion, a resolution may remain elusive. It is evident that while the parties involved are dedicated to reaching an amicable resolution, they simultaneously endeavor to achieve an outcome that favors their own position. This approach to problem resolution is particularly evident within the parliamentary framework, especially during the period of adversarial questioning.

The individual who brings the debate to a close, typically the main advocate, may choose to retract their assertions, categorically refute the opposing viewpoint, or defer the unresolved disagreement for future consideration.

Standpoints, whether overt or implicit, serve as essential components within discourse, significantly contributing to the resolution of differing opinions. Standpoints represent verbal expressions that articulate a position amidst differing opinions, while reasons

function as verbal assertions in discourse that aim to justify a particular stance in the face of controversy (van Eemeren *et al.*, 1996: 13-14). Analyzing the framework of argumentation through a comprehensive lens provides a deeper understanding of the external arrangement of arguments. The examination of the internal structure of individual arguments, particularly regarding the premises that support various standpoints, will reveal argument schemes in the subsequent analysis. Comprehending intricate argumentation necessitates an examination of individual arguments and an exploration of the connections that exist between them. Henkemans (2001: 127) posits that 'single' or 'individual' arguments serve as reasons that collectively form intricate argumentation. Van Eemeren and Snoeck-Henkemans (2017) note that participants in discourse employ various individual arguments to uphold a particular position. These individual arguments may be systematically organized in a chronological sequence and are optimally employed to substantiate a particular viewpoint. The systematic enumeration of the arguments fosters a clearer understanding of their interrelations. In the examination of argumentation, the structure of arguments serves to contextualize the positions articulated by participants in the discourse. This observation enables the reconstructed argumentative discourse to serve as a means of addressing the divergence of opinion regarding the merits. In pragma-dialectics, the application of argument structure serves to further standpoints (van Eemeren & Houtlosser, 2015).

Two distinct types of argumentation structures have been identified (van Eemeren, Grootendorst & Snoeck-Henkemans, 2002; van Eemeren and Snoeck-Henkemans, 2017). These represent both singular and multifaceted forms of argumentation. The ensuing discourse delves into the two distinct forms of argumentation frameworks.

### 2.3.1 Single argumentation structure

The essence of single argumentation lies in its fundamental framework: a singular argument either in favor of or against a particular standpoint (Van Eemeren *et al.*, 1996; 2002). Typically, this singular argument comprises two premises, one of which remains unarticulated while the other is clearly stated. A good example is:

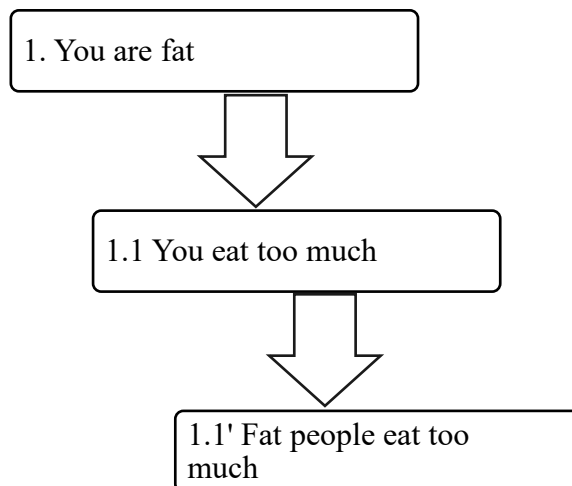
You are fat, because you eat too much.

The single argumentation presented in this utterance has one explicit premise;

you are fat

To attain a more comprehensive understanding for the assessment of an individual argument, analysts render the unarticulated premise explicit. For instance, the implicit premise emerges as follows;

fat people eat too much).



**Figure 2.1 Single Argumentation (Field notes)**

### 2.3.2 Subordinatively compound argument structure

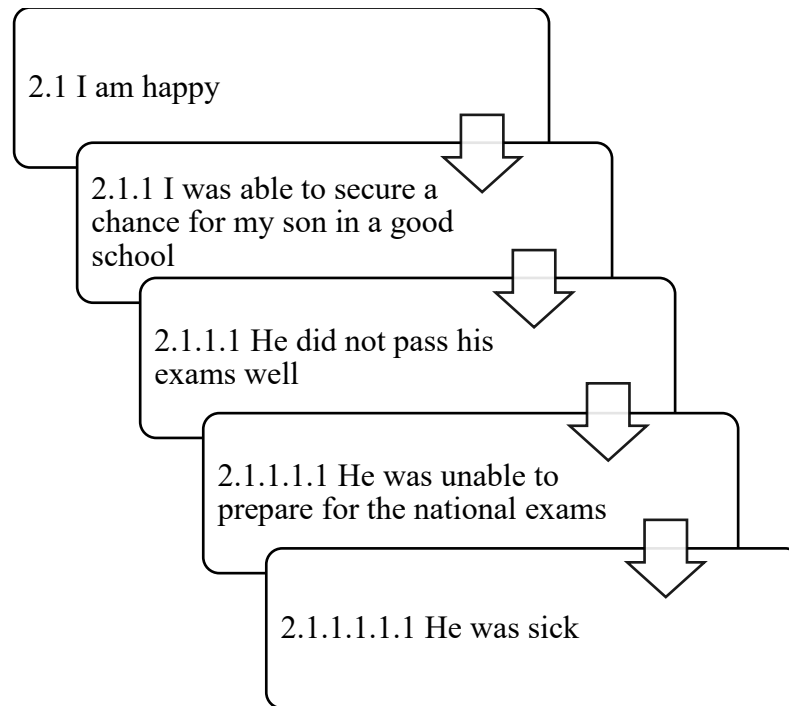
This is the first sub type of complex structured argumentation (Snoeck-Henkemans, 2001:101; van Eemeren, Grootendorst & Henkemans 2002:63-66).

In subordinative argumentation, an individual offers a rationale to bolster another rationale. In essence, arguments serve as foundations for subsequent arguments, typically involving a defense of the original position, constructed in a layered manner. The discussant continues to present corroborative arguments until the defense reaches a definitive conclusion. In this mode of sequential or interconnected reasoning, the most fragile component significantly impacts the overall robustness of the argumentation framework (van Eemeren *et al.*, 1996 16-18). Discussants employ subordinative argumentation because they anticipate an expression of doubt from the antagonist. The discussant provides further defence through a sub standpoint and the defences put forward for the sub standpoints are referred to as sub argumentation (van Eemeren *et al.*, 2002). The argument denoted as 1.1 is characterised by sub arguments denoted by 1.1.1 and sub sub arguments denoted by 1.1.1.1 in a series.

An example is:

I am happy because I was able to secure a chance for my son in a good school because he did not pass his exams well because he was unable to prepare for the national exams well because he was sick

Van Eemeren *et al.* (1996:19) characterize the argument structure articulated in this sentence as a subordinatively compound argumentation, illustrating this structure in figure 2.2.



**Figure 2.2: Subordinatively compound argumentation structure**  
 (Source: van Eemeren 1996; 19)

In this kind of argumentation, the speaker always anticipates that a sub-standpoint part of his argumentation needs further defence (“sub-argumentation”). This “sub-argumentation” may contain a “sub-sub-standpoint” which is further defended with a “sub-sub-argumentation” (Van Eemeren, Grootendorst & Henkemans, 2002: 66).

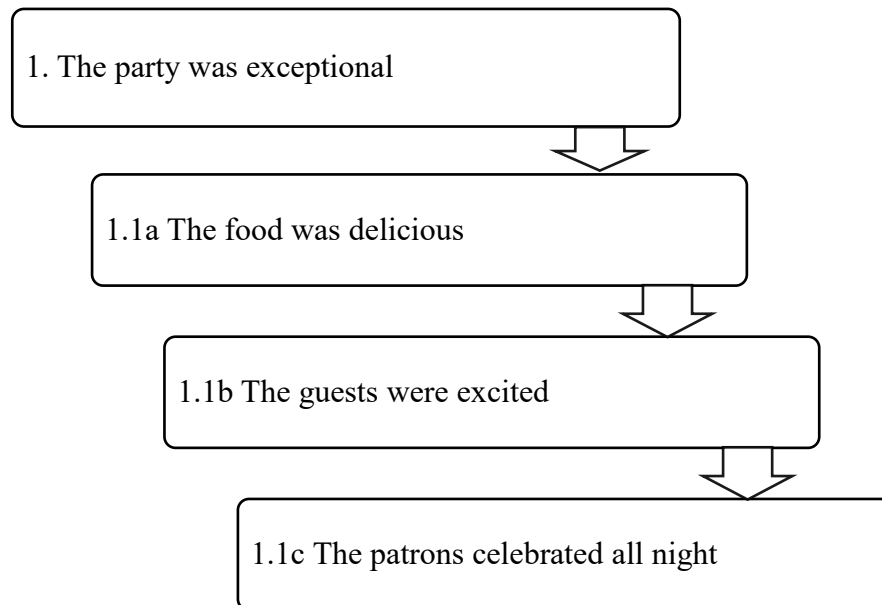
### **2.3.3 Coordinatively compound argument structure**

Coordinative argumentation is a distinct category of complex reasoning. In coordinative argumentation, a participant intentionally defends a position through a synthesis of interrelated arguments that collectively strengthen the defense and must be considered in conjunction. The individual arguments are interconnected in parallel, as each may be insufficient to robustly support the position or its counterargument. The second argument substantiates the first argument (Van Eemeren, Grootendorst & Henkemans, 2002: 65). In coordinative argumentation, the arguments presented in

support of the position are interdependent. An example of coordinative argumentation is the sentence below:

The party was exceptional, for the food was delicious and sufficient, the guests were overwhelmed at the hospitality, and the patrons celebrated all night.

The structure of such coordinative argumentation is illustrated in figure 2.3:



**Figure 2.3 Structure of Co-ordinatively compound argumentation**

(Source; van Eemeren *et al*, 1996; 18)

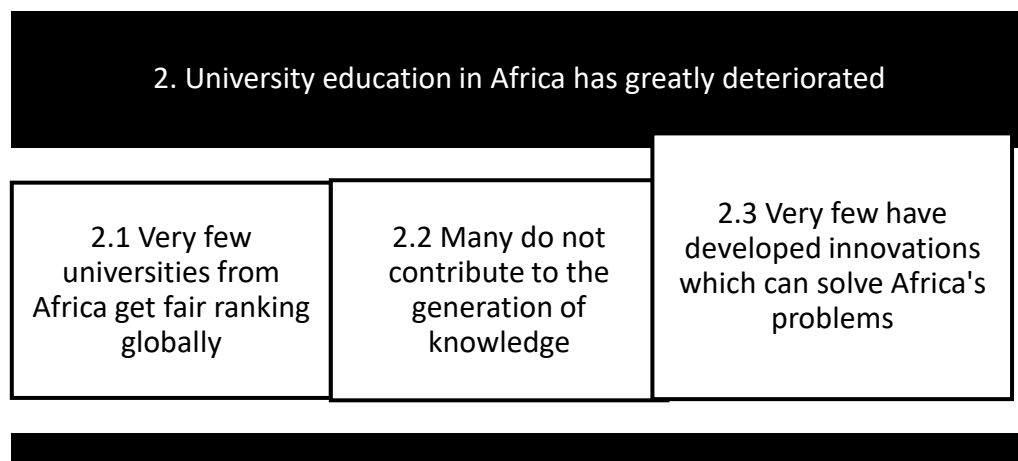
#### **2.3.4 Multiple argument structure**

The third type of complex argumentation, multiple argumentation, consists of arguments that are not connected but are interdependent. The arguments presented are alternative defences of the standpoint, and they are of equal leverage. In multiple argumentation each defence is self-representative and sufficient to defend a particular standpoint (Siblatani, 2024). Discussants assume that in presenting multiple defences there is a possibility of one of the defences being accepted by the other party.

A good example of a complex argumentation with multiple argumentations is shown below:

University education in Africa has greatly deteriorated. Apart from the fact that very few universities from Africa get fair ranking globally, many do not contribute to the generation of knowledge and very few, if any, have developed innovations which can solve Africa's problems.

Diagrammatically, this is depicted in the figure 2.4:



**Figure 2.4. Structure of Multiple Argumentation**

(Source: van Eemeren *et al*, 1996; 17)

In the aforementioned example of multiple argumentation, the three arguments supporting the standpoint are independent assertions. Eliminating any one of them does not undermine the validity of the remaining two arguments, which are still regarded as conclusively acceptable in support of the position. The defenses are numerous yet concurrently varied. In the examination of intricate argumentation, it may not be immediately evident whether the argument in question is subordinate, coordinate, or multiple. It is conceivable that a compound argumentation may encompass multiple types of argument structures. This necessitates the examination of practical and contextual elements, as well as the unique characteristics of speech

acts within the analysis (van Eemeren *et al.*, 1996:18). In order to dissect the internal composition of a singular argument, the examination of argument schemes is emphasized.

As van Eemeren *et al.* (1996) says, argument schemes show "the 'internal organization' of individual single arguments, that is the principles on which these arguments rely in defending the positions in question through the premises." The schemes delineate the relationship between the premises and the conclusions that a singular argument seeks to substantiate or contest. The criteria, principles, and assumptions pertinent to justifying or refuting a position are addressed in the discourse via the examination of argument schemes. Argumentation schemes serve to analyze and assess arguments, in addition to forming a foundation for an individual's argumentative proficiency in a language (Garssen, 2001: 81). Van Eemeren, Grootendorst, and Snoeck-Henkemans (2002: 95) assert that the capacity to effectively utilize argument frameworks will affect the validity of an argument.

There exist three principal categories of argument schemes, each associated with a distinct form of argumentation: symptomatic, analogy, and causal relation (van Eemeren, Grootendorst & Snoeck-Henkemans 2002: 95-102). Initially, argumentation founded on a symptomatic relationship depicts a situation in which an interlocutor advocates a position by referencing a characteristic or distinguishing feature of what the position asserts. The shown characteristic is typically a symptomatic culmination or indication of another factor. Consider this example:

Bill is very egocentric because he is an only child.

(Egocentrism is a characteristic of people who are an only child)

*Van Eemeren et al, 2017*

The speaker presents a defense of the standpoint (Bill is egocentric) by presenting a distinct but symptomatic trait of what he/she thinks of being egocentric (characteristic of being an only child). The justificatory force of the argument would show a certain sign, symptom, or distinguishing mark of what is claimed in the standpoint (van Eemeren et al, 2002). The argument scheme for symptomatic relation can be presented below:

Y is true of X  
Because: Z is true of X  
And: Z is symptomatic of Y

**Figure 2.5 Standard Pragma-Dialectical Account of Symptomatic Argumentation**

(Source: Van Eemeren, Grootendorst and Henkeman, 2002; 97-98)

From the above argument scheme, these critical questions need to be asked:

Aren't there also other non-Ys that have the characteristic Z?  
Aren't there also other Ys that do not have the characteristic Z?  
(Van Eemeren, Grootendorst & Henkeman 2002: 97-98)

In symptomatic argumentation, a concomitant relationship exists between the reason presented and the defended perspective. The foundation of concomitance is that if one element is symptomatic, it serves as a token or indicator of the other (van Eemeren *et al.*, 2019). Two forms of symptomatic reasoning exist: argument from authority and argument from example (Nyanda, 2016). In an argument from example, a generalization or rule is established by showcasing several distinct situations as representative of a broader principle (Van Eemeren *et al.*, 2007:98). The supplied information in the standpoint is utilized to get the conclusion. The evaluation criteria employed in the pragma-dialectical approach to assess this sort of argumentation are articulated as critical inquiries: Are the particular instances representative of the current situation? Are the particular cases indicative? Are the particular instances

adequate to justify the generalization? Are the particular instances representative of other circumstances? (Van Eemeren et al. (2007); Van Eemeren et al.,2002). The antagonist, uncertain about the warrant, will pose essential concerns during a critical conversation concerning the protagonist's argument from example. The antagonist's doubt must be dispelled and the argumentation must be deemed acceptable by providing satisfactory responses to all queries.

The second subtype of symptomatic argumentation is the argument from authority. The argument from authority is further categorized into two subtypes: argument from administrative authority and argument from expert opinion (Walton and Koszowy, 2017). The argument from administrative power is employed during deliberations when parties must make a decision in a circumstance necessitating a choice. This is represented in the argument scheme below;

S is an administrative authority in institution P  
According to S, I should do X  
Therefore, I should do X

**Figure 2.6 A Standard Pragma-dialectical account of Argument from administrative authority**  
(Walton, 2015)

The pivotal questions that a skeptical antagonist might pose, anticipating a satisfactory response, are as follows: 1. Do I come under the authority of institution P? 2. Does what S say apply to my present circumstance C? 3. Has what S say been interpreted correctly? 4. Is S genuinely in a position of authority?

In the argument from expert opinion, an individual's expertise or specialized position is regarded as an indication that the proposition attributed to them is valid (Van Eemeren *et al.*, 1992:161; Van Eemeren & Kruijer, 2015). The justification for the

conclusion in this argumentation is ascribed to the proficiency of the individual, document, or entity involved. The argument from authority involves the endorsement of a position by invoking an external source that possesses the requisite knowledge or expertise to substantiate the conclusion (Van Eemeren, 2009:86; Van Eemeren & Houtlosser, 2015). The source of authority need not be an individual; it can also manifest as a text, such as the Bible or any other work recognized as authoritative. In an argument from authority, the speaker connects their argument to an individual whom they believe the audience regards with a certain level of intellectual credibility (Schellens & De Jong, 2004; Wagemans, 2011). The discussant posits that the presence of authority enhances the credibility of the perspective presented. The assessment of an appeal to authority is contingent upon the discussant's capacity to address the pivotal inquiries outlined in the evaluative criteria of the discourse. The standards for evaluating this argumentation hinge upon the subsequent analytical inquiries: (1) Does the source possess relevant expertise concerning the opinion presented? Is the source reliable? (3) Is the individual in question a true authority in their field? (Šorm, 2010; Van Eemeren, Garsen & Meuffels, 2015). Nevertheless, the essential inquiries for assessing an appeal to authority differ in each instance, contingent upon the nature of the activity and the type of authority involved (Van Eemeren & Garssen, 2015). The significance of these inquiries cannot be overstated when assessing arguments derived from authority, as they serve to ascertain their validity. The adversary must pose these inquiries when the protagonist seeks the endorsement of a particular authority during a pivotal discourse. An unfavorable affirmative response to any of the inquiries renders the conclusion unjustifiable.

Argumentation based on analogy represents a case-based argument scheme wherein a standpoint is upheld by referencing a case within the standpoint that bears resemblance to another case mentioned in the argument. Analogical argumentation, often termed comparison argumentation, examines analogy as a method for substantiating inferences within arguments. In this form of reasoning, a juxtaposition is typically established between the proposed assertion, which constitutes the argument, and the position being upheld. An illustration of this analogy can be observed in the following sentence example;

The Porsche and the Chevrolet are both in the Ksh 50,000 price range, and the Porsche is of excellent quality. Therefore, the Chevrolet is probably also of excellent quality. (*Juthe, 2015*)

This argument scheme can be represented in the standard pragma-dialectical account as shown below;

1. Y is true of X (Standpoint)  
Because: 1.1 Y is true of Z (Argument)  
And: 1.1' Z is comparable to X (linking premise)

**Figure 2.7. Argument scheme for Argument by Analogy**  
(*Juthe, 2015*)

However, in analogical argumentation the acceptability of the standpoint is based on the factor of probability since the linking premise does not conclusively qualify the relationship between the argument and the standpoint. For example, to say that;

This vaccine works on cows. Therefore, it may also work on humans,

The example listed above provides a clear example of advancing a single argumentation which can be reconstructed in the standard pragma-dialectical scheme as follows;

1. The vaccine may work on humans (Standpoint)
  - 1.1 The vaccine works on cows (Argument)
    - 1.1'(Cows are comparable to humans) [ Implicit linking premise]

**Figure 2.8. Pragma-Dialectical reconstruction for Analogic Argumentation (Juthe, 2015)**

The aforementioned analogical reasoning is insufficient for drawing definitive conclusions regarding the vaccine's impact on humans in comparison to its effects on cows. Nevertheless, the premise posits that cows and humans share a fundamental physiological characteristic, which serves as the ambiguous factor for drawing comparisons between the two entities. In light of this element, the discussant is encouraged to connect the vaccine's impact on human beings. This ambiguous relationship engenders skepticism in the antagonist regarding the validity of the perspective that is intended to establish its own legitimacy.

Walton (2006: 96) delineates the framework of an argument from analogy, grounded in the principle of resemblance:

SIMILARITY PREMISE: Generally, case C1 is similar to case C2

BASE PREMISE: A is true (false) in case C1

CONCLUSION: A is true (false) in case C2.

Finally, when a position is upheld through the lens of causality linking an argument to that position, the resulting framework of argumentation is characterized by causal relations. In a causal relationship, one participant endeavors to persuade another of the validity of a position by highlighting that one element serves as a means to achieve another. In causal argumentation, the validity of the standpoint is conveyed to the conclusion by demonstrating a causal relationship between the argument and the standpoint (van Eemeren *et al.*, 1992). Therefore, the assertion made in the argument serves as a causal element for the perspective or the reverse. The rationale put forth in the argument logically culminates in the effect articulated in the position, thereby

substantiating the conclusion drawn. Pragmatic argumentation represents a specific category of clausal argumentation utilized in contexts where decisions regarding plans, policies, or courses of action must be deliberated (Nyanda, 2016). On one hand, participants analyze the plan or course of action by considering its favorable outcomes or advantages resulting from specific actions (positive effects). Conversely, they also scrutinize the plan, policy, or course of action by assessing the potential negative consequences it may engender. Pragmatic argumentation serves as a prevalent form of discourse within parliamentary practice, wherein the legislation presented to the assembly is assessed based on the advantages it offers to the constituents represented by the discussants, specifically the Members of County Assemblies.

The critical questions to ask in order to vouch for the acceptability of standpoints in the evaluation of argument by causal argumentation are; (1) Does the established cause in fact lead to the mentioned results? (2) Are there any other factors that must be present, together with the proposed cause, to create the mentioned results? (3) Could the proposed results be caused by something else as well? (Garssen, 1997; as cited in Van Eemeren *et al.*, 2007:165:166). In order to remove doubt and vouch for acceptability of the standpoint, the critical questions have to be responded to satisfactorily. The pragmatic argumentation is represented as below in the standard pragma-dialectical account;

Variant I

Standpoint: Action X should be performed

Because: Action X leads to desirable consequence Y

(And:) (If an action leads to a desirable consequence, then that action should be performed

**Figure 2.9 Positive Variant of Pragmatic Argumentation Scheme**  
(Source: van Poppel, 2013: 67)

This positive variant of the pragmatic argumentation scheme illustrates that an action has desirable consequences and therefore should be performed. The negative variant of this pragmatic argumentation scheme will illustrate why certain action should not be performed because it has undesirable consequences.

#### Variant II

Standpoint: Action X should not be performed

Because: Action X leads to undesirable consequence Y

(And:) (If an action leads to an undesirable consequence, then that action should not be performed)

#### **Figure 2.10 Negative Variant of Pragmatic Argumentation Scheme**

*(van Poppel, 2013: 68)*

In our analysis of debates, we will attempt to identify and analyse the different variants of pragmatic argumentation schemes as they are used by discussants on the Hansard records of transcripts.

### **2.4 Argument Schemes**

Walton & Godden (2005: 476) define argument (argumentation) schemes as stereotypical patterns of defeasible reasoning that typically occur in common, everyday arguments (Blair, 2011; Walton, 1990). There are three main argument schemes in the pragma-dialectical theory (van Eemeren & Grootendorst, 2004:4).

The first is symptomatic argumentation, where acceptability of the premises is based on a “relation of concomitance” between that which is stated in the argument and the standpoint (Van Eemeren & Grootendorst, 1992: 94-102). This argument scheme has other sub-types, such as argument from example and argument from authority. In argument from example, a generalization is made on the basis of specific perceptions (Garssen, 1997; as cited in Van Eemeren *et al.*, 2007). In the case of argument from

authority, an appeal to someone's expertise or special position is made (Van Eemeren & Grootendorst 1992).

The second category of argument schemes in the pragma-dialectic theory is argumentation by comparison, where the acceptability of the premises is based on a relation of analogy (Van Eemeren & Grootendorst, 1992). The third category is causal argumentation, where acceptability of the premise is built on a relation of causality between the argument and the standpoint (Van Eemeren & Grootendorst, 1992). There are three cases that are connected to this type of argument: the argument presents something as cause of the effect that is mentioned in the standpoint; the argument presents something as a means to an end; and the argument presents something as an action with certain effect (Van Eemeren *et al.*, 2002).

In each of the three instances, the participants employ an argument framework grounded in causal relationships. Should the primary objective of argumentation be to convince the audience, it follows that an individual presenting an argument aims for the audience to embrace their position. To effectively persuade the audience, the individual presenting the argument must craft it in a manner that enhances its acceptability. Van Eemeren and Grootendorst (1992:96) note that a speaker endeavors to convey the acceptability of their premises to the conclusion of the standpoint.

The manner in which the speaker articulates their position and facilitates transfer is instrumental in fostering an interactive dynamic, thereby persuading the listener to embrace the speaker's viewpoints.

Perelman (1982) notes that a speaker may enhance the acceptability of positions by employing argument schemes. One approach to achieving this involves the arguer selecting an appropriate argument scheme, tailored to the specific context, in order to

substantiate their premises and enhance the acceptability of their conclusion. Perelman (1982:13) articulates this with clarity, asserting that:

People who argue do not address what we call faculties, such as intellect, emotion, or will; they address the whole person, but, depending on the circumstances, their arguments will seek different results and will use methods appropriate to the purpose of the discourse as well as to the audience to be influenced.

The articulation of arguments in debates is profoundly shaped by the specific audience the speaker aims to persuade. The reasoning supporting the argument, along with the prevailing circumstances, necessitates the individual to undertake a particular course of action. Perelman (1982:11) succinctly encapsulates the essence of persuasion in argumentation by asserting that it seeks 'to influence an audience, to alter an audience's beliefs or inclinations through discourse, and it endeavors to attain a consensus rather than imposing its will through coercion or conditioning.' Thus, the concept of the audience's endorsement of the arguer's claim is a key tenet of argumentation, as it would be ineffectual for an arguer to deliver an argument without the objective of obtaining the audience's concurrence.

Sorm (2010; as cited in Nyanda, 2016) conducted an investigation into three distinct categories of arguments and their persuasive characteristics: the argument from cause and effect, the argument from example, and the argument from authority. The research investigated the extent to which arguments adhering to established criteria for argumentation possess greater persuasive power compared to those that do not, by analyzing and contrasting the specified criteria within formal argumentation and those employed by laypersons. The purpose of the comparison was to ascertain whether the criteria outlined in argumentation theory for evaluating arguments align with those that non-experts typically employ. The research indicated that non-experts employed

criteria specific to the schemes, which closely resemble those recognized in the realm of argumentation theory. Nonetheless, a degree of variation was observed in the criteria, as certain criteria were articulated by the majority of respondents, while others were referenced by only a minority.

In the realm of persuasion, Sorm (2010) observes a certain alignment between normative theoretical criteria and those articulated by laypersons, albeit with notable variations in the degree to which laypeople convey these criteria. The criteria for evaluating the quality of arguments seem to be integral to the argumentative abilities of the general populace. The effectiveness of normatively strong and weak arguments in persuasion seems to be constrained by the conventional standards of evaluation. In instances where non-experts engage in comparative discourse, they reference standards that are similarly found within academic literature. In experimental contexts, it is not uncommon for arguments that fail to satisfy established criteria to be employed in an attempt to sway participants. Consequently, the traditional legitimacy of evaluative standards may, in a broad sense, partially pertain to the context in which individuals assess the acceptability of a claim bolstered by arguments that either conform to or diverge from these standards.

Consequently, the findings of Sorm's study (2010) indicate that an argument fulfilling all the criteria established in argumentation theory does not necessarily guarantee its effectiveness in persuasion. This occurs as individuals without specialized knowledge assess arguments not solely through the established criteria of argumentation, but also through additional standards that do not align with those criteria. The findings of the study provide valuable insights into how non-experts assess arguments. The analysis conducted by Sorm (2010) is constrained in that the arguments examined were formulated for experimental purposes and may not accurately represent the general

public's assessment of argumentation in real-world contexts. Sorm (2010) further notes that not all academics engage in argumentation. The present investigation diverges from the conclusions drawn by Sorm (2010) as it aims to ascertain the manner in which participants assess one another's arguments, particularly regarding the role these arguments play in addressing a divergence of viewpoints. The dialogues within county assemblies are conducted with great care, as they seek to provide rational support for positions in pursuit of success in merit-based debates.

In the context of argument quality and persuasion within the framework of pragma-dialectic theory, Nyanda (2016) conducted an investigation into the characteristics of argument quality as observed in Tanzanian parliamentary discourse conducted in Kiswahili. The research examines the expression of all three argument schemes within parliamentary Annual Budget Speeches and associated debates, encompassing all three instances linked to causal argumentation. The analysis also scrutinized the arguments put forth by ministers and MPs in relation to the audience being addressed. Moreover, the research examined the rationale presented by ministers and MPs concerning the criteria suggested within the framework of pragma-dialectical theory. The research indicated a notable variability in how ministers and MPs employed the three argument schemes, with the argument from cause and effect (symptomatic argument scheme) being prominently featured in speeches and associated debates. The research additionally demonstrated that ministers and MPs restructured their arguments through strategic navigation of topic potential, responsiveness to audience expectations, and the use of presentational techniques.

Johnson (2013:544) posits that, upon the presentation of an argument, varied responses will emerge from the audience members. Some individuals may pose inquiries, others might present counterarguments, while yet others will articulate

apprehensions and convey endorsement or backing. For him, numerous potential reactions to an argument from an audience exist, thereby complicating the assessment of the argument's impact on the audience. The unresolved inquiry pertains to the means by which an arguer discerns the acceptance of their argument by the audience, given the absence of a definitive mechanism to ascertain whether the audience has embraced the argument presented (Johnson, 2013:544). According to Johnson (2013), examining argumentation through the lens of acceptance may not provide the most accurate insight into the dynamics of argumentation. Johnson (2013) proposes that an argument should be examined through the lens of its impact, its capacity to effect change, or its contribution to the discourse surrounding the issue. Nonetheless, Johnson's (2013) perspective overlooks the reality that the absence of mechanisms to gauge audience acceptance of an argument does not inhibit an arguer from striving for the audience's endorsement of their argument. The present investigation aligns with Johnson's (2013) findings, positing that argumentation plays a significant role in effectively addressing differing opinions. This can be achieved through an analysis of the argument schemes utilized by participants and various strategies employed to influence their audience.

The type of argument scheme considered prototypical is an issue that occurs in other studies such as Basweti (2018). Basweti (2018) did a study on the use of pragma-dialectical theory in the medical genre. Basweti (2018) investigated argumentative discourse of Ekegusii doctor-patient consultations and how the discussants strategically manoeuvred by analyzing simulated medical consultations between doctors and patients in Ekegusii language. Basweti (2018) observed that discussants continually exploit linguistic and psychological convergence and divergence in their choice of presentational devices in order to accommodate the institutional constraints

of the two institutions and realizing the institutional point. Basweti (2018) further established that discussants employ pragmatic argumentation as the main argument in order to defend the desirable effect of a standpoint. The current study seeks to find out which argument schemes are frequently used in county assembly discourses with a view to complementing findings from other related studies. The current study used a thematic approach in examining strategies employed by protagonists in their argument schemes while employing the pragma-dialectical theory. The study thus examined discursual functions of argument schemes employed in debates in order to help us understand how arguers seek to avoid potential conflicts in argumentative debates while at the same time persuading the other party and pushing a topic in the protagonist's favour.

### **2.5 Strategic Manoeuvring in parliamentary discourse**

Ilie (2015) notes that in order to understand the role of parliamentary discourse practices in identifying, defining, and articulating the citizens' concerns and interests, we need to explore the recurring linguistic patterns and rhetorical strategies employed by arguers that help reveal their ideological commitments, hidden agendas, and argumentation tactics. The aim of strategic manoeuvres during argumentation is in an attempt to maintain a balance between the dialectical aim of reasonableness and the rhetorical aim of being effective. Ilie (2015) examined the use of rhetorical strategies, specifically parliamentary parentheticals in a study of the British House of Commons. Ilie (2015) observed that parentheticals are used to represent an apparent disruption of a standpoint in parliamentary debates. This interruption serves to signify a rhetorical transition from one subject to another, or to either broaden or refine the focus or scope of a given topic. The research observed that speakers modify their ongoing discourse in response to the context, their conversation partners, or their audiences, as well as

their ultimate objectives, through the incorporation of parentheticals. The research findings indicate that parentheticals serve as either a localized or overarching method for planning, signaling, elucidating, justifying, and assessing various competing viewpoints within parliamentary discussions.

Leff (2014) proposes the inclusion of the rhetorical dimension in pragma-dialectics in order to cater for inadequacies that make it possible to adopt a strategic design of the discourse for purposes of analysis. This is what constitutes strategic maneuvering. Strategic maneuvering thus constitutes both the dialectical and rhetoric aims of argumentation. While the dialectical component in a discussion lays emphasis on achieving reasonableness in debates, the rhetorical dimension seeks to provide sound and acceptable arguments which are deemed effective in resolving differences of opinion on the merits.

A number of studies examine the use of words or phrases in standpoints that can be used to qualify a standpoint. Tseronis (2009) did a study on the effectiveness of stance adverbs as presentational devices to manage burden of proof while at the same time proposing a standpoint in a discussion. Tseronis' (2009) study revealed that arguers use stance adverbs to qualify a standpoint since qualifying one's standpoint in a discussion is one way of signaling to the antagonist what one considers to be the interpretation of the common ground to be, and thus the use of the adverb as qualifying the standpoint constitutes a suggestion of how the testing of the standpoint could develop on such grounds. The current study varies from Tseronis' (2009) study in that the current study not only considered stance adverbs as qualifying standpoints but stance adverbs as they are used in all the discussion stages of a critical discussion in debates in Nairobi County assembly. The essence of our evaluation of the use of stance adverbs was on their application as persuasive tools in debates by both protagonists

and antagonists and how each of these parties employs the stance adverbs to complement the argument schemes in the debate discussions.

Tseronis (2009) further studied how stance adverbs can be used to qualify the utterance that functions as a standpoint in argumentative discussions that have been reconstructed from discourse in advertisements. Data was obtained from the COBUILD corpus from where examples illustrating the use of stance adverbs were taken. Tseronis (2009) proposed a systematic way of qualifying a standpoint using stance adverbs in pragma-dialectical terms and how such insights can be exploited for the analysis and evaluation of arguments. This finding supports Biber et al. (1999) who notes that stance adverbs such as modal adverbs, evidential adverbs, and domain adverbs may be considered as qualifying standpoints expressed by the protagonist, especially where the antagonist expresses doubt of the positive standpoints expressed by the protagonist at the confrontation stage. The present study considers the application of stance adverbs in supporting and refuting standpoints presents by the discussants and thus help the analysts when analysing and evaluating discourse in all the discussion stages of debates in Nairobi County assembly.

Tonnard (2011) examines the presentational choices used by arguers in confrontational strategic manoeuvring in the Dutch parliamentary debates when seeking to get a priority issue to be discussed. The study examined how presentational choices are used to shift the topic of discussion or polarize standpoints of the protagonist during the confrontational stage in parliamentary debates. The study findings are that presentational devices used to exploit a specific tactic do not sufficiently indicate how topic shifting or polarizing manoeuvre should be evaluated. Secondly, topic shifts and polarizing are also likely to lead to fallacies such as 'violation of the standpoint rule' and 'violation of the freedom rule'. the current study compares with Tonnard (2011)

in terms of its use of presentational choices by discussants in Nairobi County assembly to complement standpoints. The current study, however differs with Tonnard (2011) as it considers topical choice or shift not as an independent phenomenon worth studying when evaluating utterances in debates in Nairobi County assembly but that topic shifts are explained in terms of their occurrence as part of presentational choices in the discussion stages of debates in Nairobi County assembly.

Framing argumentation in metaphorical terms may be instrumental in politicians trying to convince the electorate of their standpoints because such metaphorical frames may introduce a perspective on the issue under discussion that is favourable to the speaker and either favourable or unfavourable to the antagonist (Lavalette, 2021: 22). Lavalette's (2021) study explored the mechanisms by which politicians utilize metaphors to sway debates in their favor, as well as the strategies employed by opposing parties to counter these metaphors, aiming to secure outcomes in parliamentary discussions that align more closely with their own argumentative objectives and interests. Lavalette (2021) further demonstrated that metaphor can be utilized in a deliberate effort to elucidate a politician's ideological commitment, and how such metaphors can be contested by emphasizing the distinctions between the compared concepts, thereby hindering their continued application. The findings of this study are significant because they offer empirical evidence of the role of metaphors in advancing a proposal for a starting point, and that metaphors elicit resistance since they are not immediately accepted by arguers when used as strategic manoeuvring devices. However, Van Eemeren (2010) doubts the possibility for critical discussion in political domain such as parliament because the participants enter a discussion unprepared to subject their thinking to critical scrutiny, and often they have a vested interest in specific outcomes. In this situation, chances of an ideal critical discussion

might be minimal. The current study compares with de Lavalette's (2021) study in that it employed the use of the pragma-dialectical theory in analysing debates in Nairobi County assembly. The point of departure between Lavalette's (2021) study and the current study is that Lavalette's study further employed the metaphor theory and their role in proposing starting points and how antagonists employed metaphors to resist the ideological commitments of their opponents during debates in the European parliament. The current study identified and described the use of metaphor as a presentational device alongside other presentational devices that discussants employ in debates. The current study enriches the pragma-dialectical theory by applying metaphor as presentational devices as part of strategic manoeuvring by discussants in supporting one's standpoints.

The pragma-dialectic approach categorizes parliamentary discourse, as a form of argumentative discourse, within the framework of deliberative communicative activities. This form of engagement originates from an anticipated divergence of opinions between two parties regarding matters where their perspectives, as well as those of an audience, differ significantly. The matters presented in legislative bodies are upheld by articulating positions that bolster them, while simultaneously, counterarguments are also put forth to challenge these positions (Van Eemeren & Houtlosser, 2001; Van Eemeren, 2010). In the examination of argumentative discourse, it is essential for the analyst to meticulously reconstruct the process of exchanging moves among the participants involved and to concentrate on those moves that facilitate the attainment of a consensus based on merits (Van Eemeren, 2010).

Engaging in argumentative discourse is essential for collaborative decision-making in the realms of politics and other similar discussions. To enhance the quality of their arguments, individuals often employ various strategies, including the use of multiple

arguments and diverse schemes and structures of reasoning. This aims to enhance the credibility of their positions. Nonetheless, discourse within parliament is bound by established rules and regulations, necessitating adherence to prescribed parliamentary procedures (Van Eemeren, 2010). Participants in argumentative discourse, while engaging in a critical discussion, seek not only to foster a reasonable exchange of ideas but also to conclude the dialogue in a manner that favors their position. This compels participants in the discourse to leverage the opportunities present within the dialectical framework to enhance the persuasiveness of their arguments among fellow discussants. To attain this objective, participants in discourse employ various strategies to enhance their likelihood of prevailing in the discussion. This concept is identified as strategic manoeuvring within the framework of pragma-dialectical theory.

In argumentative discourse, strategic manoeuvring is manifested in three aspects: topical potential which relates to the choice between a set of relevant alternatives; adaptation to audience demand which entails adjusting to the listener's or readership's expectations and preferences; and presentational devices, which is the phrasing of moves in the light of their discursive and stylistic effectiveness (Van Eemeren & Houtlosser, 1999; Van Eemeren & Houtlosser, 2001; Van Eemeren & Houtlosser 2002; Van Eemeren, 2009; Van Eemeren, 2010). The three aspects occur at every stage of a discussion and an arguer utilizes them to maximize the acceptability of one's standpoint.

Van Eemeren (2010) further contends that given a difference of opinion, arguers may choose the material they find easy to defend in the discussion; they may opt for the perspective more agreeable to the audience; and they might present their moves in the most effective wording (Van Eemeren, 1999). However, as discussants aim for

effectiveness, they are expected also to be reasonable and to bring a balance between reasonableness and effectiveness (Van Eemeren, 2010). If there is no balance between the two, the strategic manoeuvring has derailed. This occurs when there is heavy emphasis on effectiveness or on reasonableness and the process of resolving a difference of opinion on the merits is thus distorted (Van Eemeren, 2010).

Van Eemeren and Houtlosser (2001) apply the pragma-dialectical theory to examine how MPs manoeuvre strategically in the debate on fox hunting in Great Britain. In the debate the difference of opinion is obvious as the anti-hunters view fox hunting as a “cruel and barbarian practice” and hence the need for the practice to be abolished (Van Eemeren & Houtlosser 2001:154). The proponents of hunting argue that “cruelty is the battery hen and the veal pens,” characterizing foxhunting as a “treasured tradition of rural life” (Van Eemeren & Houtlosser 2001:154). Van Eemeren and Houtlosser (2001) note that Members of Parliament engage in strategic maneuvering by choosing aspects of the topic that are readily defensible. The perspective of pro-hunters is that the legislation aims to undermine a longstanding element of rural existence.

The analysis reveals that pro-hunters engage with their audience by positioning themselves as the guardians of rural traditions, standing in opposition to urban encroachment (Van Eemeren & Houtlosser, 2001:155). Their diverse perspectives highlight the autonomy that rural inhabitants experience and the necessity for them to be permitted to uphold their customs, particularly in the context of fox hunting. In the realm of presentational devices, both proponents and opponents of hunting select terminology that evokes powerful imagery, such as 'oppression' and 'justified revolt,' to enhance the persuasiveness of their arguments. In their examination of the discourse, Van Eemeren and Houtlosser (2001) assert that the rhetorical maneuvers

employed during an argumentative encounter can be accurately understood through a dialectical lens.

In the process of strategically navigating their roles, MPs employ various tactics to guarantee the acceptability of their arguments. These methodologies encompass the application of various forms of argumentative frameworks. The insights derived from the various studies referenced earlier hold significance for the current investigation, particularly regarding the discourse surrounding presentational devices, their interpretations, and the diverse argument structures employed by county assembly members. These elements may prove instrumental in persuading their opponents to align with their perspectives, thereby facilitating the resolution of differing opinions on substantive issues.

The following studies illustrate the limitations placed on strategic manoeuvring within the context of institutionalized argumentative discourse. Van Eemeren and Garssen (2010) alongside Plug (2010) undertook investigations into the intricacies of strategic manoeuvring within debates occurring in the European parliament. Van Eemeren and Garssen (2010) elucidate the dynamics of legislative and policy debates within the European Parliament, highlighting how strategic manoeuvring is contingent upon established conventions of discourse and the dual allegiance of discussants to both Europe and their respective home nations.

Individuals engaged in various forms of communication navigate with intention to achieve their organizational objectives within the defined broader context, ensuring that their approach is both rational and efficient (Van Eemeren & Garssen, 2010:23). Nevertheless, the established institutional regulations may influence strategic maneuvering within the discourse, both by imposing limitations on the potential for

such maneuvering and concurrently generating distinct opportunities for it. In the discourse surrounding non-legislative proposals, Van Eemeren and Garssen (2010) note that during the initial phase of the debate, MEPs present a positive stance, articulating their agreement with the proposal, or conversely, a negative stance, indicating their dissent.

A Member of the European Parliament may articulate a conditional agreement, contingent upon specific amendments being made. The structure of the debates within the European Parliament is predominantly monological, with the speaking time allocated to MEPs and the overall duration of the debate being predetermined. Van Eemeren and Garssen (2010) indicate that strategic manoeuvring within the European Parliament is limited by established institutional regulations, including the format of debates and the nature of activities, particularly the political objectives pursued by MEPs. The examination further reveals that, in deliberating on European agricultural policy, MEPs utilize illustrative arguments to demonstrate the potential consequences of inadequate agricultural policy on the advancement of Europe and their respective nations, should the proposal be enacted.

Van Eemeren and Garssen (2013) assert that the institutional prerequisites for strategic manoeuvring within argumentative discourse during plenary debates in the European Parliament are shaped by the initial context, specifically the procedural and material foundations, as well as the specific argumentative tools and critiques employed. Furthermore, the varied political backgrounds of the MEPs during this phase of European development significantly influence the manner in which parliamentarians endeavor to attain unity amidst diversity in contemporary argumentative practice.

Plug (2010) examines the role of argumentation through examples within the European parliament, highlighting various functions such as enhancing the clarity of the speech's message, capturing attention, maintaining engagement, and elucidating concepts. The use of illustrative examples may hold significance for parliamentarians in countering the claim that politicians often resort to ambiguous and obscured language. Nevertheless, Plug (2010) warns that argumentation based on examples is vulnerable to critique and, if not executed with precision, could result in the fallacy of hasty generalization. Plug (2010) employs the pragma-dialectical theory to investigate the ways in which MEPs can strategically leverage argumentation from example during plenary legislative debates. Plug (2010) also examines the characteristics of this argumentative discourse and illustrates how they can influence strategic maneuvering when presenting argumentation through examples.

Plug (2010b) notes that argumentation through examples is prominent in the stages of plenary legislative debates, particularly when the necessity for legislation is being deliberated. Nevertheless, the examination reveals instances in which MEPs face criticism for the examples provided, which are deemed unrepresentative for drawing conclusions. Plug (2010) illustrates that MEPs leverage their multifaceted roles as a strategy to enhance argumentation through exemplification, enabling them to cite instances from their respective nations. In pursuit of this objective, they engage in a manipulation of role dynamics to articulate their argumentation through pertinent examples that resonate with the discourse at hand.

The additional methods utilized by MEPs to illustrate their arguments through examples pertain to the diverse audiences within parliament. For MEPs to effectively advance an argument through example, it is essential that the example is both pertinent and familiar to the diverse audience they are addressing. Members of the European

Parliament must provide illustrations that resonate with a diverse array of audience members. Moreover, Members of the European Parliament often present exemplary instances, as their time limitations necessitate the selection of a singular example that they believe effectively encapsulates their argument. According to Plug (2010), MEPs utilize terms like ‘prime’, ‘typical’, and ‘characteristic’ to qualify their examples. Plug (2010) determined that the characteristics of the examined debates enable MEPs to engage in strategic manoeuvring through the use of argument from example. The present investigation aimed to discern the employment of linguistic expressions that imparted a sense of certainty to the arguments articulated during debates.

Garssen's (2015) research examined the attributes of activity type that influence the strategic maneuvering within debates in the European Parliament. The structure of the European Parliament is predominantly monological, allowing for limited opportunities to pose critical inquiries in response to the arguments presented by fellow MEPs. The procedural guidelines do not impose limitations on the application of argument schemes within the context of the debate. Nevertheless, the phase of argumentation within the European Parliament remains incomplete, lacking a definitive conclusion, as the divergent viewpoints have not culminated in “an intersubjective agreement on the outcome of the debate” (Garssen, 2015:38). Given the infrequency of consensus among MEPs during discussions, the conclusion of the decision-making process is marked by the casting of votes. Garssen (2015) asserts that two specific preconditions limit the strategic manoeuvring of MEPs during the debate. To begin with, Members of the European Parliament serve as representatives of the populace across Europe. When the interests of their respective nations are at stake, numerous MEPs tend to contest proposals that may be detrimental to their positions. This prerequisite necessitates a calculated approach that entails a deliberate choice from the array of

relevant possibilities. This compels MEPs to employ practical reasoning, potentially supplemented by illustrative examples, to highlight the adverse outcomes of the proposal currently under consideration. The second precondition is the observation that the enactment of EU regulations and policies within member states does not occur as straightforwardly as desired by EU politicians. Garssen (2015) observes that member states frequently exhibit delays in the implementation of regulations or outright refusal to adhere to them. This further limits the scope of discussion, as the Members of the European Parliament frequently depend on pragmatic reasoning and certain behavioral norms rooted in symptomatic argumentation to underscore the adverse effects of creating exceptions.

A comprehensive examination of strategic manoeuvring within parliamentary discourse was conducted by Tonnard (2011). Tonnard (2011) explored the strategic maneuvers employed by MPs to facilitate discussions on topics pertinent to their parties within the Dutch parliament. In light of the procedural regulations established by the parliament to limit strategic maneuvering, members of parliament seeking to engage in such tactics must identify effective methods for achieving their objectives. Tonnard (2011) sought to elucidate how presentational choices can facilitate a discussant in addressing a particular issue within the debate, while simultaneously avoiding distractions from the resolution of the differing viewpoints. Tonnard (2011) elucidated the manner in which discussants engaged in presentational strategies to attain the rhetorical objective of garnering the backing of prospective voters in parliament, all the while maintaining a semblance of reasonableness. This study draws connections to Tonnard's (2011) research regarding the strategic presentational choices available to discussants in the context of winning debates. Nevertheless, the

present study proceeds to analyze all three categories of strategic maneuvers that participants are inclined to undertake.

Tonnard (2011) concentrated on the aspect of presentational devices, analyzing how topic shift and polarization serve as strategies employed by discussants to introduce their topics into the discourse. In the examination of the General Debate concerning the budget of 2009, Tonnard (2011) discerned two methods for presenting a party's priority topics within the discussions. The initial strategy involves diverting the topic, wherein a participant seeks to eliminate the original matter from consideration and instead brings forth a discussion centered on the party's primary concern. The second phenomenon, topic polarization, transpires when an initiative seeks to transform a state of concord between the politician and the adversary regarding issues favored by the politician into a state of discord (Tonnard, 2011). Members of Parliament employ various strategies to introduce discussion topics of their preference or to redirect the conversation towards subjects they favor.

Tonnard (2011) outlines various strategies employed by MPs in the Dutch parliament to prompt discussions on particular issues, whether through topic shifts or by introducing polarization into the discourse. Two strategies pertain to the transition of topics: the first involves offering a critical response prior to presenting a new perspective, while the second suggests a critical response through the introduction of a new viewpoint. The initial strategy involves a discerning response to the perspective of the political adversary, promptly succeeded by the presentation of an alternative viewpoint. The second tactic involves promptly presenting the new perspective following the opponent's articulation of their position. Concerning the phenomenon of topic polarization, Tonnard (2011) elucidated two prevalent strategies utilized by Members of Parliament. The initial step entails attributing a perspective to the political

adversary. This approach solely articulates the newly adopted perspective. The second strategy entails complicating the process for the political adversary to reach an agreement. This action entails a politician adopting a novel perspective, which is met with a response of dissent from the opposing political figure (Tonnard, 2011).

The four strategies employed by politicians to alter or polarize a subject contribute significantly to the efficacy of their maneuvering. Tonnard's (2011) research indicated that Members of Parliament, especially those classified as "one issue parties," employ strategies to alter or polarize the subjects initially presented in parliament. These strategies enable Members of Parliament to broach subjects that align with their party's preferences while sidestepping challenging issues that may necessitate a stance, they find unpalatable. Tonnard's (2011) study offered valuable insights into the intricacies of strategic manoeuvring within debates, highlighting the methods by which politicians endeavor to steer discussions towards their preferred topics. It further illustrated the limitations imposed by parliamentary rules of procedure on specific strategic maneuvers. Nonetheless, Tonnard (2011) focused exclusively on the aspect of presentational devices within the realm of strategic manoeuvring. The study concentrated on members of parliament affiliated with single-issue parties; thus, the majority of the fragments examined are confined to these representatives. Consequently, it remains ambiguous whether the strategic manoeuvring employed by one-issue party MPs is similarly applicable to their counterparts in the Dutch parliament.

A further investigation into the discourse present in parliamentary debates and speeches, as well as the manner in which Zimbabwean newspapers convey these narratives, was conducted by Jakaza (2013). Jakaza's (2013) study explored the intricacies of argumentation within Zimbabwean parliamentary debates and speeches,

utilizing appraisal theory and pragma-dialectic theory to analyze the linguistic strategies employed by Zimbabwean parliamentarians. According to Jakaza (2013), the essential phases of critical discourse—specifically opening, argumentation, confrontation, and conclusion—are manifested in the debates and speeches within the Zimbabwean parliament. Jakaza (2013) elucidated the employment of strategic manoeuvring within the Zimbabwean parliament, manifesting in various forms that members of parliament utilize to argue with intent. The tactical approaches encompass the act of charging fellow MPs with employing erroneous or undesirable premises; the process of association and disassociation, wherein the speaker delineates an idea to emphasize one aspect while downplaying another; and the technique of negation (Jakaza, 2013:131). In addition to these forms, Zimbabwean MPs employ pronouns as a strategic tool in their debates and speeches. One example of such pronouns is “we,” which is utilized to “identify political parties at one moment and Zimbabweans at another” (Jakaza, 2013:134). Additional pronouns encompass ‘they’, ‘them’, ‘those’, and ‘us’, each serving to facilitate the speaker's connection or detachment from a particular group.

Another observation made by Jakaza (2013) pertains to erroneous reasoning. Jakaza (2013:166) observes that participants occasionally engaged in erroneous reasoning during debates and speeches. Common fallacies encompass erroneous causation, reliance on authority, appeal to numerical data, and the pitfalls of hasty conclusions and sweeping generalizations. Members of Parliament present erroneous arguments in their attempts to reconcile effectiveness with rationality. Jakaza’s (2013) study offers a nuanced examination of the applicability of various elements of the pragma-dialectical theory within the context of the Zimbabwean parliament. Jakaza (2013) concentrated on the representation of parliamentary debates and speeches within

newspapers. The present research diverges from Jakaza's (2013) investigation by concentrating primarily on excerpts from the written records of county assembly debates, referred to as the Hansard, as its data source.

The preceding examination of studies documented in the pertinent literature provides valuable insights into the research conducted on strategic manoeuvring within parliamentary discourse. Similarly, they also disclose certain deficiencies. Plug's (2010) study, for instance, provides valuable insights into the strategic maneuvers of MEPs through the use of argumentation derived from examples. Nevertheless, its scope is constrained as it examines only a limited number of argumentative fragments from the example provided. Garssen's (2015) research elucidates the foundational elements necessary for strategic manoeuvring within European parliamentary discourse, as well as the various argumentation schemes employed by Members of Parliament during these debates.

Garssen's (2015) study exhibits constraints in its scope, as it exclusively concentrates on the dimension of topical potential. As previously mentioned, Tonnard's (2011) study focuses exclusively on the aspect of presentational devices within the realm of strategic manoeuvring. This study examines the debates within county assemblies, focusing on the motions presented and the strategies employed by participants as they navigate differing opinions on the merits of the issues discussed.

### **2.5.1 Strategic Manoeuvring in Conventionalized Argumentative Contexts**

Demir (2016) notes that strategic manoeuvring is inherently tied to its context, with its implementation shaped by the preconditions of the specific communicative activity type in which the participants are engaged. In pragma-dialectics, communicative activity types are defined as "conventionalized communicative practices whose

conventionalization serves the institutional needs of a certain domain of communicative activity through the implementation of a specific genre of communication” (van Eemeren and Houtlosser, 2005).

To grasp the role of strategic manoeuvring within established communicative practices, it is essential to delineate the concepts presented in this definition. In pragma-dialectical terminology, a “domain” refers to the expansive area encompassing specific communicative activities. For example, the US presidential debate, as a form of communicative activity, is situated within the realm of politics. While we often refer to the concept of “belonging to a certain domain,” it is important to recognize that a communicative activity may not be confined to a singular domain. For example, the interaction between a doctor and a patient serves as a case in point, illustrating both the interpersonal domain of communication and the medical domain simultaneously.

Van Eemeren (2010) identifies eight primary domains of communicative activity: legal, political, problem-solving, diplomatic, medical, scholarly, commercial, and interpersonal. However, this enumeration is not exhaustive, and it is entirely plausible that new domains of communicative activity may emerge and be aptly defined. Every domain establishes certain institutional limitations on the types of communicative activities that can occur within it. In pragma-dialectics, the concept of “institution” denotes the socially and culturally established macro-contexts, often formalized, that encompass their socially constructed rules and sanctions, within which specific conventionalized communicative practices have developed. This definition of institution encompasses all pertinent macro-contexts, spanning from legal frameworks and administrative structures to commercial enterprises and public entertainment.

Certain types of communicative activities are deeply entrenched within institutions, characterized by formal and explicit regulations that delineate the appropriate conduct of communicative practices. For example, court proceedings represent a highly structured form of activity, characterized by formally established and explicit regulations that delineate the manner in which communicative practices are to be conducted within this context. Additionally, there exist activity types that are only loosely institutionalized, such as internet political discussion forums (Lewiński, 2010), which take place in informal environments. The institutionalization of a communicative activity type is contingent upon the extent to which it achieves conventionalization, whether strongly or weakly. In pragma-dialectics, the conventionalization of an activity type is achieved through the establishment of norms governing “communicative behavior” that align with the institutional objectives that the activity type fulfills. To put it differently, asserting that a particular act type is ‘conventionalized’ indicates that there are established rules, either explicitly or implicitly, governing the anticipated manner of communicative behavior within this specific activity type.

In conjunction with the extent of institutionalization, an activity is characterized as being highly conventionalized when there exist formally enforced written regulations or penalties that dictate the manner in which that activity is conducted in communicative contexts. An activity is considered weakly conventionalized when it lacks formal written rules, relying instead on 'expected or proper' behaviors that emerge from established practices (van Eemeren and Houtlosser, 2005; van Eemeren, 2010). The formalization of an activity fulfills the institutional objective that this activity seeks to achieve. For example, within the legal sphere, the standardization of activity types aligns with the institutional objective of “upholding justice,” while in

the political realm, these activity types contribute to the institutional aim of “sustaining a democratic culture.” The establishment of activity types is realized through the adoption of specific “genres” that align with the institutional objectives of these activities.

Van Eemeren (2010) identified various genres of communicative activity, including ‘adjudication’ within the legal sphere, ‘deliberation’ in the political arena, ‘mediation’ in the context of problem-solving, and ‘disputation’ in the realm of scholarship. In conclusion, the definitions can be illustrated through the example of the Israel-Palestinian exchanges at Camp David, which serve as a tangible instance of ‘peace talk’ as a communicative activity type, while also embodying ‘negotiation’ as a genre of communicative activity within the ‘diplomatic’ realm (van Eemeren, 2010, p.143). Recognizing that types of communicative activities serve specific purposes aimed at achieving an institutional objective—and that these activities are often shaped by established conventions linked to a particular genre of communication—one can infer that institutional conditions impose limitations on the types of activities regarding the strategic approaches that may be utilized within them.

For example, as characterized by Andone (2010), the political interview serves as a communicative activity type where the institutional objective of “holding the politician to account for his words and actions” imposes limitations on the three dimensions of strategic maneuvering as follows: When confronted with an accusation of inconsistency, a politician strategically selects from the available options, often retracting one of the positions deemed inconsistent. He then focuses on those stances that remain coherent and are most defensible. He adjusts to the expectations of the audience by cultivating a positive image in the public eye, as an inconsistent politician is unlikely to be regarded as capable of addressing the nation's challenges. Ultimately,

he employs the technique of retreating from the initial position that has been demonstrated to be contradictory, while still preserving this position by reinterpreting it in an alternative manner.

Communicative activities are not intrinsically contentious; yet, argumentation often arises in many communicative practices, or they may mostly be argumentative, as seen in political interviews. In pragma-dialectics, a communication action that is inherently argumentative is designated as a "argumentative activity type" (van Eemeren, 2010). This dissertation posits that arguing is inherently an argumentative activity, hence classifying it as a form of argumentation. In pragma-dialectics, forms of communication activity embody empirical representations of recognized communicative practices, in contrast to the theoretical construct of the 'ideal model of a critical conversation.' This classification allows for the identification of various communicative activity kinds in actual speech events and the empirical examination of their properties using the analytical tools offered by the model of critical debate.

The four stages of a critical discussion are essential in characterizing an activity type from an argumentative perspective. Communicative activities can be categorized through an argumentative framework by identifying the empirical counterparts of the four phases of a critical discussion within each activity type: the initial situation, corresponding to the confrontation phase; the procedural and material starting points, aligning with the opening phase; the means of argumentation and critique, relating to the argumentation phase; and the potential outcomes, associated with the concluding phase.

Each form of argumentative action has particular contextual constraints that affect strategic maneuvering in alignment with the institutional goals intended by that activity type. These limits should not be viewed merely as limitations on strategic movement; they also offer opportunities for strategic maneuvering. To understand how the activity type "debates" constrains strategic maneuvering in accordance with institutional objectives, we must first define it as an argumentative activity type using the analytical frameworks of critical discussion and identify the empirical manifestations of the four stages inherent in a critical discussion within this activity type. This definition necessitates a comprehensive analysis of the communicative domain, the genre of the communicative activity, and the institutional objective that the activity aims to achieve. The upcoming chapter seeks to accomplish this goal and lay the foundation for the analysis of strategic tactics in discourse.

### **2.5.2 Effect of Institutional Preconditions on Strategic Manoeuvring in Debates**

The extended pragma-dialectical theory posits that the nature of the interaction during an argumentative exchange significantly affects the way in which the argumentative discourse is expressed (van Eemeren & Houtlosser 2005). The established norms that dictate the nature of interactions influence the permissible strategic maneuvers and the manner in which these maneuvers are executed. This chapter centers on the conventions governing communication within the institutional framework of parliamentary debates. The institutional context is articulated through the lens of the concept of argumentative activity type (van Eemeren & Houtlosser 2005), representing a relatively institutionalized form of activity wherein argumentation assumes a pivotal role.

The strategic maneuvering in contentious contexts is shaped by the type of players' activity. The established rules governing certain institutional activities constrain the form of argumentation discourse within that framework. The constraints on the discourse create conditions for strategic maneuvering by defining particular opportunities and limitations for such actions. The nature of the interaction or activity profoundly influences the perspectives that may arise in discourse, the participants engaged in the dialogue, the strategies utilized to accomplish their dialectical and rhetorical aims, and the rules that participants must follow (van Eemeren & Houtlosser 2002, 2005; van Eemeren, 2010). During Prime Minister's Question Time, the interaction dynamics are primarily shaped by the requirement that the dialogue occurs as a series of questions and replies (Mohammed 2018).

Van Eemeren (2010: 129) asserts that communicative practices, such as the Prime Minister's Question Time, a medical consultation, or an advertisement, are generally associated with particular institutional contexts or domains and serve a specific purpose within that context to accomplish the institutional objective of the activity. Health brochures constitute a medium of communication within the field of medicine. Supplementary domains include legal communication, political communication, interpersonal communication, and commercial communication (van Eemeren, 2010). In each environment, distinct communicative techniques have developed, influenced by the institution's requirements (van Eemeren 2010: 129-130).

According to van Poppel (2013:13), the character of interaction in an argumentative exchange profoundly influences the expression of argumentative discourse. The established norms governing a specific type of interaction determine the array of strategic tactics accessible to the participants. The conventions of these organizations are expressed through the underlying requirements and regulations intrinsic to the sort

of argumentation action. Gumperz (1982) examines the notion of 'argumentative activity type,' which refers to the established practices and routines of argumentation present in empirical reality, characterized by specific purposes, regulations, and different traditional conditions.

Comprehending the conventional conditions, practical constraints, and possible strategies related to various tasks helps elucidate the strategic significance of the argumentative acts performed. This, consequently, improves our methods for reconstructing and analyzing essential talks, as well as evaluating if the criteria for soundness in particular types of strategic maneuvering have been satisfied for the argument to be considered acceptable. The current study carefully examines the distinct attributes of the debate activity type as this is crucial for justifying the application of critical standards to the speech acts that the current study evaluates.

The pragma-dialectical framework elucidates the difference between legitimate and fallacious strategic manoeuvring by assessing whether the soundness conditions pertinent to a particular mode of strategic manoeuvring in a specific type of argumentative activity have been fulfilled (van Eemeren *et al*, 2005). The pragma-dialectical approach emphasizes the need of analyzing argumentation within its particular context, as each setting imposes unique institutional limitations on the resulting speech. Institutional constraints profoundly affect the standardization of discourse in a given environment. The actions that support the institutional goal of discussion for decision-making are more uniform than those aimed at opinion formation (Demir, 2016). The reasoning for this is that, in the prior case, the activities are defined by established legal norms and sanctions that regulate the behavior related to the communicative effort. Stringent standards and mandated conduct exist within

these types of activities. A parliamentary debate serves as a prime example of an activity that is highly conventionalized due to strict institutional constraints.

Van Eemeren and Garssen (2019) assert that parliamentary debates are marked by considerable institutional constraints, which make this activity extremely conventionalized. The Prime Minister's Question Time is a formal procedure in the British House of Commons, distinguished by a highly regulated structure aimed at ensuring government accountability.

Mohammed (2009) asserts that the Prime Minister is obligated to maintain the integrity of his government amidst criticisms from other Members of Parliament throughout relevant proceedings. During the activity, the Prime Minister provides a summary of the government's decisions and actions that the Opposition has deemed controversial and has subsequently criticized. The Prime Minister and his party's MPs promote a positive appraisal of the Government's performance, while the Opposition's MPs endorse a critical view. All discussions during Question Time are fundamentally based on these controversies. This activity category includes three main audiences. Conventionally, each speaker directs their remarks to the House of Commons. Secondly, the Prime Minister interacts with Opposition members while presenting his defenses, and in turn, the Opposition members express their criticisms of the Prime Minister. The third and most crucial audience consists of the television-viewing electorate, whom both political parties—the Government and the Opposition—seek to persuade and influence over their voting preferences. The third audience comprises the general public involved in deliberative activity, capable of reconciling divergent ideas, as expressed during the Prime Minister's Question Time, through the process of voting.

In the political sphere, numerous activities are regulated by strict institutional constraints on communication methods. Moreover, there are established activities influenced not only by explicit rules of conduct but also by implicit norms discernible from participants' behaviors concerning their acknowledgment of rights and obligations in communicative interactions. A specific type of involvement is the political interview.

Andone (2010) asserts that a political interview serves to maintain a democratic culture by holding politicians accountable for their remarks and deeds. A politician's accountability for their words and deeds is essential, acting as a crucial requirement to convince the public of the appropriateness of their political conduct. The interviewer in this activity type is tasked with holding the politician accountable, acting as the electorate's voice to promote the public interest, and occasionally adopting a critical stance to fulfill this purpose.

At first glance, the activity may appear to serve as a conduit for disseminating information to the public regarding various issues of significance. However, its primary objective lies in executing the accountability process and compelling the politician to persuade the public regarding the policies he advocates. The politician is fundamentally required to address the critiques concerning the statements and actions for which he bears responsibility. In articulating his responses, the politician seeks to justify both his position and the party he embodies. A political interview constitutes a structured dialogue characterized by a series of inquiries posed by the interviewer to the politician, with the trajectory of the questioning being inherently dictated by institutional norms, consistently flowing from the interviewer to the politician. While the interviewer serves as the immediate recipient of the politician's discourse, the politician's primary objective is to subtly persuade the audience at home—those who

engage with the interview through listening, viewing, or reading—and who express their political inclinations through the act of voting. A debate interview represents another form of engagement designed to foster thoughtful discourse.

In her examination of British debate interviews, Emmertsen (2007) highlights the proactive and critical function that interviewers (IRs) assume in challenging opposing perspectives. According to Emmertsen (2007), a debate interview is characterized as a specific type of news representation that includes two or more interviewees, each representing opposing viewpoints, engaged in a discussion about a contentious topic. A noteworthy aspect of this communicative endeavor is that the interviewer's challenging inquiries function to polarize the interviewees' positions, resulting in an intensified and unabated confrontation between the interviewer and interviewees. The structure of these interviews indicates that the previously acknowledged function of an interviewer as a symbol of formal neutrality and impartiality in Britain, which persisted until the late 1950s, has been supplanted by a more dynamic and confrontational role assigned to the interviewer. This signifies a shift in the role of the interviewer, transitioning from a facilitator of discourse who draws out information, opinions, and beliefs to one who incites dissent through ritualized antagonism and severe critique.

Deliberative activities may be facilitated through the intervention of an interviewer, a moderator, or another type of discussion executor, such as the President in a parliamentary debate. Nonetheless, numerous informal debates occur online, playing a significant role in shaping public opinion and enhancing the principles of deliberative democracy. Internet political discussion forums serve as a platform where individuals from diverse backgrounds and ideologies engage in discourse regarding contentious

issues, free from the influence of third-party moderation that typically structures the organization or content of such debates (Lewinski, 2010).

Lewiński (2010) emphasizes that while certain critics may contend that internet political discussion forums are ultimately unproductive due to the absence of structured conversational protocols, these forums fulfill the institutional objective of deliberation focused on shaping opinions, as they revolve around the advancement, challenge, defense, and critique of various standpoints and arguments.

In this regard, these forums provide a chance to witness critical reasonableness within a specific context, despite their somewhat loose conventionalization as a type of communicative activity resulting from minimal institutional constraints.

The debates within the county assembly represent a significant subject for examination, particularly regarding the nature of deliberation, as it allows for an exploration of the extent to which discussions have become conventionalized within this legislative body.

In various institutional contexts, such as a court case, political election, debate, or parliamentary discussion, the employment of specific argumentative strategies may be necessitated. Within the context of county assembly debates, the foundational conditions are established by the standing orders of the house. The 'standing orders' encompass a collection of guidelines that participants must adhere to throughout discussions. The 'standing orders' are reproduced across all county assemblies in a document known as 'Standing Orders'.

This research investigates the application of strategic manoeuvring within specific county assembly debates, aiming to illustrate how participants adeptly adjust their debating strategies to align with the established institutional frameworks, such as the 'Standing Orders' of the chosen county assemblies.

The aforementioned studies and findings hold considerable significance as they elucidate the various perspectives of supporting arguments presented by protagonists during the confrontation phase of a discussion, as well as the responses these arguments elicit at the initial stage of a critical discourse, ultimately shaping the conclusion of such discussions. Our research diverges in one aspect from the previously referenced studies concerning the presentational tools employed to underpin initial positions during discussions within county assembly discourse.

## **2.6 Theoretical Framework**

This section offers a comprehensive examination of the theoretical framework underpinning the study, specifically focusing on the pragma-dialectical theory of argumentation. This section delves into the foundational principles and methodologies pertinent to the investigation of argumentation within the political sphere, with a particular focus on their relevance in scrutinizing debates within county assemblies.

### **2.6.1 Background to the pragma-dialectical theory of argumentation**

The framework of pragma-dialectics was conceived by Frans van Eemeren and Rob Grootendorst during the 1970s. Through the lens of the communicative dimension inherent in the pragmatic context of speech act theory, alongside the rational critique that informs the dialectical components of discourse analysis, argumentation is articulated as “a verbal, social and rational activity aimed at convincing a reasonable critic of the acceptability of a standpoint by putting forward a constellation of

propositions justifying or refuting the proposition expressed in the standpoint” (van Eemeren & Grootendorst, 2004:1). The pragma dialectical theory of argumentation represents a significant advancement in our understanding of how arguments are constructed, analyzed, and assessed within the context of everyday discourse.

The significance of argumentation prompted van Eemeren and Grootendorst (2004) to develop a theoretical framework that allows for a systematic demonstration of how to enhance the abstract ideal of argumentation, thereby addressing the empirical realities of argumentative discourse (Basweti, 2018). Drawing from a rich tapestry of logic, philosophy, linguistics, communication, and psychology, van Eemeren and Grootendorst meticulously established a framework that intertwines critical normativity with pragmatic description (van Eemeren *et al.*, 2014: 518). The theoretical and philosophical framework of argumentation theory establishes a basis for the creation of a model aimed at the evaluation and analysis of argumentation (van Eemeren and Grootendorst, 1984: 1992a). To grasp the workings of the theory, one must first delve into its origins, as articulated through a research program of normative pragmatics detailed below.

### **2.6.2 The model of critical discussion**

The pragma-dialectical theory of argumentation seeks to address divergences in viewpoints based on their merits within the context of argumentative discourse. Central to this theory is an exemplary framework of critical discourse that delineates the essential phases involved in reconciling differing viewpoints through the application of commensurate speech acts. A critical discussion serves as a platform for rigorously examining perspectives and value judgments through a process of evaluative scrutiny. Commencing from shared foundational premises, the parties endeavor to forge a consensus by rigorously evaluating the acceptability and resilience

of their respective positions throughout the debates, ultimately striving to reach a resolution. This resolution in argumentative discourse signifies a consensus among the participants regarding the acceptability of the standpoint under consideration, as noted by van Eemeren et al. (2014: 528).

The framework of a critical discussion, as understood in the pragma-dialectical context, embodies a theoretical idealization of the methodical resolution of differing viewpoints based on their merits through the use of argumentation. The model serves as an essential instrument for contemplating argumentative discourse, highlighting the reference points necessary for the analysis, evaluation, and creation of both oral and written communication. The pragma-dialectic model functions as a valuable heuristic and analytical instrument for reconstructing discourse and identifying the roles of various speech acts, ultimately facilitating the enhancement of argumentative practices.

Van Eemeren & Houtlosser (2015) emphasize that the endeavor of addressing a difference of opinion should not be conflated with the resolution of a dispute; rather, it is a process in which the parties involved reach a consensus on the acceptability of the contested standpoint. The optimal framework for a critical discussion encompasses four distinct phases that argumentative discourse must traverse in the pursuit of reasonably resolving a divergence of opinion. The phases consist of the “confrontation”, “opening”, “argumentative”, and “concluding” stages. In the realm of argumentation, the discourse may not necessarily adhere to a linear organization reflective of the stages outlined in the model. The confrontation stage represents the juncture at which a divergence of viewpoints arises, serving as the catalyst for a rigorous dialogue between the involved parties. The divergence of perspectives may reveal itself through a degree of skepticism or rejection of the positions held by one of

the participants in the discourse (van Eemeren & Houtlosser, 2002). The initial phase of the critical discourse represents a juncture where participants adopt their respective roles, either as proponents or opponents of the positions under examination.

Regarding the responsibilities associated with these roles, the protagonist is tasked with upholding the viewpoints, whereas the antagonist assumes the duty of rigorously examining the protagonist's justification of those viewpoints. The foundational positions of the parties engaged in the discourse are clearly evident at this juncture. The third phase in the framework of a critical discourse, and arguably the most pivotal, is the stage of argumentation. At this juncture, the protagonist and the antagonist confront one another, articulating their respective positions on the matter at hand, leading to a robust exchange of counterarguments.

The protagonist engages in various forms of complex argumentation, both subordinate and coordinate, in response to the critical reactions posed by the antagonist (Snoeck-Henkemans & Francisca, 1992; van Eemeren & Grootendorst, 1992a, 73-89).

The final phase signifies a moment of assessing whether the protagonist's justification of their positions and the antagonist's critical responses have culminated in the reconciliation of differing viewpoints. The conclusion is attained through either the protagonist validating the uncertainties introduced by the antagonist, resulting in a resolution that favors the protagonist, or the protagonist retracting their positions, leading to a resolution that favors the antagonist (van Eemeren *et al.*, 2014: 530). As this significant discourse reaches its conclusion, the participants will endeavor to encapsulate their findings in addressing the divergence of perspectives before engaging in another phase of deliberation aimed at reconciling their differing viewpoints, whether among themselves or with external parties.

Throughout the different phases of the critical discourse, individuals may utilize a spectrum of speech acts, whether overtly or subtly. Assertives, directives, commissives, expressives, and declaratives play a crucial role in the resolution of differing opinions regarding merits. Assertives typically articulate claims, present statements, hypothesize, provide assurances, express opinions, refute, or concede, while directives encompass commands, recommendations, challenges, pleas, or prohibitions. Commissives typically involve the acts of promising, accepting, rejecting, agreeing, or undertaking commitments. Conversely, expressives articulate the emotions of speakers regarding various subjects, encompassing sentiments of regret, gratitude, sympathy, greetings, condolences, or sincere apologies. Finally, declaratives invoke states of affairs that serve to define, enhance, or clarify (Searle, 1979: 1-29).

### **2.6.3 Pragma-dialectical rules for a critical discussion**

The pragma-dialectical approach to addressing a disagreement, as illustrated in the theoretical framework of critical discussion, encompasses the interplay of speech acts between the opposing parties involved. This exchange aims to enhance the dialectical method of persuasion within the framework of critical discourse. The aspiration for a structured argumentative framework in critical discourse has prompted specialists in dialectical argumentation to establish guidelines for such discussions. The entirety of these regulations forms a procedural framework for discourse that enhances the likelihood of reconciling divergent viewpoints (problem validity) and is deemed acceptable by the participants in the discussion (conventional validity) (van Eemeren & Houtlosser, 2015: 165; van Eemeren & Grootendorst, 2004: 134). The procedure for critical discussion seeks to address differing opinions by deriving conclusions logically from a defined set of premises, supported by a framework of regulations that

govern the necessary speech acts to achieve its objective (van Eemeren and Grootendorst, 2004).

The procedural rules pertain to each of the four phases of critical discourse: confrontation, where contradictions emerge; opening, where foundational material and procedural elements are set; argumentation, where the parties present their arguments; and conclusion, where the resolution is determined. The principles governing critical discourse fulfill the criterion of problem validity, thereby facilitating meaningful contributions to issues that are distinctive to the various phases of addressing disagreements regarding merit (van Eemeren & Houtlosser, 2015: 165). Adherence to established protocols is essential for the resolution of differing viewpoints. The emphasis on the speech acts of the discussants suggests that the regulations govern their conduct in addressing differing viewpoints (van Eemeren & Grootendorst 2004: 135).

The regulations specify the conditions and timing under which participants may engage in certain speech acts to address and resolve differing viewpoints. The guidelines delineate the circumstances under which participants may either have the right or the duty to engage in various forms of speech acts (van Eemeren *et al.*, 2015: 164).

The implementation of the rules commences at the confrontation phase of the discourse, as it is during this juncture that the participants are required to exhibit their dedication to their positions through their verbal expressions. At this juncture, the articulation of differing viewpoints should be executed with precision. The established guidelines grant participants the unequivocal privilege to articulate their perspectives and challenge those of their interlocutors (van Eemeren & Grootendorst 2004: 135).

This right permeates the standing of the participants, as it is the caliber of the argument and the capacity to offer critique that governs the standards for a rigorous discussion (van Eemeren *et al.*, 2014: 521). The following discourse analyzes the fifteen principles governing critical dialogue and their applicability in resolving divergent viewpoints (van Eemeren & Grootendorst, 2004: 136-157). Every rule holds significance, as any breach of these regulations poses a potential risk to the resolution of differing viewpoints. Every breach of the established norms in a critical discourse constitutes an erroneous maneuver that aligns closely with the argumentative deficiencies commonly referred to as 'fallacies' (van Eemeren *et al.*, 2014).

The initial principle pertains to the confrontation phase of a critical discourse, emphasizing the protagonist's liberty to present viewpoints and the corresponding liberty of the antagonist to challenge these viewpoints.

Rule 1 is stated as:

a) *“Special conditions apply neither to the propositional content of the assertives by which a standpoint is expressed, nor to the propositional content of the negation of the commissive by means of which a standpoint is called to question.*

b) *In the performance of these assertives and negation commissives, no special preparatory conditions apply to the position or status of the speaker or writer and listener or reader.”*

Rules 2 to 5 pertain to the initial phase of a critical discourse. The second rule grants a discussant an unequivocal right to challenge a position. It also compels the protagonist to justify his position when requested.:

Rule 2 *“The discussant who has called the standpoint of the other discussant into question in the confrontation stage is always entitled to challenge this discussant to defend his standpoint.”*

The third rule asserts that it is essential for participants to possess specific shared premises and conversation guidelines to effectively resolve a disagreement.

Rule 3 *“The discussant who is challenged by the other discussant to defend the standpoint that he has put forward in the confrontation stage is always obliged to accept this challenge, unless the other discussant is not prepared to accept any shared premises and discussion rules; the discussant remains obliged to defend the standpoint as long as he does not retract it and as long as he has not successfully defended it against the other discussant on the basis of agreed premises and discussion rules.”*

The fourth rule concerns the roles taken in a discussion.

Rule 4 *“The discussant who in the opening stage has accepted the other discussant’s challenge to defend his standpoint will fulfil the role of protagonist in the argumentation stage, and the other discussant will fulfil the role of antagonist, unless they agree otherwise; the distribution of roles is maintained until the end of the discussion.”*

The next rule is related to the shared agreement of discussants on rules concerning how a standpoint can be raised and how it can be attacked.

Rule 5 *“The discussants who will fulfil the roles of protagonist and antagonist in the argumentation stage agree before the start of the argumentation stage on the rules for the following: how the protagonist is to defend the initial standpoint and how the antagonist is to attack it, and in which case the protagonist has successfully defended*

*the standpoint and in which case the antagonist has successfully attacked it. These rules apply throughout the duration of the discussion and may not be called into question during the discussion itself by either of the parties.”*

Rules 6 to 13 pertain to the argumentative phase of a critical discourse. The sixth rule delineates the criteria for assaulting and safeguarding positions. The protagonist and antagonist possess an unrestrained right to defend and assault their positions. The defense of a position is executed through the articulation of assertives. Attacks can be executed using negative commissives, challenging the propositional content of a standpoint and soliciting alternative arguments.

#### Rule 6

- a) “The protagonist may always defend the standpoint that he adopts in the initial difference of opinion or in a sub-difference of opinion by performing a complex speech act of argumentation, which then counts as a provisional defense of this standpoint.*
- b) The antagonist may always attack a standpoint by calling into question the provisional content or the justificatory or refutatory force of the argumentation.*
- c) The protagonist and the antagonist may not defend or attack standpoints in any other way.”*

Rules 7 and 8 concern the methods by which positions can be effectively defended and contested. Rule 7 pertains to the role of the intersubjective identification technique in determining whether a position has been effectively defended or successfully challenged. The intersubjective identification approach in Rule 7 involves the protagonist and antagonist collaboratively scrutinizing assertions in dispute to determine their congruence with their mutual premises.

## Rule 7

a) *“The protagonist has successfully defended the propositional content of a complex propositional content of a complex speech act of argumentation against an attack by the antagonist if the application of the intersubjective identification procedure yields a positive result or if the propositional content is in the second instance accepted by both parties as a result of a sub-discussion in which the protagonist has successfully defended a positive sub-standpoint with regard to this propositional content.*

b) *The antagonist has successfully attacked the propositional content of the complex speech act of argumentation if the application of the intersubjective identification procedure yields a negative result and the protagonist has not successfully defended a positive sub-standpoint with regard to this propositional content in a sub-discussion.”*

In Rule 8, participants reference the intersubjective inference technique and intersubjective testing procedure to evaluate the acceptability of an argument scheme employed in argumentation.

## Rule 8

a) *“The protagonist has successfully defended a complex speech act of argumentation against an attack by the antagonist with regard to its force of justification or refutation if the application of the intersubjective inference procedure or (after application of the intersubjective explicitization procedure) the application of the intersubjective testing procedure yields a positive result.*

b) *The antagonist has successfully attacked the force of justification or refutation of the argumentation if the application of the intersubjective inference procedure or*

*(after application of the intersubjective explicitization procedure) the application of the intersubjective testing procedure yields a negative result.”*

Rule 9 delineates the criteria by which an original viewpoint or sub-standpoint may be deemed conclusively defended or assailed.

Rule 9

*a) “The protagonist has conclusively defended an initial standpoint by means of a complex speech act of argumentation if he has successfully defended both the propositional content called into question by the antagonist and its force of justification or refutation called into question by the antagonist.*

*b) The antagonist has conclusively attacked the standpoint of the protagonist if he has successfully attacked either the propositional content or the force of justification or refutation of the complex speech act of argumentation.”*

Rule 10 stipulates that the antagonist may effectively invoke the right to challenge an argument for the entirety of the conversation.

Rule 10

*“The antagonist retains throughout the entire discussion the right to call into question both the propositional content and the force of justification or refutation of every complex speech act of argumentation of the protagonist that the latter has not yet successfully defended.”*

Similarly, as delineated by rule 11, the protagonist may effectively exercise the right to defend the propositional content and justificatory or refutatory strength of his argumentation throughout the entire discourse..

#### Rule 11

*“The protagonist retains throughout the entire discussion the right to defend both the propositional content and the force of justification or refutation of every complex speech act of argumentation that he has performed and not yet successfully defended against every attack by the antagonist”.*

Rule 12 pertains to the right to retract a position, whereby the commitment to the pertinent position is rescinded, eliminating any obligation to uphold such position.

#### Rule 12

*“The protagonist retains throughout the entire discussion the right to retract any complex speech act of argumentation that he has performed and thereby to remove the obligation to defend it.”*

Rule 13 ensures the orderly conduct of a critical discussion to resolve a difference of opinion.

#### Rule 13

*a) The protagonist and the antagonist may perform the same speech act with the same role in the discussion only once.*

*b) The protagonist and antagonist must in turn make a move of (complex) speech acts with a particular role in the discussion.*

*c) The protagonist and the antagonist may not perform more than one move of (complex) speech acts at once.”*

Rule 14 pertains to the final phase of a discourse. This rule delineates the conditions under which the resolution of a discussion is determined.

#### Rule 14

- a) *“The protagonist is obliged to retract the initial standpoint if the antagonist has conclusively attacked it (in the manner prescribed in rule 9) in the argumentation stage (and has also observed the other discussion rules).*
- b) *The antagonist is obliged to retract the calling into question of the initial standpoint if the protagonist has conclusively defended it (in the manner prescribed in rule 9) in the argumentation stage (and has also observed the other discussion rules).*
- c) *In all other cases, the protagonist is not obliged to retract the initial standpoints, nor is the antagonist obliged to withdraw his calling into question the initial standpoint.”*

Rule 15 delineates a universal entitlement of both the protagonist and antagonist applicable across all phases of a critical discourse. It is the prerogative to utilize declarative statements to articulate a position. Positions must be precisely articulated and interpreted to reconcile a disagreement.

#### Rule 15

- a) *The discussants have the right at every stage of the discussion to request the other discussant to perform a usage declarative and to perform one themselves.*
- b) *The discussant who is requested to perform a usage declarative by the other discussant is obliged to act accordingly*

The rules of a critical discussion have further been summarized to ten points by van Eemeren & Grootendorst (1992) after a critical appraisal of the earlier rules of critical discussion formulated by van Eemeren & Grootendorst (1984). These rules are popularly known as the *Ten Commandments* due to the manner they have been

formulated as prohibitions (van Eemeren & Grootendorst 2004). Van Eemeren & Grootendorst (2004) observed that the 15 rules for a critical discussion listed above constitute the discussion procedures in argumentation while the 10 commandments act as prohibitions that constitute the code of conduct for reasonable discussions. whose violation leads to arguments derailing.

Commandment 1.

*Discussants may not prevent each other from advancing standpoints or from calling standpoints into question (Freedom Rule).*

Commandment 2.

*Discussants who advance a standpoint may not refuse to defend this standpoint when requested to do so (Obligation to Defend Rule).*

Commandment 3.

*Attacks on standpoints may not bear on a standpoint that has not actually been put forward by the other party (Standpoint Rule).*

Commandment 4.

*Standpoints may not be defended by non-argumentation or argumentation that is not relevant to the standpoint (Relevance Rule).*

Commandment 5.

*Discussants may not falsely attribute unexpressed premises to the other party, nor disown responsibility for their own unexpressed premises (Unexpressed Premise Rule).*

Commandment 6.

*Discussants may not falsely present something as an accepted starting point or falsely deny that something is an accepted starting point (Starting Point Rule).*

Commandment 7.

*Reasoning that is in an argumentation explicitly and fully expressed may not be invalid in a logical sense (Validity Rule).*

Commandment 8.

*Standpoints defended by argumentation that is not explicitly and fully expressed may not be regarded as conclusively defended by such argumentation unless the defense takes place by means of appropriate argument schemes that are applied correctly (Argument Scheme Rule).*

Commandment 9.

*Inconclusive defenses of standpoints may not lead to maintaining these standpoints and conclusive defenses of standpoints may not lead to maintaining expressions of doubt concerning these standpoints (Concluding Rule).*

Commandment 10.

*Discussants may not use any formulations that are insufficiently clear or confusingly ambiguous, and they may not deliberately misinterpret the other party's formulations (Language Use Rule).*

The code of conduct has been intentionally formulated to facilitate the resolution of differing opinions through argumentative discourse, due to the intricacies of the critical discussion technique as outlined in the rules of critical discussion (van Eemeren &

Houtlosser, 2015: 166). The aforementioned rules of a critical conversation are the primary prerequisites for reasonableness, integral to the dialectical process of conducting a critical debate. Argumentation in real-life contexts is regulated by second-order conditions, which pertain to the internal norms held by the discussants, and third-order factors, which refer to the external norms associated with the social setting of the discussion.

The pragma-dialectical model of critical discussion is essential for analyzing real-world argumentation contexts, as it offers critical, analytical, and heuristic tools to reconstruct arguments aimed at resolving disagreements (van Eemeren & Grootendorst, 2004). The model's essential function is to establish standards for acceptable argumentation strategies in critical discussions, enabling the identification of potential discrepancies in real argumentative circumstances. The model is analytically pertinent as it aims to examine and assess solely the argumentation maneuvers that contribute to the resolution process.

The analytical framework of four stages in a critical conversation is effective for examining real-life argumentative circumstances, as the rights and responsibilities of the participants are distinctly defined and articulated in pragmatic terms. Ultimately, it is heuristically effective since the model offers a framework for recognizing and examining features that are implicit in contentious speech and elucidating their roles in the resolution process. The model utilizes contextual situations and considers higher-order requirements to reconstruct the implicit argumentation parts in a discourse.

#### 2.6.4 Analytical overview

This analytical review presents a study of all analytically pertinent argumentative maneuvers employed in an argumentative discourse (van Eemeren & Grootendorst, 1992; van Eemeren, 2019). In the examination of data from the argumentative reality, the optimal paradigm of critical discourse prevails. Nonetheless, contentious conversation in reality does not align with the paradigm (van Eemeren, 2010). This indicates that the divergence of view may not always be distinctly defined; yet, there will be specific premises or positions that must be either supported or disproved. An analytical reconstruction is essential to ascertain material beginning points, identify the protagonist, antagonist, and other factors. This analytical overview delineates all argumentation maneuvers essential for a comprehensive assessment of the discourse (van Eemeren, 2018: 96-100). The execution of this pragma-dialectic reconstruction necessitates the analytical differentiation of the four stages of the critical discussion model, thereby rendering the model a form of "heuristic" or "analytic" framework (van Eemeren *et al.*, 2007: 17; van Eemeren *et al.*, 2014: 535). To systematically identify features in argumentative speech pertinent to critical evaluation, particular analytical processes known as 'reconstruction transformations' must be performed.

The reconstruction yields four distinct categories of pragma-dialectic transformations: 'deletion', 'addition', 'permutation', and 'substitution' (van Eemeren *et al.*, 1993: 61-86; van Eemeren & Grootendorst, 2004: 100-110). The deletion transformation guarantees the exclusion of all material that does not aid in resolving a difference of opinion on substantive merits, such as redundancies or extraneous matters unrelated to the core issue. Addition transformation involves augmenting the existing discourse by incorporating elements that have been implied, such as unarticulated viewpoints, premises, or presupposed foundations, which are essential for addressing the

divergence in opinion regarding merits (van Eemeren *et al.*, 2014:535; van Eemeren, Grootendorst & Snoeck-Henkemans, 2002: 49-51).

The substitute transformation occurs in the analysis when items are paraphrased to enhance clarity for the resolution process. Ultimately, permutation reconstruction rearranges the parts in the discourse to align the analytical overview order with the sequential processes of reconciling differing opinions (van Eemeren *et al.* 2014: 535-536). The analytical overview necessitates that the modifications in the reconstruction be executed cyclically for communication objectives. The discussion must encompass all phases of critical discourse, including the identification of differing viewpoints, the stances of both the protagonist and antagonist along with their procedural and material foundations, their argumentative frameworks and structures, respective justifications, critiques, and the eventual resolution of the discourse. Argument schemes and structures, which constitute the foundational elements of argumentation, are significant in the analytical overview.

The argumentative reality presupposes that participants adhere to the communication principle (van Eemeren & Grootendorst, 1992), which is epistemologically linked to the Gricean Cooperative Principles (Grice, 1975). Participants utilize criteria such as honesty, clarity, efficiency, and relevance, as outlined in communication principles, to assess the degrees of implicitness and explicitness in their conversation. Implicit components of argumentative speech, such as premises and positions, are unarticulated due to communication norms, principles of discourse, and fundamental logical tenets. Argumentative discourse can discern and rebuild these features (van Eemeren, Grootendorst & Snoeck-Henkemans, 2002: 49-58). Argumentation discourse analysts utilize "textual and contextual pragmatic factors" to comprehend how participants interact during an argumentation conversation (van Eemeren *et al.*, 1996:13).

contentious talks contain both implicit and explicit appeals to rationality, which may be absent in the actual contentious context. The most effective analysis must initially identify the fundamental themes of argumentative discourse and their manifestation within the dialogue.

A difference of opinion typically signifies a disagreement and the ensuing argumentative discourse. The capacity to discern perspectives is crucial in the examination of argumentative discourse. Common verbal indicators utilized in conversation to denote standpoints and argumentation include: thus, therefore, so, for, because, and since. Nevertheless, such discourse markers may not consistently appear in the conversation. Contextual information on the speech event, encompassing both verbal and non-verbal elements, is crucial for discerning the perspectives or arguments inside the discourse.

The pragma-dialectical theory focuses on the theoretically driven reconstruction of discourse. The reconstruction yields a 'analytic overview' of all factors relevant to a critical assessment of discourse (van Eemeren and Grootendorst, 1992; van Eemeren and Grootendorst, 2004). The analytical component incorporates two dimensions into the examination of argumentative discourse: normative and descriptive. Consequently, the examination of argumentation can be approached from these two research perspectives. The two aspects can be integrated systematically to combine critical and empirical findings (van Eemeren, 2010: 5). The normative pragmatic approach to analyzing argumentative conversation systematically connects the normative and descriptive dimensions through the pragma-dialectical method. An analytical perspective is solely applicable to argumentative conversation.

The analytical overview elucidates the divergent perspectives at stake and the positions of the participants in a critical discourse aimed at resolving the disagreement (van Eemeren and Houtlosser, 2002; van Eemeren, 2010). It also delineates "the initial points of analysis, arguments, and criticisms (both explicit and implicit) being proposed, the frameworks, structures, and the conclusion" (van Eemeren and Houtlosser, 2009: 1). The framework of argumentation stages indicates that many arguments and criticisms presented in parliament occur both overtly and indirectly.

The current study elucidated how members of the Nairobi County assembly reconcile their obligations in the chamber (i.e., demonstrating selflessness, integrity, objectivity, accountability, and transparency in their discussions) with their ideological and party affiliations during debates, utilizing presentational devices to address divergent viewpoints on merits.

The analytical perspective also examined the speech acts that function at different stages of the resolution process. Consequently, the reconstruction of discourse illustrates the various actions relevant to the resolution process, offering methods for analyzing these actions. An analytical analysis of county assembly debates sought to recreate the progression of these discussions, highlighting relevant aspects within them. This study investigated how MCAs justify their positions or critically engage with the viewpoints presented by other participants, as well as assess the effectiveness of their debate conclusions. The current study sought to examine the many methodologies utilized in the critical analysis of arguments.

The pragma-dialectical theory that the current study employed facilitated the analysis of argumentative discourse in order to provide a comprehensive overview of all features relevant to a critical assessment (van Eemeren, 2010:19).

### **2.6.5 Strategic manoeuvring as a component of the extended pragma-dialectical theory**

In pragma-dialectics, a critical conversation is governed by norms that guarantee the rational conduct of reasoning. Establishing a norm of reasonableness is crucial, as an argument must align with the common standards of reasonableness among the participants to be deemed acceptable. Adhering to these rules is essential for resolving a disagreement, and neglecting to do so constitutes an impediment to the resolution process. This dialectical method of communication is not the sole criterion for persuading a critic of a position's validity. In addition to adhering to essential norms of reasonableness, an arguer seeks to attain successful reasoning to sway the difference of opinion in their favor. Van Eemeren and Houtlosser (1997) acknowledged the significance of balancing effectiveness and reasonableness in critical discourse, prompting them to enhance the pragma-dialectical theory by incorporating rhetorical insights into dialectical analysis, thereby offering a more comprehensive explanation of real-world argumentation.

The integration of these two ideas into a unified theory was evident through the convergence of the analytical tools employed to articulate the critical discussion process both dialectically and rhetorically. The dialectical aims present in the four phases of a critical conversation correspond to their rhetorical equivalents in these stages. The dialectical objective of attaining clarity regarding the pertinent problems and the roles assumed by the participants during the confrontation phase has a rhetorical counterpart for that same phase:

The aim is to articulate the divergence of perspectives in the most beneficial way for the parties involved. In the opening phase, the dialectical aim of establishing a distinct and unambiguous starting point for the discourse corresponds with the rhetorical target

of a participant achieving effectiveness through the selection of procedural and substantive foundations that optimally serve their interests. In the argumentative phase, the protagonist aims to strengthen reasons to counter the adversary's doubts and critiques, while the antagonist strives to express his critical doubts clearly and rationally. The protagonist seeks to construct a strong defense of the disputed stance to counter the antagonist's critical skepticism, while the antagonist aims to deliver a persuasive critique to effectively challenge the protagonist's viewpoint.

Ultimately, in the concluding phase, the dialectical aim of resolving the conflict by assessing whether the protagonist can maintain his stance or the antagonist can persist in his skepticism regarding this stance corresponds with the rhetorical objective of both parties, which is to persuade their opponent through compelling argumentation. This is achieved by illustrating that the position was robustly defended, thereby requiring the retraction of doubts concerning this position (benefiting the protagonist), or that the position was poorly defended, permitting doubts or criticisms to endure, and thus benefiting the antagonist (van Eemeren and Houtlosser, 1997; van Eemeren *et al.*, 2002; van Eemeren, 2010). In a dialogue, participants generally want to achieve two objectives simultaneously: complying with standards of reasonableness while seeking effectiveness to settle the dispute in their favor.

However, maintaining these dialectical and rhetorical goals may create a contradiction. Van Eemeren and Grootendorst (2002) characterize the efforts of discussants to simultaneously mitigate the tension between dialectical and rhetorical objectives as “strategic manoeuvring.” In pragma-dialectics, strategic maneuvering refers to the continuous efforts in all activities performed during argumentative discourse to preserve a balance between rationality and efficacy (van Eemeren, 2010).

By employing strategic tactics, participants can construct cogent and appealing arguments without relying on fallacies that obstruct the resolution process. As previously stated, flawed arguments obstruct the resolution process by straying from logical discourse. Therefore, to influence the dispute in his favor, an arguer must adeptly and fluidly employ strategic maneuvering. Van Eemeren and Houtlosser (2002) delineated three interrelated aspects of strategic maneuvering.:

- (a) selecting from the topical potential,
- (b) meeting audience demand, and
- (c) exploiting presentational devices.

By intentionally maneuvering their dialectical and rhetorical aims, parties choose problems that are most amenable for discourse, consider audience expectations while formulating their stances, and align with perspectives they assume the audience will support. The parties utilize the most compelling presentation strategies to convince the opposing side. Effectively handling these three aspects of strategic maneuvering is essential for harmonizing divergent perceptions of one's value.

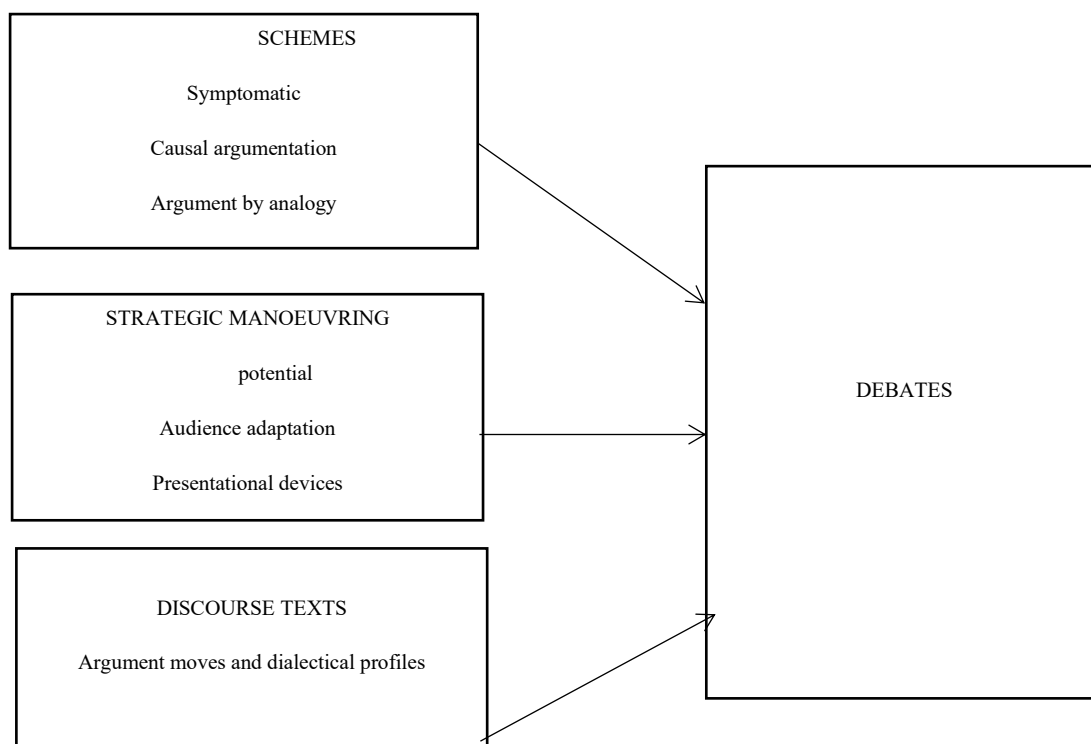
The three dimensions of strategic maneuvering are integrated into the four stages of a critical dialogue. In pragma-dialectics, the functions of strategic maneuvering components at various stages of a critical dialogue are delineated as follows (van Eemeren and Houtlosser, 2002; van Eemeren, 2010): In the context of employing "topical potential" during the confrontation phase, participants typically choose subjects that most effectively exemplify their divergent perspectives; initially, they favor a "zone of agreement" that aids in establishing optimal procedural and substantive foundations; during the argumentation phase, the parties strategically select topics that allow them to defend or contest their positions; and in the concluding phase, each party strives to conclude the discussion favorably by, for instance, citing the (positive or negative) ramifications of endorsing a particular set of arguments.

Strategic maneuvering to meet audience demand during the confrontation phase involves deliberately avoiding insurmountable issues; in the opening phase, it requires employing widely accepted judgments, beliefs, or values to lay the groundwork for discussion; in the argumentation phase, it is accomplished by selecting arguments that are likely to resonate with the audience. In the final stage, the audience's expectations can be met by presenting the discussion's resolution in a way that appeases supporters while minimizing hostility towards the opposition. Employing presentational strategies for strategic maneuvering may entail the use of stylistic or rhetorical devices to attain a specific effect.

During the confrontation stage, parties may deliberately present themselves as neutral to avoid premature judgments on contentious issues; in the opening stage, while expressing their initial positions, they may use stylistic devices to captivate the audience; in the argumentation stage, they can apply various rhetorical techniques to bolster their arguments; and finally, in the concluding stage, the parties may adopt a factual or restrained approach to prevent provoking disapproval from a potentially opposing audience.

## 2.7 Conceptual Framework

Independent variables



**Figure 2.11. A Conceptual framework showing the relationship between Independent and Dependent Variables**

## 2.8 Chapter Summary

This chapter presented a review of literature relevant to the study. The chapter covered the nature of political discourse, with a focus on the way it influences public opinion. It also examined the debate genre and its manifestations, and the employment of strategic manoeuvring in discourse as reported in the literature. The chapter then focused on strategic manoeuvring in parliamentary discourse, particularly on the way government proposals are justified and defended in county assemblies at the same time as the discussants challenge them. Finally, argument schemes that are likely to be used to support standpoints and institutional constraints in parliamentary debates are discussed. The chapter further explores the theory employed in the analysis of data before providing a conceptual framework for the study.

## CHAPTER THREE

### RESEARCH METHODOLOGY

#### 3.1 Introduction

This chapter discusses the methodology used to carry out the research for this study. The chapter comprises this introduction, the research design, study area, target population, sampling procedures, and the research instruments. A pilot study was conducted and the validity and reliability of research instruments determined. Finally, the procedures for data collection, data analysis, and ethical considerations concluded the research methodology.

#### 3.2 Research Design

A research design is a plan that guides the investigator in the process of collecting, analyzing and interpreting observations (Bhattacharjee, 2012). A descriptive design “offers a detailed picture or account of some social phenomenon, setting, experience, group” (Bhattacharjee, 2012), while case study allows the researcher to immerse oneself in the phenomenon being studied (de Vos *et al.*, 2011). Descriptive case study design is appropriate in this study because the information that will be collected is archival data consisting of *Hansard* records of past debates in the county assembly. The current study employed a descriptive case study design in order to obtain detailed information on the phenomena of debates in Nairobi City County Assembly.

Hansard records give a verbatim report of every contribution made during debates in Nairobi County assembly’s plenary sittings. However, punctuation marks such as pauses and other paralinguistic marks that do not give linguistic meaning to a text were omitted from the transcripts. Hansard reports collect information on debates in two forms, namely; electronic format which consists of tape-recorded conversations, and

the print format which is a transcribed record of the deliberations of the Nairobi County assembly.

The print format of transcribed records of Nairobi County Assembly were preferred since such data was easily accessible from the Nairobi County assembly's website. The current study collected archival records of the Hansard as primary data over the period of February to November 2023. This was the period during which the sessions of the Nairobi County Assembly Calendar commenced for the year 2023 and indeed for all the forty-seven county governments after the 2022 General Elections in Kenya (IEBC Kenya, 2022). (See Appendix III).

Data from the current cohort of the Nairobi County assembly generated findings from a fairly homogeneous group for the study. This, presumably produced interesting results that aligned to the study objectives. Case study of Nairobi County Assembly used in the study helped to identify groups or cases to be researched on purposively. The study also used case study to identify diverse cases within the group to be studied. In the current study, motions brought to the plenary (committee of the whole house) by the different sectoral committees for deliberation were classified under thematic areas listed (Appendix V). The study extracted data from the diverse sectors in order to establish peculiar phenomena in the findings (Wanjohi, 2014). On the other hand, the qualitative procedures used in data collection and analyses were appropriate in revealing hidden social processes in the structure of arguments (Bhattacharjee, 2012). Other documents of the Nairobi County assembly that were treated as secondary data were collected from the website. These are documents that are significant in trying to understand the phenomenon of debates in Nairobi County Assembly.

### **3.3 Variables of the Study**

Two variable types were identified for this study, namely; the dependent and the independent variables. The dependent variables were debates employed by discussants, while the argument schemes, strategic manoeuvres, and the discourse texts employed in debates in Nairobi County assembly were the independent variables.

### **3.4 Study Site and Population**

This study focused on the analysis of discursual functionality of argument schemes in Nairobi County Assembly Debates. The study site and population were delineated into two sections, namely geographically and linguistically. In the geographical sense, the population was derived from a cross-section of Nairobi County Assembly whose data was easily accessible online. Nairobi County Assembly was selected due to easy accessibility of general information on the county assembly functions, documentation and activities of the county assembly.

Secondly, Nairobi County Assembly was considered suitable due to the fact that it is the largest county assembly. Nairobi county assembly has the highest number of wards at eighty-five (See Appendix VI). Finally, there was the easy accessibility of most current data on Hansard transcripts on their online platforms. It was a legal requirement that Hansard records of speeches, questions and answers and procedural events in the legislative assembly be made available about forty-eight hours after debate (Republic of Kenya, 2020). Standing Orders clearly stipulate, that,

248. (1) There shall be published within forty-eight hours, a verbatim report of all proceedings of the House, unless the Speaker is satisfied that this is rendered impossible by some emergency. (Republic of Kenya, 2020; 216)

The Nairobi County Assembly complied with the requirements of the Standing Orders in terms of publishing the Hansard for consumption by the public. This factor largely informed purposive selection of Nairobi County assembly in the study since time was of essence. Other county assemblies such as Nakuru County Assembly and Kisumu County Assembly published Hansard records intermittently with the average time for publishing verbatim proceedings of the county assembly for a majority of the county assemblies being between seven days and three months.

### **3.4.1 Target Population**

The present study focused on Nairobi County assembly. Nairobi County assembly is found in Nairobi City. The population of Nairobi County was 4,397,073 according to the 2019 Kenya Population and Housing Census. Nairobi's population is heterogeneous, comprising nearly all tribes, nations, and races as inhabitants. Nairobi County is one of the 47 counties of the Republic of Kenya. It adjoins Kiambu County to the north and west, Kajiado to the south, and Machakos to the east.

Of the three adjacent counties, Kiambu County possesses the most extensive boundaries with Nairobi County. The County encompasses a total area of 696.1 km<sup>2</sup> and is situated between longitudes 36° 45' East and latitudes 1° 18' South. It is situated at an elevation of 1,798 meters above sea level. Nairobi is located in South-Central Kenya, 140 kilometers (87 miles) south of the Equator. It is located near to the eastern boundary of the Rift Valley, with the Ngong Hills situated to the west of the city.

During the research, Nairobi had a total of 123 Members of County Assembly (MCAs), comprising 85 elected representatives and 38 nominated individuals designated to represent gender, youth, and persons with disabilities in accordance with

party strength in the assembly. The city was multicultural, with several linguistic groups adequately represented in the county assembly by elected MCAs.

### **3.4.2 Linguistic Population**

A target population of one hundred and thirty-two transcripts of debates drawn from a total of one hundred and ninety-eight plenary sittings of the county assembly between February 2023 and November 2023 were considered for the study. A total of forty debate transcripts which consisted of 30 per cent of the one hundred and thirty-two transcripts of debates were selected for purposes of the study. Out of the forty debate transcripts the study sampled twenty of the debate transcripts for analysis. The twenty transcripts consisted of the texts that were used for the analysis of data on argument schemes. The twenty transcript texts were those that contained motions for debate, and where there was deliberation between discussants supporting a motion or opposing a motion.

### **3.5 Sampling and Sampling Procedures**

In this section we discuss the sampling procedures, sampling design, and the sampling frame adopted in the study are discussed.

#### **3.5.1 Sampling**

A sample is a small proportion of a population selected for observation and analysis (Creswell, 2014). The study used probability and non-probability sampling procedures to select samples for the area of study and linguistic data samples for analysis... The sampling techniques are discussed in the next section.

### 3.5.2 Sampling techniques

Stratified sampling techniques were used to divide the counties into two levels, that is, counties which had achieved city status and the rest of the other counties. The table below shows the stratification of the two levels.

City counties	Other counties
Nairobi, Mombasa, Nakuru, Kisumu, Uasin Gishu	Thika, Kakamega, Bungoma, Moyale, Garissa, Busia, Trans Nzoia, Nyandarua, Kirinyaga, Meru, Tharaka Nithi, Homa Bay, Migori, Kisii, Nyamira, Kilifi, Kwale, Lamu, Marsabit, Taita Taveta, Wajir, Mandera, Isiolo, Embu, Kitui, Machakos, Makueni, Murang'a, Kiambu, Turkana, West Pokot, Samburu, Elgeyo/Marakwet, Nandi, Laikipia, Narok, Kajiado, Kericho, Bomet, Vihiga, Siaya.

The study adopted purposive sampling techniques in selecting Nairobi County assembly as the area of study. The study area, Nairobi County assembly was purposively sampled from among the counties which had attained city status. The other counties with a city status include Mombasa, Kisumu, Nakuru, and Eldoret counties. Nairobi was specifically selected because it is the county with the largest number of Members of County Assembly (MCAs) at 85 elected MCAs and 38 nominated according to party strength, gender, youth, and people with disabilities. The area of study for the pilot study was obtained from the other counties that were not of city status using simple random sampling technique. Vihiga county was randomly selected from the other counties that had not been selected for purposes of the pilot study. In simple random sampling, one of the considerations is that the sample randomly selected should be part of a homogenous population. Since all counties have a county assembly that is regulated in terms of the Standing Orders adopted from the National

Assembly, then the consideration of homogeneity of the debating chambers is a valid issue.

Creswell (2014) notes that by observing the characteristics of a sample, one can make certain inferences about the characteristics of the same population from which it was drawn as long as the sample was a representation of the entire population.

### **3.5.2 Sampling Design**

The study adopted purposive sampling. Purposive sampling picked on texts which had the characteristics being studied (Palys, 2008). Moore et al., (2012; 253) states that case study researchers often identify participants or texts using purposive sampling. In an analytical overview, the study considered only texts that were relevant in the argumentation for purposes for analysis. This data underwent permutations, removals, and additions to retain only the pertinent moves for analysis. This strategy enhances the robustness of case study research by selecting data sources, participants, or cases based on their potential for yielding insights. This methodology was characterized as pursuing "information-rich" sources (Patton, 1987; 58) instead of generating representative samples, as is typical in quantitative studies that yield statistics.

Probability sampling methods, that was, multi-stage sampling was used to select cases within the group for purposes of identifying unique patterns in the structure of arguments during debates. Unique cases so identified helped explain how social and cultural settings influence language use during debates in the selected county assemblies in Kenya.

### **3.5.3 Sampling Frame and Sample Size**

A purposive sampling strategy was employed to select individual debate texts, specifically those capable of eliciting public appeals and that are often dependent on

established argumentation procedures. The data were gathered based on two inclusion criteria: argumentation relevance and uniqueness. Cases that featured public appeals but were devoid of argumentative components were omitted. The public appeals made by the rapporteur or discussant, which sought to persuade the audience, were duly considered. The study first identified debates for analysis based on thematic areas, where the county assembly sectoral committees that directly correspond to the county ministries formed the sampling frame from where proceedings of the whole house were obtained.

The study purposively sampled from a sampling frame of forty-eight debate transcripts of all the sectoral committees (see Appendix IV). These were the sectoral committees that were likely to evoke emotion and those that were of interest to the study considered the functions that were fully devolved. These were the functions that were expected to spur heated debates in the county assembly where plans and policies of the respective county ministries were debated and approved.

Two functions of county governments were fully devolved and thus receive full allocations from the central government (Transparency International, 2014). These were the county ministries of Agriculture (ALF), and Health (HS). These two ministries and the attendant proceedings on debates of the two ministries were purposively sampled. A third ministry from where a corpus of data for analysis was purposively sampled was the ministry of transport (TPW) (Creswell, 2014; Denzin & Lincoln, 2000; Miles & Huberman, 1994). A total of 132 sessions of county assemblies were held in a year (see Appendix 1) in Nairobi City County Assembly, and each session represents a debate in the study.

### **3.6 Pilot Study**

Mugenda & Mugenda (2003) define a pilot study as a smaller-scale version of the main study. The process entails the evaluation of research instruments to improve their validity and reliability. Prior to the commencement of data collection for the study, a pilot study was executed in Vihiga County Assembly, which did not constitute a component of the primary research.

Vihiga County Assembly was selected for the pilot study. The purpose of the pilot study was to determine whether the instruments used, the data extraction tool for collecting the transcribed Hansard records were adequate in addressing the research objectives. The data extraction tool was piloted in Vihiga County Assembly in order to help improve it as a data collection strategy and thus improve the quality of the data that was obtained from Nairobi County assembly during the data collection phase. Two research assistants were engaged to extract data using the extraction tool in order to minimize bias in such extracted data as well as agree on the final set of data collected. The researcher improved on the tool for collection of data after the pilot phase. The pilot study therefore tested the validity and reliability of the instrument.

The results of the pilot study assisted in the improvement of the targeted data for analysis. The pilot study gave insights into the duration for data collection, the quality of the texts to be collected and organization of the current study. After the pilot study the data extraction tool was adjusted and fine-tuned before the main study.

### **3.7 Methods of Data Collection**

The present investigation utilized a range of methodologies to gather data. The tasks involved the retrieval of debate transcripts from the county assembly website, the downloading of debate transcripts and documents from the assembly website,

as well as photocopying and printing debate transcripts and other documents sourced from the Nairobi County assembly website.

The research employed a triangulation strategy, which entailed examining the same inquiry through multiple methodologies in data collection.

According to Denzin (2012), there are different types of triangulation. These include data, method, investigator and theory triangulation. The current study adopted data triangulation which entails the use of different sources of information at the levels of time, space and person (Honorene, 2017). The study collected data from county assembly Hansard editor of the Vihiga county assembly and online website of the Nairobi County assembly.

Method triangulation has different interpretations. This study adopted the interpretation relating to the use of more than one method of data collection within the qualitative framework (Bryman, 2001). The current study used two methods to collect data. These were data extraction of debate transcripts from online websites of the Nairobi County assembly and document reviews of secondary data from library reading and other general online platforms. This method of triangulation increased the validity and reliability of the current study where the methods of data collection complemented each other and reduced the biases that one method would introduce in the study (Denzin, 2012; Honorene, 2017).

The next section examines each of the methods of data collection.

### **3.7.1 Archival Records of the *Hansard***

A corpus of the electronic version of *The Hansard* that contained proceedings of assembly debates of eleven ministries from February 2023 to November 2023 was obtained from the county assembly archives. This period was the full legislative

calendar year (Appendix I) after the national and county assembly elections of 2022. The period was also significant since it introduced a new crop of MCAs in Nairobi County Assembly with a balance of representation in the assembly between two parties ODM and JP, which were two dominant parties in the Nairobi County Assembly.

### **3.7.2 Secondary Data: Review of documents from the Nairobi County assembly registry, library and other online sources**

Secondary data consisting of schedules of the ministries of the Nairobi County government and documents of the Standing Orders were collected from the websites of the Nairobi County Assembly and Vihiga County Assembly. These documents helped to respond to the second objective of this study on the strategic manoeuvres adopted by discussants during conduct of debates in county assemblies. Archival materials in the form of electronic and print records of the *Hansard* for the year 2023 was used as primary data for purposes of analysis and evaluation of argumentative discourse in the debates of MCAs.

Other documents from the assembly such as the Standing Orders and materials related to parliamentary practices in diverse jurisdictions were collected to contribute to literature review of this study. The current study also collected data from library reading and other online platforms where data on discourse and pragmatic studies were obtained. This consisted of reading e-books and e-journals, and hard copy forms of books and journals containing materials on parliamentary and discourse studies.

### **3.7.3 Data Extraction**

The study adopted a data extraction tool to guide the collection of required data in a more consistent and systematic manner (Appendix III). The data collected enabled synthesis and quality appraisal of the data, which then made it possible to interpret the

data. The data extraction tool acted as a checklist to ensure all possible and relevant data for analyses were collected that complied with the research questions and that the data was appropriately coded to enable ease of reference. The extraction tool provided the time frame for the collection of the data transcripts, the research design adopted for the current study, the methods of data collection and the units of analysis of the data. The study identified the sources of data and the target population from where the data was to be collected. The data extracted consisted of debate transcripts for complete sessions of the sittings of the assembly. These debate transcripts were then subjected to an analytical overview where the study further extracted excerpts of argument schemes by the discussants that were considered relevant to the resolution of a difference of opinion on the merits.

### **3.8 Methods of Data Analysis**

In this section, the study explored the procedure for the analysis of data from the Hansard records. The study relied on the criteria for a critical discussion as the anchoring method for the analysis of data. Data analysis examined the process of extraction of argument schemes from debate transcripts, an analysis of the debate transcripts using an analytical overview. An analysis on the strategic manoeuvres of discussants was explored and discourse texts commonly employed by discussants were then generated.

#### **3.8.1 Procedure for Data Analysis**

In order to respond to objective one on identifying the discursive texts employed in argumentation by discussants in debates in Nairobi City County Assembly, the study adopted the pragma-dialectical theory which set out the different argument types, consisting of single and complex argument types. processes of identifying the standpoints and sub-standpoints which consist of simple or complex speech acts. The

simple and complex speech acts formed the argument schemes in argumentation that discussants used to create moves and counter moves during debates. Transcripts of debates were mapped onto every stage of a critical discussion in order to help respond adequately to objective one. Objective two identified and described the argument schemes employed in debates in Nairobi County assembly. The study identified the argument schemes generated in the four discussion stages in the criteria for a critical discussion with a view to identifying the functions of the different argument schemes using the pragma-dialectical theory. Objective three was to determine the strategic manoeuvres employed by discussants in Nairobi County assembly debates. Data that consisted of indicators of strategic manoeuvring at the three levels of topic potential, audience adaptation and presentational devices were examined. Standing Orders were used to inform how the study responded to the objective. The Standing Orders guide the conduct of business, not only in county assemblies but also the upper houses, namely, the National Assembly and the Senate.

### **3.9 Validity and Reliability of Research Instruments**

#### **3.9.1 Validity**

Creswell et al. (2000) assert that the validity of qualitative research hinges on assessing the accuracy of findings from the perspectives of the researcher, the participant, or the audience engaging with the account. Creswell (2014) observed that the study's validity could be influenced by specific intrinsic biases of the researcher. One notable aspect of analyzing discursive texts, particularly those of a pragmatic nature in this study, is that while there exist established and systematic procedures for such analyses, the final outcome often mirrors the researcher's interpretations and assessments of the data. This required the researcher to incorporate their perspective in assessing the social practices of the study participants, alongside exercising independent judgment in the

analysis of discourse extracts from the corpus. The researcher may possess a unique cultural, political, socio-economic background, and gender inclinations that could influence the perspective of the final product (Creswell, 2014). Nonetheless, this facet of bias was addressed through the utilization of a data extraction tool, serving as a framework to mitigate bias in the selection of data to be gathered. The information gathered by the two research assistants provided a foundation for reaching a consensus on the criteria for what constituted reliable data.

Secondly, the pragma-dialectical theory was instrumental in evaluation of the discussion moves by using defined criteria for a critical discussion (van Eemeren, 2010). A critical discussion consists of four stages in the debating process which is represented by argument structures that are either simple argument structures or compound coordinated argument structures. Van Eemeren (2010) proposes a normative procedure through which arguments are evaluated in an objective way. Using the criteria for evaluating arguments in pragma-dialectical theory, therefore, would present findings which can be replicated if the same corpus of data were to be used in a similar study.

### **3.9.2 Reliability of Research**

Reliability is defined as the quality or consistency that the instrument or procedure demonstrates over a period by producing the same results every time it is applied (Drost, 2011). One way in which qualitative studies generate consistent and, therefore, stable findings were by documenting as many of the steps of the procedures as possible used previously in such studies (Yin, 2009). Studies in pragma-dialectical approach adopt a critical discussion model as the criteria for evaluating complex speech acts that make up the discourse between parties in argumentation. In the analytical overview implicit premises are subjected to a reconstructive process in order to elicit ideal

premises. The critical discussion model anchored in pragma-dialectical approach serves as a heuristic tool for evaluating discourse in speeches and related debates and is therefore an integral element in the process of argumentation, and makes the findings generated from such evaluation reliable.

### **3.10 Data Transcription and Coding**

In this section, the study examined the data transcription and coding mechanism that was used in order to make the analysis of data simple and easy to follow

#### **3.10.1 Data Transcription**

Ilie (2001) observes that much of the parliamentary work takes place in committees despite the plenary session being the most visible aspect of parliament's work. This study analyzed both printed version of the Hansard records of the debates in the plenary. Data was analyzed using the pragma-dialectical method of analysis and evaluation (van Eemeren 2015; 521-542) which involves interpretation, analysis, evaluation and reconstruction of the Hansard transcripts in both electronic and print formats.

This process involved evaluating the adequacy of the process of argumentation in parliamentary discourse. The study looked at how discussants present arguments using strategic manoeuvres with the aim of persuading antagonists of the acceptability of their standpoints on merits.

#### **3.10.2 Data Coding**

According to Gorbich (2012) data coding is a systematic way of segregating, grouping, regrouping and relinking data in order to consolidate meaning and derive explanations. Coding is a method which enables researchers to analyze and group data into categories or families because they share certain characteristics. For the current study

it involves the use of tacit and intuitive senses to examine speech acts and complex speech acts in order to derive meanings and patterns (Guba & Lincoln, 1994).

### **3.11 Ethical Considerations**

According to Resnik (2015) ethical considerations are the moral principles and values that guide one in making decisions in research and professional practice that are sound. In making such decisions one has to be thoughtful in the evaluation of the potential ethical implications, the consequences and responsibilities associated with an action or decision by the researcher (Sibatani, 2024). Ethical considerations include respect for autonomy, privacy, confidentiality, informed consent, fairness, justice, beneficence, and non-maleficence in research. They serve as a framework for promoting ethical conduct, integrity, and responsibility in the treatment of individuals, communities, and the broader society. Researchers, practitioners, and individuals in positions of influence are required to carefully balance competing interests, avoid causing harm and uphold the rights and dignity of participants in a study (Resnik, 2015).

All prerequisite activities were done before proceeding to the field. Research authorization was obtained from the university's Institutional Review and Ethics Committee (IREC) for permission to conduct the current study and protect the rights of the participants (see Appendix V). Thereafter, permission was sought from the respective county assemblies from where we collected data. Further approvals were obtained from National Council for Science, Technology and Innovation (NACOSTI). The study also observed all ethical standards in the collection of online data of debate transcripts from the website of Nairobi County assembly. The Standing Orders allow for broadcasting and publishing of proceedings of the house 48 hours after the sittings have happened. Usually, the publications and broadcasts

of the debates would contain verbatim recordings of what was debated without prejudice to the contributors of the debates. By maintaining the originality of the discussion, the privacy and rights of individuals involved is safeguarded and hence, adheres to ethical guidelines and principles.

According to Taylor (2017) the privacy and confidentiality of participants in the debate discussions must be respected. As a result, the information obtained was handled with confidentiality to prevent any potential harm or privacy breaches as suggested Wilson (2021).

Utmost trust and confidentiality of data obtained from the Hansard records were observed. Any identifying information, such as addresses, or contact details, was redacted or anonymised, in line with established ethical practices and not shared in this study (Garcia, 2014) These safeguards were employed to protect the rights of the participants.

### **3.12 Chapter Summary**

This chapter has discussed the research design for the study, the study area and population, sampling procedures and data collection, data analysis and coding. The next chapter presents discusses the data from the Hansard recordings.

## **CHAPTER FOUR**

### **DATA PRESENTATION, ANALYSIS AND INTERPRETATION**

#### **4.1 Introduction**

This chapter provides a presentation and analysis of the argument structure in the discourse texts employed by discussants, and argument schemes employed in debates in Nairobi County assembly. It further describes the strategic manoeuvres employed by discussants in Nairobi County Assembly debates. The data was analysed and interpreted within the framework of the pragma-dialectal theory. The findings sought to categorise the discursual texts employed in debates, and identify and describe the argument schemes used by discussants in debates. In order to explain the use of strategic manoeuvring, the current study described the recurring patterns in debates in Nairobi County assembly.

#### **4.2 The Structure of Discourse Texts**

The first objective sought to categorise discursual texts employed in Nairobi County Assembly debates. In order to respond to the objective, the current study examined argument structures generated at the different stages in the resolution of a difference of opinion from the arguments for and against the standpoints in selected debates and described them in terms of their complexity.

##### **4.2.1 Deductive Complex Argument Structure**

This section examined argument structures generated from the moves made by the discussant PM, the protagonist in the motion on establishing policy and programs for child-headed households. The complete excerpt of the motion has been provided and below it the detailed analysis of the inductive complex argument structure.

Excerpt 1D below presents multiple standpoints in support of the motion on development of policy and programs for child-headed households. The multiple standpoints speak to two issues; the development of policy for child-headed households, and the development of programs for child-headed households. In the whole debate session on the bill, the protagonist moving the motion to support the standpoint is provided with two opportunities to speak, that is, at the beginning or confrontation stage when introducing the bill, and at the concluding stage. The turns have been labelled Turn 1 and Turn 2.

### **Excerpt 1D**

#### **Turn 1**

**PM:** Thank you very much, Madam Speaker...

1) **THAT, aware that the United Nations Convention on the Rights of the Child (UNCRC) is the most widely-ratified international human rights treaty in history, ratification which Kenya is party to;**

**NOTING that the Convention has 54 articles that cover all aspects of a child's life 5) and set out the civil, political, economic, social and cultural rights that all children everywhere are entitled to and also explains how adults and governments must work together to make sure all children enjoy all their rights;**

**CONCERNED that ensuring child rights in Kenya is still a challenge 31 years after ratification of the treaty, and efforts by the State to enforce these rights have not 10) been sufficient as evidenced by rampant cases of abuse and neglect;**

**FURTHER CONCERNED that there are many children heading households (CHH) in urban informal settlements facing specific vulnerabilities shaped by limitations on their opportunities and capabilities within the context of urban inequities, which affect their wellbeing;**

15) **NOTING that Section 62 of the Children Act, 2022 provides for the County Government to establish welfare schemes to provide or facilitate the provision of childcare facilities and programs for children, including children with disabilities;**

**RECOGNIZING that if County Governments do not supplement efforts to address Child Rights by National Government, the implementation of the UNCRC charter 20) will remain a mirage;**

**CONSIDERING the huge mandate that the Nairobi City County has in respect to the Children and acknowledging that the County is in the process of enacting a policy and legislation on children welfare;**

THIS ASSEMBLY urges that the County Executive to:

**25) i. Develop a comprehensive policy that will promote sustainable solutions to child headed households; and**

1. **ii. Develop programs which will create awareness and address needs of child headed households, skills training on issues of reproductive health, children's rights, drug abuse, home management and conflict resolution for 30) children in child headed households** within the County.

Madam Speaker, in a nutshell, I am trying to bring to the attention of this House that in Nairobi, **there are children under 18 years who head their own households**; just the way your father and mother can head a house or you as an adult can head a house. These children might have found themselves in this situation not coincidentally. **May be they 35) are orphans and have no choice.** The firstborns decide to be the heads of the families and take care of their siblings. **They may be children who have run away from home**, so, they think that it is proper to start a home or head a home.

The reason why the policy has to be made is because there is a case in the children's home where one, Mr. A, if I am not wrong, is a legal parent to all the orphans in the 40) children's home who are going to secondary school or college. **The policy and the law requires them to have a parent yet they do not have.**

Therefore, we want to bring to the attention of the County Government to support the National Government in supporting these children headed households. When you 45) support children headed households, you will reduce the number of child pregnancies in Nairobi.

**Turn 2**

**PM:** Hon Speaker and the House at large, I really appreciate. I beg to reply.

#### **4.2.1.1 Analysis of argumentation in the deductive complex argument structure**

The protagonist presents a deductive complex argument structure in proposing the motion for discussion. In deductive reasoning, the protagonist begins from a general principle or premise as grounds to draw specific conclusions (Macagno, 2022). The reasoning leads to valid conclusions when the premise is known to be true. In the excerpts, the protagonist uses argument by example to cite declarations by the United Nations on children's rights as a yardstick for developing policies at the Nairobi County government. The argument structure is introduced by general observations by the protagonist comparing the role of the United Nations (Lines 1-23) to the specific role of the Nairobi County assembly (Lines 25-30) in terms of enacting policies. This kind of deductive reasoning is represented as shown in the illustration below;

**Major premise:** The United Nations has enacted policies on child rights for children

**Minor premise:** Nairobi County has children

**Conclusion:** Nairobi county should enact policies for child-headed households.

The multiple argument structures are supported by subordinatively compound arguments marked as 1.1, 1.1.1 and 1.1.1.1 and coordinatively compound argument structures marked as 1.1a, 1.1b, and 1.1n. Multiple argument structures are marked as 1.1, 1.2 and 1.n as represented in the argument structure below;

1. We should develop a comprehensive policy on child-headed households

(Standpoint1)

1.1 It will promote sustainable solutions to child-headed households

1.1a It is a requirement of United Nations Convention on Rights of the Child

1.1a.1 The UNCRC treaty has been ratified by many countries

1.1a.1.1 Kenya has ratified the treaty

1.1b.1 The UNCRC has 54 articles

1.1b.1.1 The articles address civil, political, social, economic, and cultural rights

1.1c Adults and government to ensure children enjoy these rights

1.1c.1 If the rights are not enjoyed the treaty will remain a mirage

1.1d Ensuring children enjoy these rights is still a challenge

1.1d.1 efforts by the government to enforce the rights has been a challenge

1.1d.1.1 There are rampant cases of abuse of children

1.1d.1.1.1 These abuses affect their well being

1.1' Developing a comprehensive policy on child-headed households is a desirable thing to do

2 We should develop a program for child-headed households (Standpoint 2)

2.1 Section 62 of the Childrens Act provides for the establishment of welfare schemes

2.1a.1 Welfare schemes will provide childcare facilities

2.1b.1 The welfare schemes will run programs for children with disabilities

2.1b.1.1 by creating awareness

2.1c.1 Address needs of child headed households,

2.1c.1.1 promote skills training on issues of reproductive health,

2.1c.1.1.1 promote children's rights,

2.1c.1.1.1.1 create awareness on drug abuse,

2.1c.1.1.1.1.1 educate them on home management

Therefore 2.1' Developing programs for child-headed households is a desirable thing to do

#### **4.2.2 Inductive Complex Argument Structure**

This section examined inductive complex argument structures generated from the moves made by PI, the protagonist in the motion on establishing an ad hoc committee to investigate the County local revenue collection system. Inductive argument structure employs a specific observation to draw general conclusions that can be applied more widely (Macagno et al., 2017) The complete excerpt of the motion has been provided and below it the detailed analysis of the inductive complex argument structure.

##### **Excerpt 1A**

**PI:** Hon. Speaker, Motion No. 8 the subject is; **Establishment of an Ad Hoc Committee to Investigate the County Local Revenue Collection Systems and Administration.**

THAT, pursuant the Resolution made on Wednesday 11th October 2023, the County Assembly **establishes an Ad Hoc Committee comprising of the following Hon. Members to inquire into the revenue collection system(s)** adopted by the County Government: -

1. The Hon. PI, MCA
2. The Hon. PK, MCA
3. The Hon. AK, MCA

4. The Hon. JM, MCA
5. The Hon. WO, MCA
6. The Hon. SM, MCA
7. The Hon. NJ, MCA
8. The Hon. FA, MCA
9. The Hon. FN, MCA
10. The Hon  
CH, MCA
11. The Hon.  
JM, MCA
12. The Hon. DK, MCA.

13. The Hon. JK, MCA.

Hon. Speaker, I'm pursuing this Motion not for monetary gain as people want to put it. **The essence of this Motion is to bring sense to the revenue system of our County.** The wisdom of the Nairobi people bestowed on us under Article One of the Constitution that our oversight role should not be compromised by anyone. **We took an oath of office last year in September in this Chamber to protect the Constitution and more so to exercise our overall role of oversight, legislation and representation. The issue of revenue in this County is wanting.** No matter how much the elected leaders are pondering on the issue of Ward Development Fund to be disseminated at the ward level, without revenue this is not possible.

I want to learn some lessons, and understand how a government can be run by a system that is collecting money that **no one can explain where the logs are and how much is collected.** For the last one week, **the Nairobi County Government has not collected revenue because all the systems are down.** You can pay for services through M-Pesa, but **who has these servers and the logs? Who manages the system and where is it physically located?** Those are the lessons that I want to learn even if it is through the hard way.

As I urge you to pass this Motion, Hon. Speaker and Hon. Members, I will be co-opting two Members as we move forward through amendment

In the excerpt 1A the protagonist presents an argument for the establishment of an ad hoc committee. The protagonist lists reasons supporting the establishment of the ad hoc committee. The reasons given are yet to be established by the committee that will be set up. The protagonist applies Commandment 2, the Obligation to Defend Rule which allows one to defend a standpoint when requested to do so.

#### **4.2.2.2 Analysis of inductive complex argument structure**

1. An ad hoc committee should be established to investigate the revenue collection system

1.1a It will bring sense to the revenue system of the County

1.1a.1 We took an oath to protect the constitution

1.1a.1.1 An oath to exercise our role of oversight, legislation and representation

1.1b.1 Without revenue the disbursement of money to ward development fund is not possible

1.1c.1 No one can explain where the logs are and how much is collected.

1.1f.1 For the last one week the Nairobi County government has not collected revenue.

1.1f.1.1 The revenue collection system has gone down.

1.1' We should establish the County revenue collection system because it is a desirable thing to do.

Discussants employ subordinate and coordinate argument structures in debates in Nairobi County assembly. Subordinate argument structures are used to expound on a given reason.

An example of an extract in the debate is illustrated below;

1.1f.1 For the last one week the Nairobi County government has not collected revenue.

1.1f.1.1 The revenue collection system has gone down.

The premise 1.1f.1.1 is a further reason supporting the initial sub standpoint 1.1f.1 explaining why Nairobi County government has not collected revenue.

**Table 4.1: Argument structures in the confrontation stage of a critical discussion**

<b>Ser No.</b>	<b>Argument structure</b>	<b>Debate</b>
1	Non-mixed, multiple standpoints, deductive structure	Policy and programs on child headed households within the county
2	Non-mixed, single standpoint, inductive structure	Motion of adjournment on assembly calendar
3	Non-mixed, multiple standpoints, inductive structure	Investigation of County Revenue Systems and establishment of ad hoc committee
4	Non-mixed, single standpoint, inductive	Inefficiencies and delays in the delivery of county government services
5	Non-mixed, single standpoint, subordinative structure	Operationalization of the sports fund
6	Non-mixed, single standpoint, subordinative structure	Perennial water challenges by Nairobi Water
7	Non-mixed, single standpoint, deductive structure	Report on illegal demolitions of residential homes
8	Non-mixed, single standpoint, deductive structure	Flagging of county bus services
9	Non-mixed, single standpoint, inductive structure	Projects undertaken by the defunct Nairobi Metropolitan Services
10	Non-mixed, single standpoint, deductive structure	Mandatory health assessment for county employees

Findings reveal that discussants in the confrontation stage for a critical discussion employ well-defined difference of opinion. The rapporteur whose responsibility it is to bring motions for discussion in the assembly, introduces motions for debate in the assembly according to the Standing Orders of the assembly and in conforming to the code of conduct as laid out in the model for a critical discussion. The difference of opinion pertains to a single proposition and the rapporteur who is the main protagonist in the debate, assumes a positive standpoint towards this proposition and later on during the opening stage and argumentation stage takes on the burden of proof to argue for the single or multiple propositions earlier assumed. The other discussant, according to the Standing Orders of the assembly in many cases does not introduce a new standpoint. However, in a few cases the attack on the positive standpoint of the

protagonist introduces a variant of the standpoint, a negative standpoint by the antagonist. The end result is that most standpoints are consistently non-mixed discussion of a single positive standpoint as proposed by the rapporteur.

#### 4.2.3 Complex discourse texts

Argumentation refers to a whole piece of discourse rather than a single speech act in a sentence (Lewinski, 2021). The series of speech acts jointly perform the communicative action of arguing and eventually convincing a doubting critique of the acceptability of an expressed standpoint by the protagonist (van Eemeren *et al*, 2007).

The speech acts in argumentation are usually distributed across the four stages of a critical discussion as specified by the pragma-dialectical theory (Lewinski, 2021; van Eemeren *et al*, 2008). The resultant argumentation is expressed through argument structures that we will specify here as dialectical profiles (van Poppel, 2013; 86). A dialectical profile is a sequential pattern of moves made by either the protagonist or the antagonist that are relevant in resolving a difference of opinion (van Eemeren *et al*; 2008). Discussants in a debate would usually make discussion moves with a view to achieving their dialectical aims during a particular stage or sub-stage of the critical discussion (van Eemeren *et al*, *ibid*). in designing such dialectical profiles, discussants would observe certain general principles as shown in the table 4.3 below (van Poppel, 2013).

Debate on Adjournment in accordance with assembly calendar  
Confrontation stage  
Protagonist defends desirability of action using Variant I

**Figure 4.1: Structure of discourse text in argumentation stage**

At the argumentation stage, both the protagonists and antagonists used subordinative argumentation to support the motion on the adjournment of the house.

Excerpt 1A

**PI's Complex argumentation in motion on adjournment in accordance with the assembly calendar**

The majority leader PI has been given the responsibility of introducing the motion on adjournment according to the assembly calendar. Being the protagonist, PI moves to support adjournment, and employs argumentation in support of the standpoint that, the assembly should be adjourned according to its own calendar. PI takes two turns; Turn 1 occurs at the confrontation stage, where PI presents the material and procedural starting points. The procedural starting points are prescribed by the standing orders of the house that obligate the assembly to adjourn according to its own calendar, while the material starting points are established through the shared information of the parties on reasons for adjournment. In Turn 2, the protagonist winds up at the concluding stage by defending the standpoint, 'We should adjourn the assembly according to the calendar'. PI notes that the opposition to the motion of adjournment by the antagonists is a fallacy because it is not based on good reasons. Below are the excerpts for Turn 1 and 2 by the protagonist PI.

Turn 1

“PI: Hon. Speaker, it is said, ‘it is not the size of the dog in the fight, it is the size of the fight in the dog.’ THAT, pursuant to the provisions of Standing Orders 31 (3), this Assembly adjourns until Tuesday 31st October 2023 at 2.30 p.m. in accordance with the Calendar of the County Assembly

Hon. Speaker, we all know that we have a Calendar that we adopted in this House. We have a 10 days' recess to relax our minds, meditate, clear our minds, to meet our electorates, and reflect on how the year has been. Hon. Speaker, allow me to invite the Deputy Speaker to second the Adjournment

Turn 2

PI: My learned friend, Hon. Oyugi, aka Martin Luther King Junior, is a very great mobilizer. As you have said, Mr. Speaker, he is a senior member of this House. Hon. Speaker, a fortnight ago, I remember you gave a communication as the Speaker of this House that you will give a comprehensive communication on the same. Based on that, you did not tie yourself on timelines. This question has been raised many times in our offices and we have responded affirmatively by saying we all need money, excluding the Speaker because he was not a beneficiary of the allowance. I also need the Kshs. 600,000, but the question is; what modalities are we going to use to arrive to that point? Mr. Speaker, as you said, this cannot affect the Assembly Calendar. It is upon your Office to provide that communicate. The Standing Orders requires you as the Speaker to come with a communication to this House or make an undertaking to circulate it through our portal. I therefore beg for clarity of this matter. This should not affect the Assembly Calendar. This is not the First Assembly whereby our personal interests superseded the interests of the entire institution. Even during this ten days' recess, you can use the Standing Orders to send this communication to our portals. Hon. Speaker, that is the point of information that I wanted to pass across."

The excerpts are represented in the argument structure below;

1. We should adjourn the assembly according to the calendar
  - 1.1 The Standing Orders require that we adjourn the assembly
    - 1.1' We should adjourn the assembly because it is a desirable thing to do.
      - 1.1'.1a To relax our minds
      - 1.1'.1b To meditate
      - 1.1'.1c To meet our electorate
      - 1.1'.1d To reflect on how the year has been

**PK's complex argumentation in motion on inefficiencies and delays in the delivery of county government services.**

**-PK:** Thank you, Hon. Speaker. The Motion was moved and seconded. I would like to do an amendment.

Hon. Speaker, I beg to move the following amendments to the Motion on Inefficiencies and Delays in the Delivery of County Government Services:

By adding the following paragraph, No. iv (a) immediately after No. iv;

*That the County Executive Committee Member for Finance and Economic Planning, in conjunction with the Nairobi City County Revenue Administration Authority, should expedite the drafting of rules and regulations pursuant to Section 44 of the Nairobi City County Revenue Administration Act, 2019 for effective implementation of the Act.*

Hon. Speaker, the objective of this amendment is to ensure the Revenue Administration Act, 2019 is fully implemented. I beg to ask Hon. Kimemia to second that amendment.

**PK:** Thank you, Hon Speaker. I want to thank the House for supporting this very important Motion, which if implemented will go a long way to enhance service delivery of Nairobians, which has been a headache. It is unfair to tell an old woman to queue or log in into something which he/she doesn't understand. This County could come up with better ways of making the payment system easier and accessible to the public.

My gratitude to the whole Assembly for support in consideration of this Motion. I beg to reply.”

The complex argumentation structure is represented below;

1. The bill on delivery of county government services should be amended
  - 1.1 It will ensure the revenue administration act 2019 is fully implemented
    - 1.1’Therefore, amending the revenue administration act is desirable because It will lead to better services.
    - 1.1’.1a It will go a long way to enhance service delivery
    - 1.1.1b Service delivery has been a headache
    - 1.2.1a It is unfair to tell an old woman to queue or log into something she does not understand
    - 1.2.1b This county could come up with better ways of making the payment system easier and accessible to the public.

#### **4.3 Prototypical Argument Schemes in County Assembly debates**

The second objective sought to identify and describe the prototypical argument schemes employed by interlocutors in Nairobi County Assembly debates. The data for analysis was generated from the Hansard report of Nairobi County assembly debates in the morning and afternoon sessions. The Hansard excerpts were categorized according to the subject matter and the relevant committees of the house under which

the matters were debated. The study, therefore, examined excerpts that were purposively selected from 9 committees of the Nairobi County Assembly as recorded in the Hansard. A summary of the sources from which the data for this study was extracted is presented as shown in Table 4.2.

**Table 4.2: The characteristics of the data sources.**

No.	Committee	Session	Debate	Dates
1	Children, Early Childhood Education and Vocational Training	Afternoon	Policy and programs on child headed households within the county	4 <sup>th</sup> October 2023
2	Justice and Legal Affairs	Afternoon	Amendment of standing orders and formation of ad hoc committees Adjournment to discuss delay in disbursement of bursaries Motion of adjournment on assembly calendar	1 <sup>st</sup> November 2023 7 <sup>th</sup> November 2023 19 <sup>th</sup> October 2023
3	Energy and Information, Communications and Technology	Afternoon	Committee on Investigation of County Revenue Systems	1 <sup>st</sup> November 2023
4	Culture and Community Services	Afternoon	Inefficiencies and delays in the delivery of county government services Operationalization of the sports fund	28 <sup>th</sup> September 2023 18 <sup>th</sup> October 2023
5	Environment and Natural Resources		Perennial water challenges by Nairobi Water	1 <sup>st</sup> November 2023
6	Lands, Planning and Housing	Afternoon	Report on illegal demolitions of residential homes	4 <sup>th</sup> October 2023
7	Transport and Public Works		Flagging of county bus services Projects undertaken by the defunct Nairobi Metropolitan Services	19 <sup>th</sup> October 2023 2 <sup>nd</sup> November 2023
8	Health Services		Mandatory health assessment for county employees	19 <sup>th</sup> October 2023
9	Finance	Morning	Nairobi City County Finance Bill 2023	12 <sup>th</sup> October 2023

Field notes

The findings showed that debates in the county assembly were structured and all house business were transacted from matters generated from the 9 sectoral committees of the assembly as shown in Table 4.2. It emerged that during the debates, the decision-making powers of the discussants' arguments were based on the matter at hand and the goal of the discussion parties as stated in Rule 3 of criteria for a critical discussion as expounded by van Eemeren and Grootendorst (1984, 1992, 2004). The rules of a critical discussion obligate discussants at Rule 3 of the rules of procedure to shared premises and discussion rules. Rule 5 of procedures also obligates the protagonist and the antagonist to agree on the roles each one of them takes before the start of the argumentation stage further committing the discussants to shared discussion points. This helps in resolving the difference of opinion on merits due to the shared commitments.

The findings revealed that the discussants utilized the various argument schemes in the domains to help them persuade members to accept their standpoint. The argument schemes were employed at all the stages of a critical discussion because each argument scheme was used as a justificatory point in order to resolve the difference of opinion by either accepting the standpoint by the protagonist or refuting the standpoint by the antagonist.

According to van Eemeren & Grootendorst (2004), the pragma-dialectical theory has three main argument schemes, namely causal argumentation, symptomatic argumentation and argument by comparison. The data below describes the argument schemes employed in the debates in Nairobi county assembly.

### **4.3.1 Pragmatic Argument schemes in debates in Nairobi county assembly**

This section examined the practical argument schemes utilized by participants in The present study examined the various positive and negative perspectives employed by participants to rationalize the acceptability of a position or to articulate skepticism regarding that position during the stages of discussion. Van Eemeren and Houtlosser (2015) note that the optimal framework for a critical discussion comprises four distinct stages that argumentative discourse must traverse in the pursuit of reasonably resolving a difference of opinion. The phases consist of the “confrontation,” “opening,” “argumentative,” and “concluding” stages. In the realm of argumentation, the discourse may not necessarily adhere to a strictly organized sequence as outlined in the model's stages. The confrontation stage represents the moment when a divergence of opinion arises, serving as the catalyst for a critical discourse between two parties. It is here that the protagonist articulates the issue for examination from their perspective.

In the discussion of the data below, excerpts of debates are presented and systematically restructured to identify the elements which are relevant to the critical evaluation of the debate. The study used pragmatic transformations of deletion, addition, permutation and substitution as proposed in the analytical overview in the criteria for a critical discussion in the pragma-dialectical theory. The analytical overview was used to select argument moves in the debate excerpts that were relevant in the resolution of a difference of opinion on merits.

#### **4.3.1.1 Positive Pragmatic Argument Scheme at the opening stage**

A positive standpoint which supports the motion of the day was presented by the mover of the motion. The excerpt 1C1 below is selected for analysis according to the theme

under discussion. It was revealed that discussants ideally use two types of standpoints, that is the positive standpoint as illustrated below;

#### The Positive Pragmatic Argument Scheme

1 It is desirable to set up an ad hoc committee

Because 1.1 The ad hoc committee will investigate how county revenue systems work

1.1'Setting up the committee is beneficial thing to do.

Excerpt 1C1

In the excerpt 1C1 below, the protagonist, the rapporteur moves the motion for the establishment of an ad hoc committee to investigate the revenue collection system for the county. This is at the point of the confrontation stage at which the protagonist expresses a standpoint for discussion.

**PI:** "Hon. Speaker, the essence of this Motion is to bring sense to the revenue system of our County. No matter how much the elected leaders are pondering on the issue of Ward Development Fund to be disseminated at the ward level, without revenue this is not possible."

This is a motion on the establishment of an ad hoc committee to investigate the county local revenue collection systems and administration. The majority leader moved the motion on the establishment of a revenue collection system for the Nairobi City County administration. The majority leader cites the challenges that the city county has gone through in terms of lapses in collecting revenue and gives reasons supporting the establishment of the revenue system while also presenting to the assembly the membership of the ad hoc committee members.

In the argument scheme listed above, PI supports the establishment of the ad hoc committee to investigate the county revenue administration system by employing a

positive standpoint 1, which states; It is desirable to set up an ad hoc committee to investigate the county revenue administration system.

Van Poppel (2013) observes that the term *pragmatic argumentation* refers to argumentation in which some course of action is recommended or discouraged in the standpoint and this recommendation is defended in the argumentation by pointing at the desirable or undesirable consequences of the course of action (Garssen 2013).

The positive standpoint is used to support a course of action. The protagonist in the debate employs a positive standpoint with further sub-standpoints to support or justify the cause of action that the protagonist, who is the rapporteur in this instant, recommends. The rapporteur employs the supporting standpoints to justify the acceptability of the positive standpoint by pointing out the positive consequences of the desired and anticipated actions from the report of the ad hoc committee. The anticipated desirable consequences that are expressed by the protagonist are meant to lessen doubts by the antagonists of the positive standpoint. The acceptability of the positive standpoint by the antagonist leads to the resolution of the difference of opinion on the merits and a quick settlement of the issue at hand.

#### **4.3.1.2 Negative Pragmatic Argument Scheme in the opening stage**

The opening stage of the critical discussion is a point in the discussion where the discussants assume their discussion roles either as protagonists or antagonists of the standpoints being debated (van Eemeren & Houtlosser, 2002).

The antagonist, skeptical of the protagonist's viewpoint, articulates their dissent through a pragmatic argument that counters the protagonist's position.

The protagonist is required to uphold the standpoints, while the antagonist is tasked with rigorously questioning the protagonist's defense of those standpoints. The initial positions of the parties engaged in the conversation are evident at this stage. The next extract demonstrates the pragmatic argument scheme that counters the position previously articulated by the protagonist in 1C1.

#### Excerpt 1C2

In the excerpt 1C2 below, the discussant WC presents a negative standpoint to refute and express doubt on the positive standpoint expressed by protagonist in excerpt 1C1 on establishment of an ad hoc committee to investigate the revenue collection system in the county.

WC: "I stand guided, Mr. Speaker. However, allow me to oppose this Motion, not on the subject matter but in the composition of the Membership of the Ad Hoc Committee. I have no issue with the sponsor of the Motion or the subject of the Motion, I have a problem with the composition of that Committee."

The antagonist introduces a mixed difference of opinion in the debate on establishment of an ad hoc committee by use of multiple standpoints. The first standpoint which the antagonist agrees with, is the establishment of the ad hoc committee. However, in attacking the main standpoint, the antagonist introduces a negative standpoint, showing the undesirability of establishing the ad hoc committee since the antagonist identifies that membership of the committee will not achieve desirable results. This negative standpoint can be illustrated as below;

#### Negative Pragmatic Argument Scheme in the opening stage

1. It is not desirable to establish the ad hoc committee to investigate the revenue administration system

Because 1.1 The membership of the ad hoc committee is not okay

Therefore, 1.1' Setting up the committee is not a beneficial thing to do because it has undesirable consequences

In support of the negative standpoint the antagonist, WC provides a causal link between the negative standpoint in excerpt 1C2 and the reasons supporting the justification showing the undesirability of the action of establishing an ad hoc committee. The discussant WC provides the undesirable consequence of establishing the ad hoc committee as the skewed composition of the ad hoc committee which discussant WC considers not favourable and would therefore bring undesirable consequences. Poppel (2013) notes that pragmatic argumentation permits the evaluation of an act or event in terms of its favorable or unfavorable consequences. WC therefore evaluates the benefits or lack of it of an action and defends the side that one chooses based on this evaluation. Dis 1 evaluates the action of establishing an ad hoc committee as not beneficial thus refuting the positive standpoint employed by the protagonist PI at the beginning of the debate. Perelman & Olbrecht-Tyteca (1969) argue that argumentation rests upon a causal link between an event and a consequence. A pragmatic argument scheme is thus categorized as reasoning founded on a sequential relationship, akin to other forms of causal argumentation. The pragmatic argument is an assessment of an action, justified by its good or bad consequences. The assessment of the consequences, whether favorable or unfavorable, is attributed to the action presumed to have caused them. The assessment of the viewpoint, whether favorable or unfavorable, is substantiated by the premises utilized by either participant, ultimately resulting in the settlement of the disagreement based on its merits.

Considering the argumentation by the protagonist and the antagonist, the acceptability of the positive or negative standpoint is established by considering the sincerity conditions of the utterance by either discussant.

#### **4.3.1.3 Pragmatic argument scheme at the argumentation stage**

The third phase in the framework of a critical discourse, arguably the most significant, is the argumentation phase. At this juncture, the protagonist and the antagonist confront one another, each articulating their respective positions, leading to a robust exchange of counterarguments.

Pragmatic argument schemes occur at the argumentation discussion stage of debates in the county assembly as shown below in Excerpt 1C3.

Excerpt 1C3

In excerpt 1C3 below, the discussant supporting the standpoint for the establishment of the ad hoc committee to investigate the revenue collection system of the county provides sub arguments in support of that action.

JAO: “I believe that the reason why there are financial constraints even to finance this Hon. House is because of the challenges we are having as a County in terms of collecting revenue.”

The protagonist defends the standpoint presented by the majority leader of ‘establishing an ad hoc committee to investigate the county revenue collection system’ by employing a causal argument, specifically the pragmatic argument sub type. A reconstruction of the argument scheme is illustrated below;

Pragmatic argument scheme

2. The assembly is facing financial constraints  
Because 2.1 There is a challenge in collecting revenue  
Therefore 2.1’ Forming an ad hoc committee to investigate the revenue collection system is a good thing to do.

In the argument scheme above the discussant supporting the standpoint in 1C1 gives further reasons why the standpoint should be supported. The county assembly is

facing financial constraints because there is a challenge in the revenue collection system which needs to be reformed. The unexpressed premise is therefore that forming an ad hoc committee to investigate the revenue collection system is a desirable thing to do.

Excerpt 1C4

The excerpt 1C4 below JA is in support of the positive standpoint expressed by the rapporteur on establishment of an ad hoc committee to investigate the revenue collection system of the county.

JA: “Hon. Speaker, there is something I was following last week because my members had not been paid their per diem for a retreat in Mombasa. I took interest when the work plan was taken to the COB. I noticed that it was taking this County a record of eight days to collect Kshs.12 million. When I enquired further – and this is very serious and I am happy that this House has risen to the occasion to give justice. This word ‘justice’ has been used by my Majority Whip. Let us for once ensure that we are giving justice to the people of Nairobi. This House sits as the godfather and godmother of this great County. I am happy today that we have risen to the occasion to ensure that the revenue collected by Nairobians is not lost; that is the bigger picture.”

The protagonist goes ahead to present other reasons why he is defending the positive standpoint by employing another causal argument of the pragmatic sub type as illustrated by the reconstruction below;

3. The revenue collection system is unjust  
Because 3.1 Very little revenue is collected  
Therefore 3.1’ Forming an ad hoc committee to investigate the revenue collection system is beneficial.

Excerpt 1C5

Hon. AG: “I will continue and support the Motion. I have a live situation that is going on in the Executive. Today, residents of Buruburu Estate were given notices to vacate their houses within seven days because they have not paid their rent. But when you look at their accounts, they have paid all the rent. When they came to the Executive to find out what was going on, all the systems had broken down. So, we do not know if it is by design or by default.

Therefore, I take this opportunity to send this Ad Hoc committee to find out what is happening in this County. As it is now, for example, when you go to Planning Sector, all the monies cannot be seen where they have gone to. Also in Housing Sector, every amount of money is not known where it is going to. So, Mr. Speaker, the House has done well to institute this Ad Hoc Committee. I support that they move with speed.”

The protagonist above defends the setting up of an ad hoc committee by giving reasons why that should be done. The protagonist employs causal argument, pragmatic subtype which is reconstructed below;

- 4. The revenue collection system of the county has broken down
- Because 4.1 It cannot reconcile records for revenue collection
- 4.1a Residents were given notices to vacate their houses because they have not paid rent.
- 4.1b It is not known where money is going to in the housing sector
- Therefore 4.1'.1b Forming an ad hoc committee to investigate the revenue collection system is beneficial to correct the broken-down system

The protagonist presents a positive standpoint to support the establishment of ad hoc committee to investigate the revenue collection system in Nairobi County. The protagonist presents subarguments in support of the standpoint using subordinative argumentation.

#### **4.3.1.4 Pragmatic argument schemes at the concluding stage**

The final phase signifies a moment of assessing whether the protagonist's justification of their positions and the antagonist's critical responses have culminated in the reconciliation of differing viewpoints. The conclusion is attained through either the protagonist validating the uncertainties introduced by the antagonist, leading to a resolution that benefits the protagonist, or the protagonist retracting their positions, resulting in a resolution that favors the antagonist (van Eemeren *et al.*, 2014: 530). As this essential discourse reaches its conclusion, the participants will endeavor to encapsulate their findings in addressing the divergence of perspectives

on merits before engaging in yet another phase of deliberation to reconcile their differing viewpoints, whether among themselves or with other stakeholders.

### **Excerpt 1C6**

The excerpt 1C6 below shows the discussant making concluding remarks on the issue under discussion, the establishment of an ad hoc committee to investigate the revenue collection system in Nairobi County.

**Hon. PI:** “Hon. Speaker, my life has always been defined by a sense of controversies since birth because I believe in feeling the temperature of the situation. Hon. Speaker, I still repeat that we have all the interests of Nairobi, that is why I am quiet. I wish I could show you how my phone is ringing and what has been happening from yesterday because of this Motion. The interests are beyond us, but we must salvage Nairobi County. Let us not reason with our emotions on this, let us reason with the interests of Nairobians.”

The majority leader re-affirms the positive standpoint on the need to establish the ad hoc committee on investigating the revenue collection system by employing the pragmatic sub type of causal argumentation. The reasons given seek to defend the argument and remove doubt on the acceptability of the standpoint in order to resolve the difference of opinion on merits. It is desirable to establish an ad hoc committee to investigate the revenue collection system. The reconstruction of the argument scheme is as follows;

1. It is desirable to establish an ad hoc committee to investigate the county revenue collection system  
Because 1.1.1 It will salvage the city  
Therefore 1.1.1’ establishing an ad hoc committee to investigate the county revenue collection system will provide for the interests of Nairobians.

In the above motion, the discussant establishes the starting point on the desirability of establishing an ad hoc committee to investigate the revenue collection system for the Nairobi County.

The table 4.3 shows the pragmatic argument schemes employed by discussants during debate on the establishment of an ad hoc system to investigate the revenue collection system in Nairobi County.

**Table 4.3: Pragmatic argument schemes employed in motion on establishment of ad hoc committee on revenue collection system**

<b>Serial No</b>	<b>Argument scheme type</b>	<b>Argument scheme sub type</b>	<b>Discussion Stage</b>
1	Causal argumentation	Pragmatic argument	Confrontation
2	Causal argumentation	Pragmatic argument	Opening
3	Causal argumentation Causal argumentation	Pragmatic argument Pragmatic argument	Argumentation in support of standpoint
4	Causal argumentation Causal argumentation	Pragmatic argument Pragmatic argument	Argumentation refuting the standpoint
5	Causal argumentation	Pragmatic argument	Concluding

The findings indicate that pragmatic argument schemes, a specific category of causal argumentation, are utilized during the confrontation, opening, argumentation, and concluding discussion phases of the debate regarding the formation of an ad hoc committee to examine the Nairobi County revenue collection system and its administration. Pragmatic argument schemes serve as a means for discussants to demonstrate the advantages of implementing specific policy actions that would benefit the constituents represented by MCAs. The application of a pragmatic argument scheme plays a crucial role in substantiating the validity of standpoints and sub-standpoints within debates, thereby facilitating the resolution of differing opinions among participants in a discourse regarding the merits at hand. The protagonists advocating for the standpoint and the antagonists challenging it utilize pragmatic arguments to either bolster or undermine the position articulated in the debate.

### **4.3.2 Symptomatic argument schemes in Nairobi County assembly debates in the motion on establishment of a revenue collection system administration**

Section 4.3.2 discussed the symptomatic argument schemes employed by discussants at the different discussion stages in debates in Nairobi County assembly. It was revealed that discussants employed the symptomatic argument scheme at the confrontation stage of debates.

#### **Confrontation stage**

In the confrontation stage the mover of the motion presents the debate for discussion to the assembly using a positive standpoint as illustrated in 1C7 below;

#### **Excerpt 1C7**

**PI:** “Hon. Speaker, Motion No. 8 by the designation of God, the great Leader of Majority of Nairobi City County Assembly, is to move the Motion. The subject is; Establishment of an Ad Hoc Committee to Investigate the County Local Revenue Collection Systems and Administration.”

The leader of the majority, PI as the person mandated to introduce motions in the assembly, is the protagonist in the motion on establishment of an ad hoc committee to investigate the county revenue systems and administration. The majority leader thus introduces the standpoint on establishment of the ad hoc committee. As a person with a mandate to perform such a function of introducing motions, the majority leader uses a symptomatic argument, specifically the sub type of argument from authority to introduce the standpoint. The argument from authority is represented in the following argument scheme (cf. Figure 2.5 in Section 2.4.1);

S is an administrative authority in institution P

According to S, I should do X

Therefore, I should do X

In the debate excerpt 1C7 above, the majority leader who is the mover of the motion employs argument by expert opinion on the standpoint being debated and expects the argument to be accepted since the discussant provides an expert opinion as the authority mandated to provide guidance on issues for debate. In this symptomatic argumentation, there is a relation of concomitance between the reason advanced in the argument and the standpoint which is defended (van Eemeren and Garssen, 2019).

This schematic representation of argument from authority is presented below;

1. The majority leader is an authority in the county assembly
- 1.1 According to the majority leader, we should adjourn the assembly because the calendar dictates so

Therefore, 1.1' We should adjourn the assembly

The critical questions an antagonist who has doubt on the standpoint employed by the protagonist would ask and expect satisfactory response are as follows;

1. Do I come under the authority of institution P?
2. Does what S say apply to my present circumstance C?
3. Has what S says been interpreted correctly?
4. Is S genuinely in a position of authority?

The warrant of the conclusion in this argumentation is attributed to the expertise of the person, document or thing. In argument from authority, transfer of the acceptability of a standpoint is guaranteed by referring the argument to an external source that has the knowledge or expertise required for drawing the conclusion (Van Eemeren, 2009:86; Van Eemeren & Houtlosser, 2015). The authority does not necessarily have to be a person; it may be a book, such as the Bible or other book deemed authoritative. The authority in this particular case is the Assembly Standing Orders which prescribe the process of nomination of members to a committee which is usually done by the selection committee. The assembly may ratify such decisions in the Committee of the

Whole House. In case the decisions are not ratified, the decision is taken back to the selection committee. In argumentation by expert opinion, the discussant believes that the authority that gives such expert advice adds to the acceptability of the standpoint. Evaluation of an appeal to authority depends on the discussant's ability to respond to the critical questions in the criteria of evaluation of the discussion. The criteria for assessing this argumentation are based on the following critical questions:

- (1) Is the source's expertise relevant to the opinion?
- (2) Is the source trustworthy?
- (3) Is the expert a genuine expert?

**Table 4.4: Symptomatic argument scheme at the confrontation stage of motion on establishment of revenue collection system and administration**

<b>Serial No</b>	<b>Argument scheme type</b>	<b>Argument scheme sub type</b>	<b>Discussion Stage</b>
1	Symptomatic argument	Argument from authority/expert opinion	Confrontation
2	-	-	Opening
3	-	-	Argumentation in support of standpoint
4	-	-	Argumentation refuting the standpoint
5	-	-	Concluding

The data on Table 4.4 on symptomatic argument schemes employed in debates on establishment of an ad hoc committee to investigate revenue collection system reveals that the rapporteur uses symptomatic argument scheme at the confrontation stage to introduce the standpoint;

We should establish an ad hoc committee to investigate the revenue collection system of Nairobi County.

The rapporteur is the majority leader who is authorized to introduce motions in the assembly. He employs argument from authority to justify the acceptability of the

standpoint and resolve the difference of opinion on the merits. It is a requirement according to the Standing Orders of the Assembly that the majority leader (rapporteur) introduces motions for debate in the assembly.

Symptomatic arguments are also used to direct discussions in the assembly. The assembly is a quasi-legal institution, and there are rules and regulations that determine how committees of the assembly are constituted as per the Standing Orders No. 169, of Nairobi City County Assembly, which *inter alia* states;

Unless otherwise provided by any written law or these Standing Orders, the Committee on Selection shall, in consultation with County Assembly parties, nominate Members who shall serve on a select committee. (Nairobi City County Assembly Standing Orders)

Debate on the motion on establishment of the ad hoc committee on revenue collection is anchored in law. The rapporteur in using argument from authority is emphasizing the fact that the standpoint is anchored in laws established for the operation of the Nairobi assembly and which are documented in the Standing Orders.

#### **4.3.2.1 Symptomatic argument schemes in the debate on composition of the ad hoc committee to investigate revenue collection system**

The debate on the composition of the ad hoc committee is moved by the rapporteur to establish the membership of the committee to look into the revenue collection system. The rapporteur proposes the membership of the committee which is challenged by a speaker citing lack of inclusivity of independent members of the Nairobi County assembly into the ad hoc committee.

#### **Confrontation stage**

##### **Excerpt 1C8**

**Hon. PI:** “Hon. Members, I will be co-opting two Members as we move forward through amendment after the passing of this Motion so that you bring the most

experienced Members of this Assembly in this Committee. Members who know the history, know during Gakuo's time how the County was being ran and what happened.”

The majority leader establishes the standpoint for debate which is co-option of more members into the ad hoc committee to investigate the revenue system by use of an argument from authority, a sub type of symptomatic argument scheme. Establishment of the assembly ad hoc committee especially its composition in terms of membership is guided by the Standing Orders and that is what the majority leader who is the mover of the motion seeks to explain in attempting to coopt two more members. The dialectical route for the symptomatic argument scheme is illustrated below;

1. The standing orders provide legislative direction to the assembly to establish membership of the ad hoc committee
- 1.1 The standing orders require that members should pass legislation on establishing an ad hoc committee of the assembly
- 1.1 Therefore, the assembly should pass the legislation on establishing membership of the ad hoc committee of the assembly

#### **Excerpt 1C9**

**KO:** “Thank you, Mr. Speaker. Waswahili have this saying, *Mgala muue na haki yake mpe*. My brother, Hon. Alai has been so passionate about the issues of automation in this County, I would have loved and passionately appeal to the leadership, if it cannot be amended because of time constraints, find it appropriate to incorporate him. Hon. Alai has been so passionate about this subject. If we are forming an Ad Hoc Committee, with sincerity, I think Hon. Alai deserves to be in this Committee. Thank you, Mr. Speaker.”

The antagonist in this debate challenges the minor standpoints as expressed by the protagonist by proposing inclusion of an extra member as proposed by the mover by employing argument by example;

1. The assembly needs to nominate a competent member to the ad hoc committee
- 1.1 Alai is a competent member
- Therefore 1.1' The assembly should nominate Hon Alai.

The antagonist employs argument by comparison as a justification for the acceptability of the argument because the mover appears to indicate experience as a reason why members were nominated to the ad hoc committee. The antagonist therefore challenges membership of the ad hoc committee through a sub standpoint on increasing the membership of the committee by two more members as alluded to by the mover of the motion. This attack on the main standpoint is fallacious because the propositional content in the argument attacking the standpoint cannot be linked to the standpoint employed by the mover of the motion by the use of a justificatory principle. The Standing Orders at No. 168 (1) and 169 (1), specify membership of Select Committee and nomination to a committee of the assembly respectively. Attempts by discussants at Committee of the whole house to manoeuvre around existing laws on such nominations is fallacious and does not in any way help the discussants resolve the difference of opinion on merits.

Van Eemeren and Garssen (2019) further note that an argument scheme represents a particular justificatory relationship between an argument consisting of a cluster of reasons supporting or refuting a standpoint that is supposed to legitimize the transfer of acceptability. Where there is an argument not in tandem with the standpoint that should be defended or attacked, the discussant would be in contravention of the standpoint rule which states that ‘discussants may not attack a standpoint that has not actually been put forward by the other party’.

Deviation from the norm set by the rules in the argumentative process is taken as a ‘discussion move that obstructs or hinders the resolution of the difference of opinion on the merits’ (van Eemeren, 2010). Such an argument is also considered a fallacy.

### **Excerpt 1C10**

**Hon. WC:** “Thank you, Mr. Speaker. Now that I stand guided that we cannot amend this document on the floor of the House, allow me to oppose.

**Hon. Speaker:** Order, Hon. Members! You may be seated. Maybe as the custodian of the statutes and the Constitution, I want the House to get it right from our Standing Orders; you may read with me Standing Order No. 62, Amendments to be in writing. But under the same Standing Order No. 62 (2):

*Despite paragraph (1), the Speaker may, in exceptional circumstances, allow a Member to move an amendment to a Motion before the Assembly at any time during consideration of that Motion.*

So, there is a window, but again the Chair must be persuaded that there is a need to adjust the number of the Membership of the Committee by the House. So, you stand guided.”

Further fallacies can be identified in the arguments by an antagonist in the excerpt 1C10 above, who attacks the wrong standpoint or what we might refer to as a non-existent standpoint. The reason given by the discussant is not linked to the standpoint at issue, that is 'There is a need to establish an ad hoc committee to investigate the county revenue system collection and administration'. is not the subject of the motion. The antagonist establishes a symptomatic argument scheme, specifically the argument from example sub type, to support refutation of the standpoint being debated as follows;

1. The county assembly has powers to constitute committees

Because 1.1 The county assembly has constituted the ad hoc committee to investigate the county revenue system collection and administration

Therefore 1.1' The county assembly should reconstitute the ad hoc committee on revenue collection and administration

This argument is fallacious because it is in contravention of the Rule 9 (b) of the procedures for a discussion which states that;

*The antagonist has conclusively attacked the standpoint of the protagonist if he has successfully attacked either the propositional content or the force of justification or refutation of the complex speech act of argumentation (Van Eemeren et al, 2014; Van Eemeren & Grootendorst, 2004).*

A breach of any procedural rules in a discussion poses a possible risk to the resolution of substantive disagreements during discussions. Van Eemeren et al. (2014) note that breaches of the norms in a critical debate constitute erroneous discussion maneuvers that approximately align with the argumentation deficiencies commonly referred to as 'fallacies.' Fallacies do not facilitate the resolution of differences of opinion regarding merits and, hence, are not considered appropriate justificatory steps in such resolutions. The discussant attacking the positive standpoint on establishing the ad hoc committee relies on argument by example to challenge a proposition put forward supporting the standpoint by employing argument from authority. There is clearly no link between the propositional content of the negative argument scheme and the positive standpoint thus the argument fails the test of acceptability.

### **Concluding stage**

In the concluding stage the moderator of the debate gives directions on matters of procedure as the debate is concluded. The moderator who controls the discussions in the assembly also cuts out discussions that might not result into resolving a difference of opinion in the merits. Excerpt 1C11 concludes the debate as illustrated below;

### **Excerpt 1C11**

**Speaker:** “Order, Hon. Members! Let us not make mockery out of the debate. Hon. Members, by leave of the Chair, you were given an opportunity to ventilate on the Motion, but subsequently, you need to understand we have a substantive Motion appearing in the Order Paper, which takes the first precedent. For that reason, Hon. Members, I call the mover of Motion No. 8 to reply.”

In the excerpt above, the speaker of the assembly allows the mover of the motion to reply on the standpoint ‘there is need to establish an ad hoc committee to investigate local revenue systems collection and administration’ and conclude debate in the assembly by resolving the difference of opinion on merits. The speaker also uses authority bestowed upon him by the Standing orders to direct debate in the assembly.

The speaker’s advisory can be represented in the argument by authority scheme below;

1 The speaker has expertise over the conduct of business in the assembly.

1.1 The speaker is trustworthy

Therefore 1.1’ The speaker can direct the assembly to discuss substantive motion No. 8 on establishment on ad hoc committee to investigate revenue collection in Nairobi county

### **Concluding Stage**

#### **Excerpt 1C12**

**PI:** “Hon. Speaker, I kindly seek guidance, do I reply to the Amendment of the Motion or to the Substantive Motion?”

**Speaker:** I have said Substantive Motion No. 8.

**PI:** As I reply, Hon. Minority Whip, you know me in history, I have never withdrawn a Motion in my life. It has never happened. You can go on YouTube and look. What I place before the Chamber, let it die a natural death or let me execute it and I remain alone. History is not comparable to how many you are; it is only about you.

**Speaker:** Thank you very much.”

*(Question put and agreed to.)*

In this excerpt the Hon speaker affirms the substantive motion as was defended by the mover, the leader of the majority, Hon PI. The protagonist, in defence of the standpoint for the establishment of the county revenue system collection and

administration justifies the starting points at the initial stages of the debate as acceptable in resolving the difference of opinion, and by his authority proclaims the argument from authority as valid.

The attack on the main standpoint fails when the speaker directs through a symptomatic argument, specifically argument from authority that the rules of the house do not allow opening up the debate to other sub standpoints. The dialectical route of the symptomatic argument scheme is illustrated below;

1. The speaker has authority over the assembly
  - 1.1 The speaker intends the motion to be passed

Therefore 1.1' we should pass the motion

**Table 4.5 Symptomatic argument schemes in the debate on composition of ad hoc committee on establishment of revenue collection system**

<b>Serial No</b>	<b>Argument scheme type</b>	<b>Argument scheme sub type</b>	<b>Discussion Stage</b>
1	Symptomatic argument	Argument from authority	Confrontation
2	-	-	Opening
3	Symptomatic	Argument by example	Argumentation in support of standpoint
*4	Symptomatic	Argument by example	Argumentation refuting the standpoint
5	Symptomatic argument	Argument from authority	Concluding

\* fallacy

Table 4.5 shows symptomatic argument schemes in the debate on composition of membership of the ad hoc committee on establishment of revenue collection system in Nairobi County. The data reveals that discussants largely employ symptomatic argument schemes in the confrontation, argumentation and concluding stages of the debate. Symptomatic argument schemes are used to direct discussions by providing provisions of the law that such decisions are based on. The discussants hope that by invoking the law, then they would easily justify acceptability of the standpoint and

resolve the difference of opinion on the merits. It is important for discussants to gain membership into the ad hoc committee to investigate the revenue collection system since once inside the ad hoc committee they will be able to influence decisions of the assembly on matters of revenue collection. The competing interests in this motion from both sides of the assembly is evident. The discussants opposing the standpoint on composition of membership of the ad hoc committee also use a fallacious symptomatic argument to justify the acceptability of their refutation by misreading the provisions on composition of the ad hoc committee. The difference of opinion can be resolved by relying on provisions of the law as recorded in the Standing Orders of the assembly. The Standing Order is explicit on the composition of such a committee based on gender, number and party affiliation. Standing Orders Nos. 169, 170, and 171 below satisfy the conditions on composition of the list of nominated members;

169. (2) The Committee on Selection shall give consideration to the need for gender balance and shall, so far as may be practicable, ensure that no more than two-thirds of members of a committee of the County Assembly, including a committee established through a resolution of the County Assembly, shall be of the same gender.

170. (1) In nominating members to serve on a select committee, the Selection Committee shall ensure that the membership of each committee reflects the relative majorities of the seats held by each of the County Assembly parties in the County Assembly.

(2) Despite paragraph (1), a member belonging to a party other than a County Assembly party or independent member may be nominated to serve in a select committee and the allocation of membership of select committees shall be as nearly as practicable proportional to a number of members belonging to such parties and independent members.

171. (1) The Selection Committee shall, within seven days upon nomination of members to serve in any committee of the County Assembly, present the list to the County Assembly for approval.

(2) Whenever a Motion for approval of a list under paragraph (1) is moved in the County Assembly, no objection against the proposed membership of a Member in a select committee shall be permitted and objections, if any, shall be formulated against the proposed membership as a whole.

The role played by the selection committee is anchored in law and such variation of the composition of the selected committee members can only revert to the selection committee. Discussions in the assembly with a view to altering the composition of such an ad hoc committee is fallacious.

#### **4.3.2.2 Symptomatic argument schemes in the debate on adjournment**

##### **according to assembly calendar**

The speaker of the assembly confirms the fallacious nature of this argument when he refers the discussant to the house rules in the next excerpt using symptomatic argumentation, specifically argument from authority as illustrated in the text below;

##### **Excerpt 1A1**

**Speaker:** The Hon. Member is opposing the Adjournment. Just to remind you as a senior Member of this Assembly, the House is guided by the Calendar. You do not have any option unless you extend the life of the Calendar.

Walton and Koszowy (2015) observe that argument from administrative authority is a kind of argument used when discussion parties are in deliberation and a decision has to be made in a situation requiring a choice. This is represented in the argument scheme below;

S is an administrative authority in institution P  
According to S, I should do X  
Therefore, I should do X

The critical questions an antagonist who has doubt would ask and expect satisfactory response are as follows; 1. Do I come under the authority of institution P? 2. Does what S say apply to my present circumstance C? 3. Has what S say been interpreted correctly? 4. Is S genuinely in a position of authority?

It was revealed that the Speaker employed argument from administrative authority. The speaker in the assembly has authority to moderate discussions between the discussants

in the assembly. Control of the business of the assembly by the speaker helps determine the direction of the debates and avoid a situation where debates would deviate from the standpoints for discussion at a particular point in time. The speaker offers advice on the conduct of business in the house by relying on the Standing Orders to make decisions of the house. The speaker's advice offers justification for discussants to comply in attempting to resolve the difference of opinion on the merits. The standpoint that, 'The house to adjourn according to the assembly calendar' is therefore upheld. This observation is in line with Van Eemeren et al., 2014 who assert that a person who is an authority can give an opinion on a matter that requires discussants to comply and thus resolve a difference of opinion on merits.

### **Excerpt 1A2**

#### **ADJOURNMENT**

**Speaker:** Hon. Members the House stands adjourned to Tuesday 31<sup>st</sup> October 2023

The speaker adjourns the house according to the Standing Orders which require that members go on recess at periodic intervals to rest and recuperate. The speaker uses symptomatic argumentation, specifically the sub standpoint of argument from authority to adjourn the house because that is what the Standing Orders mandate the speaker to do.

**Table 4.6: Symptomatic argument schemes in debate on adjournment according to assembly calendar**

<b>Serial No</b>	<b>Argument scheme type</b>	<b>Argument scheme sub type</b>	<b>Discussion Stage</b>
1	Symptomatic argument	Argument from authority	Confrontation
2	-	-	Opening
3	-	-	Argumentation in support of standpoint
4	-	-	Argumentation refuting the standpoint
5	Symptomatic argument	Argument from authority	Concluding

In Table 4.6, the data reveals that symptomatic argument schemes are employed in the confrontation and concluding stages of the debate on adjournment according to the assembly calendar. The rapporteur uses argument from authority at the confrontation stage to direct discussions on adjournment of the assembly which is stipulated in the Standing Orders and is a lawful directive to the assembly. The Standing Orders No. 31 (1) of Nairobi County Assembly states;

31. (1) The County Assembly Business Committee shall, with approval of the County Assembly, determine the calendar of the County Assembly

The speaker of the assembly uses symptomatic argument scheme to direct the adjournment by dint of his authority to supervise conduct of business in the assembly. Symptomatic argument schemes are useful in directing the conduct of business in the assembly by especially directing activities which are established in the Standing Orders.

**Table 4.7 Summary of Argument schemes employed in debates in Nairobi County Assembly at the discussion stages**

Serial No	Details	Argument scheme type	Argument scheme sub type	Discussion Stage
1	Excerpt 1	Symptomatic argument	Argument from authority/argument from expert opinion	Confrontation
	Excerpt 2	Symptomatic argument	Argument from authority	
	Excerpt 3	Symptomatic argument	Argument from authority	
2	Excerpt 1	Causal argument	Pragmatic argument	Opening
	Excerpt 2	Causal argument	Pragmatic argument	
	Excerpt 3	Causal argument	Pragmatic argument	
3	Excerpt 1	Causal argument	Pragmatic argument	Argumentation in support of standpoint
	Excerpt 2	Causal argument *Symptomatic	Pragmatic argument Argument by example	
	Excerpt 3	Causal argument	Pragmatic argument	
4	Excerpt 1	Causal argument	Pragmatic argument	Argumentation refuting the standpoint
	Excerpt 2	*Symptomatic	Argument by example	
	Excerpt 3	Causal argument	Pragmatic argument	
	Excerpt 3	Causal argument *Argument by analogy	Pragmatic argument Argument by comparison	
5	Excerpt 1	Causal argument	Pragmatic argument	Concluding
	Excerpt 2	Symptomatic argument	Argument from authority	
	Excerpt 3	Symptomatic argument	Argument from authority	

- \*Fallacies

The summary presented in Table 4.7 above presents the findings of argument scheme patterns employed by discussants at the different stages of a critical discussion.

The information on the Table 4.7 reveals that discussants prototypically use three types of argument schemes to resolve a difference of opinion and present acceptable arguments during debates in the Nairobi City County Assembly. The three types of argument schemes are causal argumentation, symptomatic argumentation and argument by comparison or analogy argumentation. These results agree with the observations made in the pragma-dialectical argumentation theory which distinguishes three main types of argument schemes namely; symptomatic argumentation, analogy

argumentation, and causal argumentation (van Eemeren and Snoeck Henkemans 2011; van Eemeren & Garssen, 2019; Akkermans *et al*, 2018).

The findings further reveal that the preferred argument scheme employed at the confrontation stage of debates is the symptomatic argument. The two sub types of the symptomatic argument employed at the confrontation stage are argument from authority and argument by expert opinion. This finding could indicate that protagonists presenting a standpoint at the beginning of the debate use argument from authority to assert their opinions and thus attempt to justify the acceptability of their standpoints and quickly resolve the difference of opinion on merits. This further justifies the fact that county assemblies are quasi legal institutions and are mandated to legislate on plans, policies and proposals that come before the assembly. The use of symptomatic arguments signifies authority of the discussants to establish direction of a discussion and resolve differences of opinion on the merits and in an expeditious manner.

The information on the Table 4.5 reveals that discussants prefer to employ symptomatic argument schemes to prepare a firm defence of their standpoints. The nature of the standpoint has consequences for its support. Standpoints in political debates are usually of a prescriptive nature (Demir, 2016) where discussants attempt to solve problems by offering probable solutions to such problems through argumentation. The goal of deliberation in debates is aimed at solving problems through decision-making and such decisions can be made by a person in authority guiding on decisions to be made while relying on the Standing Orders of the Nairobi County assembly. Symptomatic argument schemes give authority to the moderator to help discussants arrive at a favourable decision in resolving the difference of opinion on merits.

Causal argument schemes, especially of the pragmatic argumentation sub type are preferred and employed at the other three stages of a critical discussion. In order for the positive standpoint presented by the protagonist to gain acceptability, the protagonist and other discussants who support such positive standpoint usually present justificatory reasons in support of the positive standpoint to resolve the difference of opinion on the merits. The least employed argument scheme is analogy argument scheme which is employed at the argumentation stage to attack a positive standpoint. This finding reveals that policy decisions, plans and proposals laid before the assembly for discussion can be decided on based on existing Standing Orders of the assembly rather than depending on precedence, where examples of past actions are relied upon to arrive at decisions.

#### **4.4 Strategic Manoeuvring in Nairobi County Assembly debates**

The third objective was to determine the strategic manoeuvres employed by discussants in county assembly debates.

Van Eemeren and Houtlosser (2004) in van Eemeren (2010) refer to the terminology of strategic manoeuvring by noting that "strategic manoeuvring in argumentative discourse refers to the efforts that are made in the discourse to move about between effectiveness and reasonableness in such a way that the balance -in equilibrium between the two is maintained (van Eemeren, 2010, p.41).

The pragma-dialectical theory identifies three strategic manoeuvres employed by discussants in debates while presenting their points and in an attempt to resolve a difference of opinion on the merits. The three inter-related aspects of strategic manoeuvring are; selecting from topic potential, meeting audience demand and exploiting presentational devices. The findings revealed that discussants select from

potential topics, appeal to the audience, and exploit presentational devices in debates in Nairobi county assembly. In the following sections 4.4.1, 4.4.2, and 4.4.3 the current study systematically responds to the three areas of strategic manoeuvring.

#### **4.4.1 Selecting from topic potential in debates in Nairobi County assembly**

The strategic manoeuvring related to selecting from topical potential involves a discussant choosing the topic to start a discussion from the options available and the standpoint that one needs to use to justify the acceptability of the standpoint at issue which will help resolve the difference of opinion on the merits. It was revealed that in debates in Nairobi County assembly the topics discussants engage in are those already prescribed in the assembly calendar. However, discussants in debates introduce a party's priority issue by disagreeing with the standpoint expressed by the protagonist as evidenced in the excerpt below;

##### **Excerpt 1A3**

In this excerpt, the leader of the majority introduces a motion for discussion on the establishment of an ad hoc committee to investigate the county local revenue collection system at the confrontation stage of the discussion.

**PI:** Hon. Speaker, Motion No. 8 by the designation of God, ... the great Leader of Majority of Nairobi City County Assembly, is to move the Motion. The subject is; Establishment of an Ad Hoc Committee to Investigate the County Local Revenue Collection Systems and Administration.

The standing orders of the assembly require the House Business Committee to set up and organize motions for debate in the assembly. The topics for debate in the assembly are, therefore predetermined through the standing committees of the assembly.

Topic potential here is aimed at making the most effective choice from the alternative issues for discussion. The discussant utilised the 'disagreement space'

available in the dialectical process in such a way that the confrontation was defined in accordance with the party's performance. During debates, PI moves a motion on a topic already determined by the responsible committee of the house and according to the Standing Orders which prescribe what business should be transacted in the Assembly. The rapporteur does not have choices on the topics since one is required to cover what the responsible committee has proposed as the business of the day. The topic for discussion in topical selection, is constrained to the plans, policies, proposals and strategies that the Assembly is set to implement in the year 2023. Strategic manoeuvring at the level of topical potential revolves around the priority issues set by the Assembly. The rapporteur presents the issues in the most effective way in order to persuade the audience to agree to one's standpoint and thus resolve the difference of opinion on merits. Excerpt 25 provides the topic that the rapporteur moves for discussion.

The starting points at this stage are meant to direct the debate to an issue which the rapporteur considers an urgent problem to be resolved. The rapporteur uses causal argumentation to show the urgent need to resolve this problem towards the end of the opening speech in the excerpt below;

#### **Excerpt 1A5**

**PI:** We have been slow but we have not stopped because the issue of revenue in this County is wanting. No matter how much the elected leaders are pondering on the issue of Ward Development Fund to be disseminated at the ward level, without revenue this is not possible.

The excerpt 1A5 above shows the urgency of approving the membership of this committee in order to solve the problem of generating revenue for the county. The rapporteur at the confrontation stage lays to the assembly the problem at issue to be resolved which is setting up a revenue- generating system and its administration.

The rapporteur presents the argument, that ‘the issue of revenue in this county is wanting’ which supports the standpoint and shows the urgency of resolving the issue. The supporting argumentation by the rapporteur is because he anticipates that the antagonists would raise doubt and criticism of his standpoint. He hopes that the defence of his standpoint and the supporting arguments justifying the acceptability of the standpoint will resolve the difference of opinion on the merits.

### **Excerpt 1A6**

**KO:** I was afraid that you might shut me down. Thank you, Mr. Speaker for the opportunity to also contribute to this Motion. Mr. Speaker, initially I was adamant to support this Motion because I asked myself a number of questions. One among them was that we have the ICT Committee which the Mover has lauded for doing some excellent job. So, I was asking myself, if we have an ICT Committee which is competent and up to the task, why don’t we bestow this responsibility to the ICT Committee? I did not get the answers. Again I asked myself, if the ICT is not going to give appropriate answers or will not offer solution to this problem, why can’t it be referred to the PAC Committee? Again, I did not find the answer. However, Mr. Speaker, I found it quite embarrassing to oppose my leader, the Majority Leader. For that reason, I want to support the Motion.

The discussant in excerpt 1A6 above employs a mixed difference of opinion and using causal argumentation, expresses doubt on the topic potential of the rapporteur’s standpoint by use of a negative standpoint;

**S:** It is not desirable to establish an ad hoc committee to investigate county revenue collection system

since 1.1 this work can be done by the ICT committee.

The discussant employs comparison argumentation to attack the positive standpoint by giving examples of committees, for example ICT Committee, PAC Committee that can fulfil such a mandate of investigating the revenue collection system, and there is no need to establish a new committee to perform such a function.

### **Opening stage**

#### **Excerpt 1A7**

**I:** I have received calls and persuasions that this Committee is not good and it is not the right thing as it will burn my fingers. Yes, it may burn my fingers but will

not burn my toes to walk on. This Committee has the sweat and the blood of Nairobians in their hands.

In the excerpt 1A7 above, the rapporteur in anticipation that there will be opposition to the membership of the ad hoc committee to investigate county revenue collection system, indirectly reprimands the audience who are opposed to the problem statement, 'formation of the ad hoc committee', by alluding to the fact that some discussants are involved in such negative and destructive debates. The rapporteur alludes to the fact that anybody opposed to the standpoint on establishment of the committee will not be in solidarity with the audience and might suffer from their wrath if they do not pass the motion, when he says, 'this Committee has the sweat and the blood of Nairobians in their hands. The use of such figurative language is meant to persuade the discussants to accept the rapporteur's standpoint and thus help resolve the difference of opinion on the merits.

### **Argumentation stage**

#### **Excerpt 1A8**

**Hon. Peter Imwatok:** No matter how much the elected leaders are pondering on the issue of Ward Development Fund to be disseminated at the ward level, without revenue this is not possible.

#### **Excerpt 1A9**

**Hon. Peter Imwatok:** I want to learn some lessons, and understand how a government can be run by a system that is collecting money that no one can explain where the logs are and much is collected. For the last one week, the Nairobi County Government has not collected revenue because all the systems are down. You can pay for services through M-Pesa, but who has these servers and the logs? Who manages the system and where is it physically located? Those are the lessons that I want to learn even if it is through the hard way.

In the two excerpts 1A8 and 1A9 above, the rapporteur argues in support of the standpoints on establishing an ad hoc committee to investigate the revenue collection system, and selection of more members to join the ad hoc committee. The

standpoints are the topical issues to be addressed by the assembly. The rapporteur presents the problem to be solved by the assembly in the form of the standpoints. In presenting the problem, the rapporteur employs complex coordinative argumentation in support of the standpoint, that is;

1.2a the lack of adequate revenue to run the county government,

1.2b uncertainty on the location of the servers for revenue collection and,

1.2c inefficiencies in the system of revenue collection.

Argumentation by the rapporteur sets the tone for the discussions as the topic selected for debate identifies a problem to be solved. Through causal argumentation, the rapporteur also shows how serious the problem is and the need for the problem to be addressed.

### **Excerpt 1A10**

**KO:** I was afraid that you might shut me down. Thank you, Mr. Speaker for the opportunity to also contribute to this Motion. Mr. Speaker, initially I was adamant to support this Motion because I asked myself a number of questions. One among them was that we have the ICT Committee which the Mover has lauded for doing some excellent job. So, I was asking myself, if we have an ICT Committee which is competent and up to the task, why don't we bestow this responsibility to the ICT Committee? I did not get the answers. Again I asked myself, if the ICT is not going to give appropriate answers or will not offer solution to this problem, why can't it be referred to the PAC Committee? Again I did not find the answer. However, Mr. Speaker, I found it quite embarrassing to oppose my leader, the Majority Leader. For that reason, I want to support the Motion.

In a mixed difference of opinion, the discussant above expresses doubt on the desirability of appointing the ad hoc committee to investigate the county local revenue collection system by giving examples of other committees which he feels are competent to perform the task.

The antagonist presents the negative standpoint;

1. The Assembly should not establish an ad hoc committee to investigate the revenue collection system.

### 1.1 Other existing committees can do the job better

Therefore, 1.1' establishing an ad hoc committee is not a desirable thing to do.

In the mixed difference of opinion, an antagonist refutes the positive standpoint on establishing an ad hoc committee to investigate the revenue system by presenting a counter move showing the undesirability of doing what another committee has already done. The antagonist is unable to justify the negative standpoint by giving reasons or premises in support of the negative standpoint thus making the negative standpoint fallacious.

### **Concluding stage**

#### **Excerpt 1A11**

**PI:** As I reply, Hon. Minority Whip, you know me in history, I have never withdrawn a Motion in my life. It has never happened. You can go on YouTube and look. What I place before the Chamber, let it die a natural death or let me execute it and I remain alone. History is not comparable to how many you are; it is only about you.

In the mountain of Patmos, a disciple was told to recant Jesus Christ, but he said, *“What do you want to do to me? You want to go throw me there? Please, do it.”* But I know this House cannot throw out what is right for the people of Nairobi. Hon. Speaker, you are doing us justice, Thank you.

The rapporteur at the concluding stage confirms the standpoint at issue as the problem to be resolved after justifying its acceptability at the opening stage and confrontation stage of the critical discussion. The rapporteur uses rhetorical questions which equally serve as critical questions to the arguments presented by discussants for and against establishment of the ad hoc committee;

‘What do you want to do to me?’, can be equated to asking the critical question, ‘Is it desirable to pass the motion on establishing an ad hoc committee on revenue collection system?’

In response to this question, the rapporteur compares his situation to that of a disciple on the mountain who was told to recant Jesus. The rapporteur uses argument by comparison to justify acceptability of the standpoint;

S: The motion on the establishment of the revenue collection system should be passed because

1.1 It is a desirable thing to do.

The findings of this study reveal that, in debates in county assemblies, the topic potential is established at the beginning of the debate as part of the plans, policies or proposals of the government of the day. Discussants are not at a position to choose what issues make the topic potential since this is already established in the Standing Orders of the assembly.

#### **4.4.2 Adapting to audience demand in debates in Nairobi County Assembly Confrontation stage**

##### **Excerpt 1B1**

**PI:** For those who know my history, I share some peculiarities with the Speaker from our lives. Long time ago, I was a watchman for the Kenya Railways, a toilet cleaner in Makongeni Estate, and I used to sell jeans in Garissa Lodge. I have a slogan; That is my philosophy. Hon. Speaker, I'm pursuing this Motion not for monetary gain as people want to put it.

The rapporteur engages the audience in idiomatic expressions to obtain their attention and commitment on the standpoint raised and illustrate the benefits of passing the motion. Using an impartial and passive stance in the idiomatic expressions ensures that the rapporteur tries not to appear condescending and paternalistic in persuading the discussants to accept his standpoint, but that all of

them are invited to do something good. The rapporteur appeals to the emotions of the audience by use of rhetoric.

### **Excerpt 1B2**

**Speaker:** Thank you. You may proceed by supporting the Motion.

**KO:** Thank you, Mr. Speaker. Waswahili have this saying, *Mgala muue na haki yake mpe*. My brother, Hon. Alai has been so passionate about the issues of automation in this County, I would have loved and passionately appeal to the leadership, if it cannot be amended because of time constraints, find it appropriate to incorporate him. Hon. Alai has been so passionate about this subject. If we are forming an Ad Hoc Committee, with sincerity, I think Hon. Alai deserves to be in this Committee. Thank you, Mr. Speaker.

The antagonist of the negative standpoint seeks solidarity with the members in the discussion by expressing support to the motion though belatedly, in order to counter earlier doubt expressed by him on the appropriate committee to investigate the revenue collection system. This he hopes will gain favour with the members to allow him participate in the second positive standpoint, that of selecting two more members to form the ad hoc committee.

### **Opening stage**

#### **Excerpt 1B3**

**PI:** I asked my Whip to extend the time for consultation based on what was happening in the UDA side so that the names can be brought in the House when it is in unison.

As I urge you to pass this Motion, Hon. Speaker and Hon. Members, I will be co-opting two Members as we move forward through amendment after the passing of this Motion so that you bring the most experienced Members of this Assembly in this Committee. Members who know the history, know during Gakuo's time how the County was being ran and what happened.

The rapporteur addresses the anticipated attack on the standpoint on establishing an ad hoc committee to investigate revenue collection systems, by suggesting co-option of members from the opposing political side as a way of expressing solidarity and gaining favour in passing the motion as proposed. At the opening stage both parties

establish their material starting points which consists of common shared ground for argumentation. This is also in complying with rules of procedure of a critical discussion which mandate discussants to identify discussion points in the debates that do not deviate from the standpoint established at the beginning of the debate.

### **Argumentation stage**

#### **Excerpt 1B4**

**DKM:** Thank you very much, Hon. Speaker. Much has been said by the Majority leader regarding the importance of this Ad Hoc Committee. This Committee is supposed to do justice not only for the Assembly but also for the residents of Nairobi County. We will summon the people that need to be summoned without fear or favour. This Committee will do the job it is intended to do to completion and I am certain that the work that will be done here will bring pride to this Assembly. With those few words, Hon. Speaker, I beg to second.

The protagonist expresses solidarity with the discussants by use of words such as, ‘We will summon...’, and ‘**The committee** will do the job...’. By talking to a collectivity, the protagonist seeks to gain acceptability of the standpoint and resolve the difference of opinion on merits.

**MOTION: POLICY AND PROGRAMS ON CHILD-HEADED HOUSEHOLDS WITHIN THE COUNTY**

#### **Excerpt 1B5**

**PM:** Thank you very much, Madam Speaker...

*(A Member spoke off the record)*

I am not confused, Madam Speaker, protect me. Just to bring to the attention of this House, it is such a wonder that when a Madam Speaker is sitting on that powerful Chair, there are shouts especially from the men, and it doesn't happen when the substantive Speaker or even the Deputy Speaker, Hon. Kados, who I have never seen any Member shout at him. So, Madam Speaker that is a point for this House to note. You should sit in that seat of yours, as powerful as it is, and make sure that you are not intimidated.

The rapporteur appeals to the inside and outside audience of the assembly, by taking a personal position on a shared normative commitment, that is, the expected norm of respect for each other as members of the assembly, regardless of gender. This shared commitment is common shared knowledge of the conduct of social beings who are expected to uphold each other's' dignity. The rapporteur also calls on the institutional position of the assembly by alluding to the existing Standing Orders of the Assembly, which refer to respectful conduct of members. The co-construction of the identity of the rapporteur in taking personal and institutional positions on the issue of respect points to the African beliefs, values and value systems which call for respect for each other and the desire to appear less confrontational in debates in the assembly.

### **Concluding stage**

#### **Excerpt 1B6**

**PI:** Hon. Speaker, I kindly seek guidance, do I reply to the Amendment of the Motion or to the Substantive Motion?

**PI**The interests are beyond us, but we must salvage Nairobi County. Let us not reason with our emotions on this, let us reason with the interests of Nairobians. Just like Jesus Christ came from heaven to save the world, someone somewhere has to stand in the gap of men who cannot speak, and we are the ones. If this Motion goes through, this will be our baby. As I said, the Committee has many ways it can cure all you have said.

Let us not make the Assembly an assembly of speechless men and women; let the people speak. But beyond this red carpet, we are all the Hon. Members of the County Assembly of Nairobi.

The rapporteur wants to avoid approbation by the antagonists by use of the words, 'I kindly seek the guidance...' when invited by the speaker to give concluding remarks on the issue for debate. In doing so, the rapporteur is seeking the acceptability of the positive variant of the standpoint to gain acceptability and thus to resolve the difference of opinion on the merits. While concluding the discussion,

the rapporteur provides a window of opportunity for all of them to accept the earlier stated standpoint and register solidarity on both sides of the assembly by appealing to the emotions of all the discussants. By doing this the rapporteur anticipates to repel further attacks as he concludes debate on the issue at hand. The rapporteur uses phrases such as, 'We are the ones' while comparing the discussants to disciples, 'If this Motion goes through, this will be our baby,' in reference to the assembly passing the motion, 'Let us not make the Assembly an assembly of speechless men and women; let the people speak,' in reference to allowing all discussants make contributions on the motion being debated. Finally, the rapporteur uses the expression, 'But beyond this red carpet, we are all the Hon. members'. The collective word 'we, us, people, and our enables the rapporteur to avoid approbation and as a final remark to defend the standpoint from anticipated challenges.

Excerpt 1B7

**PI:** We are all debating on the interests of the people of Nairobi. In the mountain of Patmos, a disciple was told to recant Jesus Christ, but he said, "*What do you want to do to me? You want to go throw me there? Please, do it.*" But I know this House cannot throw out what is right for the people of Nairobi. Hon. Speaker, you are doing us justice, Thank you.

The rapporteur goes on to describe his selflessness and in effect acknowledges the same spirit in the efforts made by all the discussants during debate by using the collective words, 'We are all debating in the interests of the people of Nairobi.' He goes, 'But I know this house cannot throw out what is right for the people of Nairobi.' By collectively referring to the efforts of all the discussants, the rapporteur seeks solidarity of all members in justifying the acceptability of his standpoint to constitute the ad hoc committee and resolving the difference of opinion on the merits.

#### **4.4.3 Exploiting presentational devices in Debates in Nairobi County Assembly**

In this section we examine the use of presentational devices as one of the designs that a discussant uses to qualify the arguments that they make either in defence of a standpoint or to refute the standpoint expressed by the discussant. Presentation refers to the choices that an arguer or discussant makes while designing the moves that the discussant feels are critical to verbalise their contributions (Tseronis, 2009). This section considers use of proverbs, metaphors, stance adverbs and deixis as tools that discussants use to complement their standpoints and arguments and which are useful in resolving a difference of opinion on the merits.

##### **4.4.3.1 Use of proverbs**

Every culture and language have its own proverbs, which belong to the popular culture and tradition of their language (Al-Khanaif sawy, 2023). Proverbs are generally defined as “a well-known phrase or sentence that gives advice or says something that is generally true” (Oxford Learner’s Dictionary, 2015). It is revealed that discussants use proverbs in debates at the beginning as a way of relating and reinforcing the message in the proverb with the decisions that the audience in the debate are expected to make. The wisdom of proverbs has guided people in their social interactions for thousands of years throughout the world. Proverbs contain everyday experiences and common observations in succinct and formulaic language, making them easy to remember and ready to be used instantly as effective rhetoric in oral or written communication (Mieder, 2004). Mieder (2004) helps us understand the relevance and frequent usage of proverbs is due to the fact that they are used as emotive tools to obtain agreement from an audience to support

arguments from discussants. An analysis of proverbs is written in shared texts below;

Text 2C1

PI: *“If you accomplish something good with hard work, the labor passes quickly, but the good endures; (Musonius Rufus) Argument by reciprocity*

This proverb is used by the rapporteur at the confrontation stage of the debate on establishment of ad hoc committee on local revenue collection system to support the discussant’s standpoint. The discussant uses the proverb to illustrate the virtues of hard work. The proverb contends that one should be committed to a good course if they are to be respected. This proverb resonates with African tradition which dignifies hard work and frowns upon laziness. The proverb also encourages the audience to follow in the footsteps of the protagonist by reciprocating their actions depending on the actions of the protagonist. Cristancho and Vining (2004) note that the most influential mental representations of the natural world are moral beliefs about the correctness and incorrectness of our actions toward it. The social norm of reciprocity is the expectation that people will respond to each other in similar ways by responding to gifts and kindnesses from others with similar benevolence of their own, and responding to harmful, hurtful acts from others with either indifference or some form of retaliation (Kim *et al*, 2022). The protagonist, in lobbying for the assembly to support the motion on establishing the investigative committee alludes to the fact that the actions of the discussants should be in support of the standpoint.

Text 2C2

PI: *if you do something shameful in pursuit of pleasure, the pleasure passes quickly, but the shame endures.” (Musonius Rufus) Argument by reciprocity*

This proverb is used to further illustrate the vanity of pursuing short term gains at the expense of making long term but steady progress. In the debate on establishment of ad hoc committee on revenue collection system, the discussant persuades the audience to delay rolling out finances to the regions but embark on reforming the revenue collection system through the investigative mechanisms of a committee of the assembly. The protagonist wins the audiences' attention by showing the importance of delaying immediate gratification for long term gain which will be achieved after the revenue collection system has been revamped. African traditions heap praise on one being patient and not being too fast or in a hurry to do things because of the belief that things which are hurried do not last. African communities hold as a virtue the gift of patience among members of the community.

Text 2C3

PI: *"If you cannot make money, make a name; that name one day will make you good money."* **Argument from a given opportunity**

This proverb has been employed by the discussant who is the mover of the motion supporting the establishment of an ad hoc committee to investigate the local revenue collection system of the Nairobi County government. The proverb is used with a view to persuade the audience to agree with the positive standpoint by employing emotive words that catch the attention of the audience that one is addressing. The use of proverbs establishes rapport and solidarity between the protagonist of the standpoint and the audience that one is addressing. Proverbs are also a sign of wisdom.

Text 2C4

PI: Hon. Speaker, another philosopher said, *"It does not matter how slow you go, as long as you do not stop."* (Confucius) **Argument by commitment**

The discussant uses the proverb while presenting the standpoint to support the establishment of programs and policies for child-headed households. The antagonists in the debate cites the long period that it is taking starting such programs and policies yet there is a proliferation of street families on a daily basis.

The protagonist uses the proverb to emphasize the importance of perseverance and continuous effort in achieving goals, highlighting that even small, incremental progress is valuable as long as one maintains forward momentum and doesn't give up. The proverb is meant to persuade the hearers to agree to supporting the standpoint on establishing policies and programs because they will ultimately be helpful to the society.

From the examples cited above it is revealed that proverbs are used by discussants to seek their attention on the debates being discussed. The proverbs register in the cognition of the discussants because they relate to experiences that they have had in their lives. It is therefore expected that discussants would use such proverbs to persuade the hearers to agree with their standpoints. This would ultimately resolve the difference of opinion on the merits. Proverbs are also used as a mark of societal values, beliefs and wisdom across different communities. The use of the proverb in the debate context shows the shared values, beliefs and wisdom across communities and over time. Such proverbs are globally appealing and likely to be accepted as complements to the standpoints being shared. This claim is supported by the observation that proverbs, normally, reflect the worldviews and values of a culture, both contemporary and historically (Mieder, 2004). The proverb also comes out as an argument from commitment. An argument from commitment is a type of persuasive strategy where the arguer tries to establish a claim by pointing out the addresser's or addressee's prior commitments, such as statements or actions, that are

either consistent or inconsistent with their current position. It's a way of holding someone accountable to their own words or beliefs. This proverb brings forth the principle of commitment in an argument. An argument by commitment type relies on the principle that individuals should be consistent in their beliefs and actions. If someone has previously stated or implied something, an argument from commitment suggests they should logically accept a related conclusion. The discussant PI presents evidence of prior commitments, especially PI's religious background and beliefs as a basis of PI's commitment. These commitments logically lead to a desired conclusion.

2C5

PI: I came across a quote which says, "*A hungry stomach, an empty wallet and a broken heart can teach you great lessons of life.*" (Robin Williams) **Argument from general experience**

The statement "A hungry stomach, an empty wallet and a broken heart can teach you great lessons of life" utilizes an argumentation scheme based on generalization from experience. This scheme connects the experiences of hardship (hunger, poverty, heartbreak) to the conclusion that these experiences are valuable teachers. It's essentially saying that because these specific difficult situations often lead to learning, they can be generally considered as valuable sources of wisdom

This quote relates to the discussant's argumentation during the motion on policy and programs on child-headed households where the discussant empathises with the plight of children living in the streets and the challenges that they have to cope with. Some of these challenges are a lack of shelter, inadequate food and lack of other basic amenities that families would generally enjoy. The discussant uses the proverb

to encourage the audience to support the development of policies and programs for child-headed households.

## 2C6

**PI:** Hon. Speaker, it is said, *“It is not the size of the dog in the fight, it is the size of the fight in the dog.”* (Mark Twain) **Argument from analogy**

The phrase draws a comparison between a physical contest of a fight and a more abstract contest of life’s challenges. It highlights the fact that success is not only determined by the inherent physical characteristics of an object but by the strength of one's inner qualities. The discussant PI at the beginning of the motion on establishment of an ad hoc committee to investigate the county revenue collection system to indicate his readiness to confront adversity. The possibility of such adversity is clearly illustrated in the discussant’s remarks, thus;

### 4.4.3.2 Use of Deixis

The relationship between language and context can best be exemplified by the use of deixis (Levinson, 1983). Deixis refers to a set of expressions whose interpretation depends on the context in which they appear (Al-Hindawi and Saffah, 2021). the study reveals that the use of person deixis, specifically, the strategic use of first-person personal pronouns in county assembly debates is important in the construction of institutional identities. Deictic expressions are listed below;

**Table 4.8: Person deixis**

No.	Text No.	Person deixis
1	2C7	DKM: This Committee is supposed to do justice not only for the Assembly but also for the residents of Nairobi County. We will summon the people that need to be summoned without fear or favour
2	2C8	PI: The interests are beyond us, but we must salvage Nairobi County.
3	2C9	PI: Let us not reason with our emotions on this; let us reason with the interests of Nairobians.
4	2C10	PI: Allow me to stop there and ask my colleagues that it is not us; Our mothers in hospitals need money to buy medicines

2C7

In the excerpt, a discussant DKM supports the establishment of the ad hoc committee to investigate the revenue collection system of the county by alluding to the membership of the ad hoc committee and their preparedness to undertake the job ahead of them.

DKM: This Committee is supposed to do justice not only for the Assembly but also for the residents of Nairobi County. We will summon the people that need to be summoned without fear or favour

In the Text 2C7 the discussant moves to support the standpoint for the establishment of the ad hoc committee to investigate the county revenue collection system. The discussant uses the first-person plural pronoun 'We' as a strategy to persuade the hearers to support her argument on establishing the ad hoc committee.

According to Helmbrecht (2002) speakers use pronouns in conversations to include the hearers in their requests in order to minimize social distance between one and the hearer. Such a gesture minimizes the risk of loss of face on the side of the hearer and the feeling of inclusion in the expected activity (Brown and Levinson, 1987; Helmbrecht, 2002). The discussant in using the first-person plural pronoun sought to persuade fellow discussants on both sides of the political divide in the county assembly to buy into the discussant's argument. The 'we' pronoun serves an inclusive purpose in the utterance since discussants in debates in the county assembly can be identified as a social group with a defined social identity. In African settings, belonging to a social group, whether it is a tribe, clan or village is important for purposes of social relations. Many discussants belong to closely knit families which are considered important for both political and social survival and the membership to the group offers some safety net since it forms part of the cultural

and social development of the individual. The social closeness of members to a group makes it easier to request for favours from the hearer.

2C9

PI: Let us not reason with our emotions on this; let us reason with the interests of Nairobians.

The discussant makes reference to the people who the ad hoc committee that was established to investigate the local revenue collection system will invite while doing the investigations, and the discussant promises that they will do a fair job. The discussant expresses solidarity with the audience by the use of inclusive second-person plural pronoun word 'us' to gain acceptability of one's standpoint and thus resolve the difference of opinion between the discussant and the audience.

2C10

PI: Allow me to stop there and ask my colleagues that it is not us; Our mothers in hospitals need money to buy medicines

The debate above is on the Finance Bill where discussant presents a positive standpoint in support of passing the Finance Bill. However, the antagonists express doubt in the budget appropriations for the health sector which the discussants observe has not been adequately funded. In the example 2C10 given above, the discussant presenting the positive standpoint uses second-person plural personal pronoun to register solidarity with the audience as a way of gaining acceptability of the positive standpoint and thus resolving the difference of opinion on the merits. The protagonist refers to 'us' also to identify with all the discussants in the assembly with whom the protagonist considers part of one's social group and whom the speaker wishes to identify with.

#### **4.4.3.3 Biblical Allusion**

2D1

PI: Just like Jesus Christ came from heaven to save the world, someone somewhere has to stand in the gap of men who cannot speak, and we are the ones.

The discussant who presents the positive standpoint that there be established membership of the ad hoc committee, compares his role of defending the membership of the ad hoc committee to that of Jesus Christ. The use of the abstract concept of advocacy by the discussant is compared to physically standing in a space thus emphasizing the idea of filling a critical space or intervening on behalf others. The discussant compares himself to Jesus Christ who sacrificed His life for the sake of saving the whole world from sin, The discussant uses the biblical allusion to create emotions among audience to support the course the discussant has taken. Supporting the motion means supporting a good course. Supporting the motion for the establishment of an ad hoc committee to investigate the revenue collection system also implies saving the whole county from losses of revenue that it might suffer as a result of poor collection of revenue. This will impact the rolling out of services. The discussant alludes to the fact that once the investigations are over, the revenue system will support functions of the county by generating more revenue for the county, and sealing loopholes that cause the county to lose revenue. The discussant hopes that the use of the rhetorical device will serve the role of supporting the acceptability of their standpoint and resolve the difference of opinion on the merits.

**2D2**

In the excerpt below, PI is making reference to the debate on establishing an ad hoc committee to investigate the revenue collection system of the county. The assembly

has constituted a select committee to sit in the ad hoc committee. However, there are members opposed to how the membership of the committee was constituted and thus are questioning the rationale of its composition.

**PI:** In the mountain of Patmos, a disciple was told to recant Jesus Christ, but he said, ‘What do you want to do to me? You want to go and throw me there?’

The reference to the mountain of Patmos and a disciple being told to recant Jesus Christ alludes to the biblical story of the apostle John on the island of Patmos. The rhetorical device is used here to draw parallels between the disciple’s courage and the speaker’s own stance, that is, to do what is right and what is beneficial to the audience. The presentational device is used to emphasize the importance of always doing what is right even in tough circumstances. It further upholds the virtue of bravery and being counted at a time when it matters most.

#### **4.4.3.4 Metaphor**

**2E1**

**Speaker is SHIELD**

PM: I am not confused. Madam Speaker protect me....It is such a wonder that when a madam speaker is sitting on that powerful chair, there are shouts especially from the men...

The text above is an utterance by a lady discussant seeking the intervention of the moderator of the debate in the motion on policy and programs on child-headed house-holds within the Nairobi County. The discussant has noted that the male audience were consulting loudly when the female discussant was given an opportunity to contribute to the motion. There is a relation of concomity between the base lexeme ‘speaker’ and its association with the target ‘shield’. The discussant calls upon the speaker of the session to protect them from the aggression of the

audience. The speaker thus becomes a shield. In normal parliamentary practice, the speaker moderates debates and makes turn-taking decisions as they also demarcate the roles taken by the discussants as either protagonists or antagonists. The speaker has the role of a gatekeeper and protector of the rights of discussants in the county assembly.

2E2

Hardship is an ORGANISM

DKM: They (children) also face multiple layers of hardship that intersect with the socioeconomic dimension of vulnerability.

The text is drawn from the motion on policy and programs on child-headed households. The standpoint is supported by the discussant DKM who gives reasons why the motion on formation of policy and programs for child-headed households should pass. The discussant lists a number of challenges that child-headed households go through. These include socio-economic needs such as lack of food, health and hygiene. There is also lack of work. The discussant compares this hardship to an organism which contains layers and each challenge is listed as a layer of hardship that the child-headed household has to go through.

2E3

Debate is a PROCESS

MM: Hon Speaker, as we speak we have already passed that stage.

The text by the discussant makes reference to the motion on establishing the membership of ad hoc committee to investigate the revenue collection system. The discussant is opposed to amending the membership of the ad hoc committee and refers to that stage of constituting the ad hoc committee as having passed. In referring to it as a stage, the discussant seeks to persuade the audience of the stages

in debating according to the house rules, and that one of the stages has been passed and there is no need of revisiting it.

2E4

Debate is HIERARCHY/ORDER

Speaker: You need to understand that we have a substantive motion appearing in the order paper, which takes the first precedent.

The moderator makes this utterance to provide direction on motion on the establishment of ad hoc committee on revenue collection system.

2E5

Debate is a JOURNEY

When we think of debate being a journey, we construe of a debate as having destinations and paths (Lakoff and Johnson, 1980; Kovecses, 2002). In analysing the metaphor of debate is a JOURNEY, the target domain (Debate) and source domain (JOURNEY) are systematically mapped to reflect the correspondences of the two domains. The discussants engaged in a debate are compared to travellers in a journey since they toil on a daily basis generating bills and motions for debate in the assembly. The assembly becomes the means through which discussants arrive at a common goal of resolving a difference of opinion on the merits as compared to a journey which has a final destination. Just like a journey has obstacles and impediments along the way, debates can equally generate obstacles in terms of moves and counter moves of the discussants before the resolution of a difference of opinion on merits. Finally, in a journey, a decision has to be made about which way to go. This compares with debates where decisions have to be made after the motion has been discussed. These decisions are what generate bills and finally an act of the

assembly which becomes law. Table 4.9 presents instances of the Debate is a JOURNEY metaphor.

**Table 4.9: Metaphors of Debate is a JOURNEY**

No.	Metaphor
1	PI: Hon. Speaker, it has been a journey to understand where the servers of our revenue systems are.
2	DKM: I cannot move an amendment. I expect it to come from members and dispense it before the plenary so that we can put a question.
3	KO: Let us narrow our debate on this special ad hoc committee.
4	PI: It has been a journey to understand where the servers of our revenue system are.
5	PI: We have been slow but we have not stopped because the issue of revenue in this county is wanting.

PI: Hon. Speaker, it has been a journey to understand where the servers of our revenue system are.

The discussant is introducing the motion on establishing the ad hoc committee to investigate the revenue collection system. The discussant notes that there have been many meetings held to discuss the matter of the revenue of the county. There have also been many queries from other discussants on this revenue collection system. The discussant observes that, ‘this motion has brought a lot of interest across the country...’.

2E6

Debate is WAR

This is an example of a structural metaphor where the discussions taking place in debating chambers between the protagonist and antagonist are seen in terms of war. Lakoff and Johnson (1980) observe that partial characteristics from the domain of war to that of the debate are transferred to the debate target domain by identifying the characteristics that can be mapped on the debate phenomenon. Debaters can be

compared to adversaries with each of the discussants trying to win the debate on merits or win their opponent's control. The antagonist tries to resist by presenting counter moves while the protagonist persists by presenting moves that can skew the debate on one's side. Where weapons such as guns, bombs and machetes would be used by adversaries in war, debaters use presentational devices to disarm their antagonists and justify the acceptability of their standpoints or arguments. Finally, one discussant wins the war. The study identified three metaphors accounting for Debate is WAR as listed in Table 4.10;

**Table 4.10: Metaphors of Debate is WAR**

No.	Metaphor
1	PI: I am pursuing this motion not for monetary gain as people want to put it.
2	MO: We are the protectors of this constitution, the Standing Orders and the Statutes of the Law
3	We are unable to fulfil the desires of few individuals to destroy the purpose of this motion
4	I have not slept since yesterday. I was wrestling between what is right and what is wrong....
5	PI: As the mover of the motion, I will not care, but I will guard the independence of the specific offices.

In the metaphors listed in Table 4.10, the concept of WAR is related to 'pursuing' in Example 1, protectors, destroy, wrestling and guard.

2E7

Debate is a BUILDING

PI: This is a house of debate. Let us debate constructively with a lot of humility and respect.

The speaker compares the assembly to a physical building or structure. The metaphor therefore suggests that the assembly is a place where ideas are discussed, built upon and shaped much like happens with a physical house which serves a certain function. This metaphor helps convey the idea that the assembly is a

dedicated space for debate and discussion where decisions are made. The assembly as a house of discussion has its own rules, traditions and norms.

The speaker uses inclusive language to create a sense of unity and shared responsibility among discussants, encouraging collective participation in order to obtain common good. The essence of practicing humility and respect is in order to maintain a positive and considerate tone during debates. The debating chamber is compared to a house where motions are building blocks through which democracy is developed.

The metaphor of a building can be a powerful tool for understanding and structuring a debate. In this analogy, the roof represents the central idea or argument, the pillars are the supporting reasons and evidence, and the foundation is the solid base of data, examples, and expert opinions that uphold the entire structure.

**Table 4.11 Metaphor of Debate is a BUILDING**

No.	Metaphor
1	PI: Secondly, Hon Speaker the house is a full house. It is great to see the Third assembly to capacity. That shows our debate is getting to another level
2	SM: Allow me to go straight to the point and say this, that if the county government can work and support the structures on the ground, what do I mean?
3	NN: On the converse where we do not have the structures and regulations in place to ensure that this is being done, then we see that we are being robbed ....

In the examples listed in Table 4.11, different concepts are used to refer to Debate is a building. They include concepts such as ‘house’ in Example 1, ‘structures’ in Examples 2 and 3.

2E8

Debate is a GAME

Debate, while seemingly a contest of ideas, can be effectively understood and analyzed through the lens of game theory. It's a structured activity with defined rules

governing turn taking, time allocations, and topic setting. The rules shape the field of play and that influences the strategies employed by discussants. Discussants like players in a game arrive at decisions based on the strengths of their arguments and those of their antagonist. They choose which arguments to present and the strategies they employ to present them with a view to resolving a difference of opinion on the merits. The final outcome of a debate just like in a play is determined by the evaluation of the arguments presented. Discussants employ strategies that maximize their chances of success based on the perceived preferences or criteria of the evaluator. The Table 4.12 presents the Debate is a GAME metaphor

**Table 4.12: Metaphors of Debate is a GAME**

No.	Metaphor
1	AG: We want them to give this house an opportunity to discuss that report as it comes so that it does not come with hidden agendas.
2	SO: Let it be made clear today that once the Whips have been given the authority to bring the list, just like the coaches who prepare the list of the players who are going to play, we must respect that
3	SO: I am certain that the people who have been selected to this committee are men and women of integrity.

The metaphors in the Table 4.12 have been used to compare different concepts related to Debate is GAME. They are ‘hidden agendas’ in Example 1, ‘just like the coaches’ in 2, and ‘selected the committee’ in Example 3.

The findings reveal that discussants strategic manoeuvring employ deictic pronouns to appeal to the audience in debates in Nairobi County assembly. The study further established that discussants employed proverbs, biblical allusion and metaphors in debates in the Nairobi County assembly especially at the confrontation stage of the debate. This is an indication that discussants design their entry point of debates in the best possible way that minimizes anticipated doubt from the antagonist. The use of strategic manoeuvring in debates is for supporting standpoints through

argumentation in debates in Nairobi County assembly. The strategic manoeuvres functions as tools to evoke emotions in audience, support reasoning in debates, and persuade discussants to agree to the standpoints of the protagonist and thus resolve a difference of opinion on the merits. Strategic manoeuvring also functions as a tool to express solidarity and social inclusion among discussants, illustrate social identity and shared values, value systems and beliefs that a social group endears to in order to hold the social fabric. These values and value systems consist of shared customs and traditions of the people. These shared customs consist of respect for each other, religiosity, and solidarity values which are common shared knowledge of members of the group

#### **4.5 Summary of the Chapter**

This chapter has determined the discussants in debates in Nairobi County assembly employ topical selection, adaptation by audience demand, and presentational devices as strategic manoeuvres. The next chapter summarises findings for the current study, conclusions and recommendations for areas of further research.

## CHAPTER FIVE

### SUMMARY OF FINDINGS, CONCLUSIONS AND RECOMMENDATIONS

#### 5.0 Introduction

This chapter presents a summary of the findings based on the objectives that guided this study, conclusions that have been arrived at based on the findings of this study, and finally the recommendations on areas of further research. The purpose of this section on discussion of findings is to enable the study to interpret the findings of the study in a systematic and exhaustive manner by proceeding from one objective to the other. The key findings of the study are presented in this chapter, implications of the findings explored, and the findings aligned with existing literature. The study aims to provide a better understanding of the research objectives and questions that the study sought to respond to and in a structured approach. Each objective is examined and the related themes that emerge from the analysis are revealed. The integration of the study findings with existing literature and theory helps to contextualise the study, validate the results and establish connections with previous studies done in the field of political discourse. Finally, the contribution of the findings to the existing body of knowledge is provided in this chapter. The originality of the study and its relevance to the field of argumentation studies, its potential impact in academic terms and how that informs practice was further explored. The primary aim of this study was to examine the discursal functionality of argument schemes in county assembly debates using the pragma-dialectal approach. An extensive analysis of findings sought to understand the types of discourse texts employed in Nairobi County assembly debates by exploring the argument structures prevalent in debates, investigating the argument scheme usage that is preferred in the discussion stages in the debates in Nairobi County assembly,

and scrutinize the manifestations of strategic manoeuvring in the debate texts in Nairobi County assembly.

## **5.1 Summary of Findings**

This section outlines the summary of findings in line with the objectives and research questions as set out in Chapter One. The findings were enumerated in the order in which they appear in the thesis for the purpose of establishing significant findings as per the listed objectives of the study. The first objective set out to categorise the discourse texts employed in debates in Nairobi County assembly. The second objective was to identify and describe the argument schemes employed by discussants in Nairobi County assembly debates. The third objective sought to determine the strategic manoeuvres employed by discussants in debates in Nairobi County assembly. Finally, conclusions were drawn for areas for further research and recommendations made on the areas where interventions can be made in political discourse, especially debates.

### **5.1.1 Discoursal texts employed in Nairobi County Assembly debates**

For the first objective, to categorise argument structures employed by discussants in Nairobi County assembly debates, the findings reveal that discussants employed all the dialectical routes during argumentation in Nairobi County assembly debates. The dialectical route employed by the discussants depended on the function of that structure in the debate. Complex argumentation structure was employed in debates to further clarify standpoints and clear doubts on the part of the antagonist, while single argumentation structures were used to derive the single argument schemes employed by discussants in Nairobi County assembly debates. In the debate on establishment of policy ad programs for child-headed households, the protagonist moving the motion provides a multiple argument structure consisting of separate but alternative defences of the standpoint on the establishment of policy and programs. Each of the defences

provided is of equal strength and representative and sufficient enough to defend the standpoint. Furthermore, coordinatively compound argument structures are employed for each of the multiple argument structure employed to support the standpoint. In enacting policy on child-headed households, it is the desire of the protagonist that the motion meets with very little opposition. That is the reason why the protagonist employs multiple argument structures to clarify points and leave no doubt as well as minimize criticism on one's standpoint. This point is supported by existing literature on the structure of discourse texts employed in argumentation that state that arguments are usually characterised by a more or less complex argumentation structure depending on the reactions of the discussants to one's argumentation (van Eemeren and Grootendorst 1984, 2004; Snoeck-Henkemans, 1992). When protagonists anticipate doubt or criticism they are likely to employ more complex argumentation to clear such doubts and expediently resolve a difference of opinion on the merits. In the debate on adjournment of the assembly according to the calendar, the protagonist employs coordinatively compound argument structures to support the positive standpoint. This is because the adjournment of the assembly is an established practice in the Standing Orders. As an established activity in the business of the assembly, adjournment of the assembly should ideally meet less opposition. However, the antagonist in the debate on adjournment of the assembly expresses doubt on the standpoint by employing coordinatively compound but fallacious argument citing non-payment of one's allowances. The fallacious argument does not constitute sufficient reason for not adjourning the assembly according of the calendar. The study findings further established that the type of argument structure used depended on the function that such a structure served in the debate. Subordinatively compound argument structures were used in defence of an initial standpoint layer after layer. This was especially in cases

where an antagonist raised doubt on the standpoint presented by the protagonist, and such protagonist needed to support an argument by offering reasons until the defence of the standpoint is conclusive. The use of subordinatively compound argument structures, coordinatively compound argument structures and multiple argument structures was designed specifically to support standpoints, clear doubts in the mind of the antagonist, and to persuade the antagonist to agree with the protagonist, and finally to resolve a difference of opinion on the merits. It was further revealed that the protagonist employed Standing Orders to justify acceptability of one's standpoint and arguments in debates in Nairobi County assembly in order to resolve differences of opinion on the merits. Standing orders were therefore instrumental in helping discussants achieve the dialectical goal of argumentation.

### **5.1.2 Prototypical argument schemes employed by interlocutors in Nairobi**

#### **County Assembly debates**

The second objective of the study was identified the prototypical argument schemes that were employed by interlocutors in Nairobi County Assembly debates. Van Eemeren and Grootendorst (2004) assert that discussants would normally engage in a critical exchange of ideas, and do so in a rational and efficient way. This is summarised in a model known as the criteria for a critical discussion. The criteria for a critical discussion comprise of a normative model for the exchange of ideas by discussants engaged in a talk exchange. The talk exchange would follow a specific structure. In pragma-dialectics, the structure is listed in terms of the discussion stages; confrontation stage, opening stage, argumentation stage and concluding stage, with each of the stages serving a communicative function. The findings of this study align with the model of a critical discussion with arguments in debates in Nairobi County assembly exhibiting similar patterns. The recurring argumentative patterns observed

in the study correspond with previous studies on argument schemes as propounded by Walton (2013b). Walton (2013b) identified argument schemes as abstract templates representing commonly used types of argument schemes in deliberation. The current study identified and described pragmatic arguments, symptomatic arguments and argument by analogy as recurring patterns of argument in debates in Nairobi County assembly. The study revealed that pragmatic argument schemes were the most preferred in debates in Nairobi County assembly. The pragmatic argument schemes, which are a sub type of the causal argument schemes were used to advocate for taking certain policy directions that were considered important and part of the work cut out for the Nairobi County assembly. This observation aligns with Fairclough and Fairclough (2013) who observed, that, policies in modern democracies cannot merely be asserted without giving reasons or providing arguments to support such assertions. Moreover, the reasons given should be able to withstand the rigours of a critical examination such as that which should happen in the criteria for a critical discussion as proposed by van Eemeren and Grootendorst (2004). It was established that discussants in county assembly debates used pragmatic argumentation while legislating bills and policies on the causal consequences for taking or not taking certain actions. The protagonist in debates supporting the establishment give reasons why it is desirable to enact certain policy decisions. In the debate on the establishment of an ad hoc committee on investigating the county revenue collection system, the protagonist employs a positive standpoint and gives reasons why there is a need to establish an ad hoc committee. The positive standpoint shows the desirability of taking certain actions because they are beneficial to the society. By providing arguments such as loss of revenue, slow decision making, and inaccessibility of the current revenue collection system, the protagonist provides supporting arguments to prove the

desirability of establishing an ad hoc committee that hopefully will give a solution to what ails the revenue collection system. The antagonist employs a fallacious negative argument scheme refuting the positive standpoint. The negative argument scheme is fallacious because it challenges the membership of the ad hoc committee which was not the issue for discussion in the motion. In the motion on adjournment of the assembly according to the calendar, an antagonist employs a fallacious argument to resist the adjournment of the assembly. The antagonist cites previous commitments made by the county assembly that have not been met as the reason why the assembly should not be adjourned. However, the pragmatic argument scheme employed by the antagonist is challenged by the Standing orders which stipulate the time when the assembly should adjourn based on its own calendar. The protagonist employs symptomatic argument scheme and the authority of the Standing Orders to support adjournment of the assembly. Negative argument schemes are employed by antagonists to shift the topic for discussion in their favour. In employing such negative argument scheme to challenge the topic under discussion, the antagonist hopes to appeal to the emotions of discussants and justify such appeal to emotions. The study further revealed that the protagonist of a positive standpoint employed symptomatic argument scheme to re-establish the standpoint for discussion in the debate on establishing an ad hoc committee to investigate the revenue collection system. Symptomatic argument schemes are employed in debates to establish the Standing Orders which are authoritative in establishing the direction of debates and decisions in the county assembly. The study establishes that a protagonist uses the Standing Orders to provide further reasons for supporting the positive standpoint in motions while the speaker employed Standing Orders as rules to give direction on decisions to be taken in the assembly. The study revealed that pragmatic argumentation, a sub-type of causal

argumentation, is the most preferred argumentation scheme by discussants in county assembly debates.

It was further established that discussants used symptomatic argumentation, especially argument from administrative authority to give directions on debates and thus determine decisions of the assembly in order to resolve a difference of opinion on the merits. This agrees with Walton & Koszowy (2015) who observe that a person in administrative authority can make a decision on a policy matter. The County Assembly is one such public institution with institutionalized communicative practices which are conducted within set context and time. The authority of the Assembly rests with the speaker of the Assembly who issues final directions on policies that affect the conduct of business in the assembly.

Finally, the discussants use argument from analogy to resolve a difference of opinion on merits. In this type of argumentation, a relation of similarity is used to compare a claim to a standpoint that the protagonist is defending in order to ensure its acceptability. This agrees with van Eemeren *et al*, (2019; 308) who note that argument from analogy or comparison argumentation is based on the pragmatic principle of something being comparable to something else. In argumentation, it examines the relation of comparability between a claim and the standpoint defended. Argument by analogy is used to put up a claim to support standpoints expressed by the protagonist. The findings further establish that debates in County Assemblies are procedural and organized in such a way that both protagonists and antagonists each have an opportunity to defend their standpoints unimpeded. This complies with practices of parliamentary discourse that construes parliaments or county assemblies in the devolved units as having been created in a society for legislation purposes, and observing formal rules of engagement as expected of a social system (Konstantinova

*et al.*, 2019). Makarov (2003) observes that parliamentary discourse has a rigid structure, with regulated speech expectations and observing general global standards of organization which regulates the communication of roles and goals of that institution. Further, the pragma- dialectical code of conduct for a critical discussion consists of rules of engagement in debates that are observed latently (van Eemeren and Grootendorst, 2004: 190- 196, van Eemeren 2010: 7- 8). Such rules include an obligation of the discussant to defend their standpoints rule; freedom to defend one's standpoint or on the part of the antagonist, to doubt or criticise a standpoint, and the expectation that a discussant may only advance argumentation that defends the standpoint. Karasik (2016) argues that parliamentary discourse as institutional discourse is further characterized by the presence of mandatory components of speech situations that include institutional voices, strategies of participants in the discourse, and their goals and values. The defense of standpoints and the use of *Standing Orders* to justify acceptability of arguments is used in debates in County Assemblies to resolve differences of opinion on merits and thus achieve the dialectical goal of argumentation.

### **5.1.3 Strategic manoeuvring in Nairobi County Assembly debates**

The third objective sought to determine strategic manoeuvring in Nairobi County assembly debates.

It was established that the debate genre is a highly conventionalized communicative activity with rules and regulations for the conduct of debates prescribed institutionally through the Standing Orders of the assembly and in the pragmatic commitments of reason that discussants used to resolve a difference of opinion on merits. The findings revealed that discussants employed various strategies to defend one's standpoint. The strategies employed ranged from the presentation of evidence, logical reasoning and appeal to the emotions of the audience. The findings further established that debates

were constrained by external factors such as power relations and in-group solidarity among the discussants. These shared normative commitments are indicative of the shared values, value systems and beliefs of the discussants. These findings agree with Van Poppel (2013) who observes that discussants in debates have shared commitments that is indicative of shared values, value systems, and beliefs that foster respect and solidarity among discussants.

On strategic manoeuvring, the current study established that discussants employed choice of topic potential, appealed to audience expectations or demand, and used presentational devices that would help formulate arguments in order to resolve differences of opinion on the merits. The study established that discussants attempted to violate the rules of discussion by use of fallacious arguments. However, the topical choice in most debates was predetermined by the calendar of activities of the assembly which was quite rigid. This means that debate topics were clearly determined and not likely to be changed. In the motion on adjournment of the assembly according to the calendar, the antagonist presents a pragmatic argument opposing adjournment of the assembly by indicating that the assembly owes Ksh 660,000 car allowance. This claim is clearly a fallacious reason to stop debate on the topic at hand on adjournment. The topic for debate on adjournment is established following the standing orders of the assembly. The assembly business is structured and routine yet not prone to shifts in topic as anticipated by the introduction of fallacious arguments by the antagonist which is never adopted eventually. This observation aligns with observations by scholars that the parliamentary debate is a highly conventionalized genre (van Eemeren, 2010; Karasik, 2016) This finding further agrees with Van Eemeren (2010; van Poppel 2013: 34) who observe that selecting an option of what topic to choose in the discussion

moves means choosing the most suitable option among many topical options with which to defend a standpoint by adopting a particular argument scheme.

The findings revealed that discussants in debates appealed to the emotions of their audience by use of presentational devices such as person deixis, proverbs, and metaphors. These argumentation structures were observed in all the discussion stages of debates. The study observed that use of these presentational devices played a significant role in enhancing persuasiveness of the arguments. The presentational devices were significant in capturing the attention of discussants. Standpoints were established to be more memorable and compelling thus increasing the audiences' reactions to the standpoint where presentational devices were employed. The study further established that discussants employed deductive and inductive reasoning in presenting arguments to support standpoints. This strategy was meant to persuade the audience by justifying the acceptability of their arguments and, therefore, resolving a difference of opinion on the merits. In the debate on establishing policy and programs for child-headed households, the protagonist for the positive standpoint introduces the topic by citing international conventions of the United Nations Convention on the Rights of the Child (UNCRC), the UN Charter, before reverting to the local situation by use of multiple argument structures. This deductive reasoning is strategically employed to convince and leave no reason for doubt or criticism of the standpoint. and their implication on This finding concurs with Walton (2019; Perelman and Olbrechts-Tyteca, 2019) who emphasized the importance of logic in reasoning and persuading audience in arguments. The findings revealed that discussants used proverbs to support their standpoint and arguments in debates in the Nairobi County assembly. For example, the proverb;

‘PI: *“If you accomplish something good with hard work, the labor passes quickly, but the good endures; (Musonius Rufus) Argument by reciprocity*

This proverb is used by the rapporteur at the confrontation stage of the debate on establishment of ad hoc committee on local revenue collection system to support the discussant’s standpoint. The discussant uses the proverb to illustrate the virtues of hard work. The proverb contends that one should be committed to a good course if they are to be respected. This proverb resonates with African tradition which dignifies hard work and frowns upon laziness. The proverb also encourages the audience to follow in the footsteps of the protagonist by reciprocating their actions depending on the actions of the protagonist. The proverb also serves a double function of an argument by reciprocity. Cristancho and Vining (2004) note that the most influential mental representations of the natural world are moral beliefs about the correctness and incorrectness of our actions toward it. The social norm of reciprocity is the expectation that people will respond to each other in similar ways by responding to gifts and kindnesses from others with similar benevolence of their own, and responding to harmful, hurtful acts from others with either indifference or some form of retaliation (Kim *et al*, 2022). The protagonist, in lobbying for the assembly to support the motion on establishing the investigative committee alludes to the fact that the actions of the discussants should be in support of the standpoint. Proverbs, therefore, do not only serve the function of persuading audience, but also appeal to the emotions of the audience. This finding agrees with Cialdini’s (2001; cited in Huang, 2025) observation that emotional appeals significantly influence attitudes and beliefs. The findings reveal that deictic personal pronouns are used to express solidarity with the audience. The deictic personal pronouns establish inclusive social identity by showing that the

discussants belong to a social group. An example of deictic personal pronoun is given below;

PI: Let us not reason with our emotions on this; let us reason with the interests of Nairobians.

In the deictic expression above the discussant expresses solidarity with the audience by the use of inclusive second-person plural pronoun word 'us' to gain acceptability of one's standpoint and thus resolve the difference of opinion between the discussant and the audience. The deictic personal pronoun revealed that discussants employed personal pronoun to endear to the audience.

It was established that discussants used biblical allusion to the appeal to the emotions of the audience and discussants in the assembly. The discussant PI compares his role of defending the membership of the ad hoc committee to that of Jesus Christ when the protagonist says, '*Just like Jesus Christ came from heaven to save the world, someone somewhere has to stand in the gap of men who cannot speak, and we are the ones*'.

The discussant presents the positive standpoint that there be established membership of the ad hoc committee. The use of the abstract concept of advocacy by the discussant is compared to physically standing in a space thus emphasizing the idea of filling a critical space or intervening on behalf of others. The discussant compares himself to Jesus Christ who sacrificed His life for the sake of saving the whole world from sin, The discussant uses the biblical allusion to create emotions among audience to support the course the discussant has taken. Supporting the motion means supporting a good course. Supporting the motion for the establishment of an ad hoc committee to investigate the revenue collection system also implies saving the whole county from losses of revenue that it might suffer as a result of poor collection of revenue. This will impact the rolling out of services. The discussant alludes to the fact that once the

investigations are over, the revenue system will support functions of the county by generating more revenue for the county, and sealing loopholes that cause the county to lose revenue. The discussant hopes that the use of the rhetorical device will serve the role of supporting the acceptability of their standpoint and resolve the difference of opinion on the merits.

The findings revealed that discussants employed metaphors in debates in Nairobi County assembly to appeal to their audience and influence the decisions to be made in the evaluation of standpoints. The discussant employed Debate is WAR metaphor where debate was likened to a fight.

## **5.2 Conclusions**

It is the thesis of this study that deliberative chambers, such as county assemblies are replete with talk full of such emotional features as discussants use to appeal to their audience.

It is the thesis of this study that, although all the MCAs who make up the city county assembly are of different socio-cultural groupings, they ultimately have interests that converge and which inform their use of certain language during debates.

The study on discursal functionality of argument schemes in county assemblies in Kenya within the framework of the pragma-dialectical theory presents innovative research in the field of argumentation studies, especially the application of argumentation in African settings, and in this case African parliaments. Further, where other studies have examined data at the national level of parliamentary discourse, this study investigates debate practices at devolved units of legislation which are a product of the promulgated Constitution of Kenya 2010. This study thus breaks new ground in argumentation studies focusing on the genre of political discourse.

The study also examines how MCAs engage in debates by establishing a mechanism of debating where though we have a dichotomy in the division of the county assembly, discussants establish strategies that not only help in winning debates by putting across standpoints that are acceptable, but also help in arriving at decisions. Discussants use dialectal routes of argumentation to defend their standpoints. Standpoints are also used as institutional point of discussion to remove doubt or criticism of arguments during debating. Discussants also use prototypical patterns of argument schemes in pragmatic argumentation to resolve differences of opinion on merits during county assembly debates. In conclusion, this study contributes to characterizing debates in county assemblies in Kenya as a precursor to enabling other areas of study in the African context.

### **5.3 Recommendations**

This study is a pragma-dialectical approach to the functionality of argument schemes in debates in county assemblies, with specific reference to Nairobi County assembly. The study has provided valuable insights into argument structures that make up discourse texts in debates, argument schemes employed by discussants in debates, and the strategic manoeuvres discussants employ in debates in Nairobi County assembly. The study makes the following recommendations based on the objectives;

For the first objective that categorized the argument structures employed in debates in Nairobi County assembly, this study proposes that a comprehensive analysis using quantitative methods should be used to identify prototypical argument structure that are preferred by discussants in debates. This would contribute immensely to building an inventory of likely debate argument structures that can be used optimally to derive certain expected results by debaters. Such a study would involve categorized the argument structures according to the mode of reasoning such as inductive, deductive,

and abductive reasoning. The study would also involve establishing the frequency of use of certain argument structures in parliamentary debates. Such a study could also be extended to establishing the frequency of use of argument structures in academic genre, legal domain, and in negotiations. Further studies should be conducted into argument structure mappings, especially using computer simulations to arrive at optimal simulations of logical argument structures. This can help identify the main claims, supporting evidence and the logical relationship between arguments.

The second objective sought to identify and describe argument schemes. Studies should be conducted into finding out the optimal number of argument schemes that are necessary to establish agreement and conclude discussions on a topic of debate. Such a study would involve carrying out a quantitative of argument schemes in all County assemblies in order to arrive at a saturation point of admissible argument schemes in parliamentary debates. Using linguistic softwares, studies can be done to general frequencies of use of each of the argument schemes that can be generated in debate texts. Such a study can be extended into other texts such legal, academic, religious, scientific and digital informal texts.

The third objective investigated strategic manoeuvring in debates in the Nairobi County assembly through choices that discussants make in topical potential, audience demand or adaptability, and presentational devices that discussants employ in debates in the assembly. It is recommended that more studies can be done in the quantitative paradigm to determine the frequency of strategies that are employed by discussants depending on the domain of discourse. Further studies should be done using other techniques of data elicitation such as interviews and surveys with the audience in order to understand their preferences in terms of strategic manoeuvres one would employ to be effective in argumentation. This would help the study gain valuable insights into

what strategic manoeuvres resonate with the audience. Building an inventory of prototypical argument schemes by conducting a quantitative study would be helpful. County Assembly staff and discussants should be trained on deliberation, especially understanding Standing Orders of the Assembly since this would reduce time spent on debates especially where the rules are clear on the roles of discussants and officers of the assembly such as the speaker.

County Assembly should be more proactive in complying with their own Standing Orders, especially the requirement on timelines for publishing and sharing information on debates through *Hansard* records. Although County assemblies are required by law to publish Hansard proceedings in their websites within 48 hours, very few comply with this requirement.

#### **5.4 Areas for further research**

A corpus-based approach is crucial for analyzing the frequency and distribution of stance adverbials within specific contexts. The study of argumentation in parliamentary discourse in African contexts is largely unexplored. Other studies should investigate argumentation in related genres such as its relevance in assisting learners in schools to make cogent debates, and in the legal domain with a view to exploring dominant argumentation structure in the above-listed genres. Even within the political genre there is need to study speeches and internet chats to investigate the argument structures of such deliberations and how discussants strategically manoeuvre.

Secondly, other areas of research should include examining the social and cultural contexts of deliberation in county assemblies, education and legal contexts with a view to determining the argument schemes exploited by discussants, the strategic manoeuvres generally exploited by discussants in such argumentation contexts.

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## **APPENDIX IA: Motion of Adjournment in accordance with assembly calendar**

MOTION: ADJOURNMENT IN ACCORDANCE WITH THE ASSEMBLY CALENDAR

**Hon. Peter Imwatok:** Hon. Speaker, it is said, *“it is not the size of the dog in the fight, it is the size of the fight in the dog.”*

THAT, pursuant to the provisions of Standing Orders 31 (3), this Assembly adjourns until Tuesday 31<sup>st</sup> October 2023 at 2.30 p.m. in accordance with the Calendar of the County Assembly (Regular Sessions).

Hon. Speaker, we all know that we have a Calendar that we adopted in this House. We have a 10 days’ recess to relax our minds, meditate, clear our minds, to meet our electorates, and reflect on how the year has been. Hon. Speaker, allow me to invite the Deputy Speaker to second the Adjournment.

**Hon. Paul Kados:** Thank you, Hon. Speaker. As you know, this Assembly is guided by the Assembly Calendar. I would like to urge all Members to support this Motion so that you can have time with your families and your electorates. Therefore, I second, Hon. Speaker.

**Hon. Speaker:** Thank you.  
(Question proposed)

**Hon. Speaker:** Hon. Member

Serjeant-at-Arms, please take your position. Sorry for that. Hon. Members that was an error and you should treat it as so.

**Hon. Speaker:** Hon. Members, the Majority Leader has just moved a Motion on Adjournment of the Assembly and we are supposed to debate, I don’t know what has attracted the Point of Order. Do you want to contribute?

**Hon. Kennedy Oyugi:** Mr. Speaker...

**Hon. Speaker:** Kindly, Hon. Oyugi, do not engage the Chair in debate. Are you contributing to the Motion?

**Hon. Kennedy Oyugi:** Mr. Speaker, I am ready to contribute to the Motion but after my Point of Order has been...

**Hon. Speaker:** Declined!

**Hon. Kennedy Oyugi:** Can I go ahead and contribute?

**Hon. Speaker:** Can you confine yourself to the Motion?

**Hon. Kennedy Oyugi:** Okay, thank you. Mr. Speaker, as much as I want to go on recess, the reason why I was calling for a Point of Order in regards to this Motion is because I did not want to go for recess before I know the fate of the car grant money that was deducted from my account.

Mr. Speaker, I want to plead with the House that we should not go on recess before we know the fate of our Kshs. 600,000 plus that was deducted on the auspices that it was from the Judiciary.

Mr. Speaker, if we cannot be given an opportunity to debate, let us not go on recess until we are told when and why we are not getting our monies, as it was directed by the Judiciary. Under the Standing Order No. is 56 (h)...

**Hon. Speaker:** The Hon. Member is opposing the Adjournment. Just to remind you as a senior Member of this Assembly, the House is guided by the Calendar. You do not have any option unless you extend the life of the Calendar.

**Hon Ken Oyugi:** Hon. Members, we are at the plenary.

***Point of Information***

**Hon.Speaker:** Allowed.

**Hon. Peter Imwatok:** My learned friend, Hon. Oyugi, aka Martin Luther King Junior, is a very great mobilizer. As you have said, Mr. Speaker, he is a senior Member of this House.

Hon. Speaker, a fortnight ago, I remember you gave a communication as the Speaker of this House that you will give a comprehensive communication on the same. Based on that, you did not tie yourself on timelines. This question has been raised many times in our offices and we have responded affirmatively by saying we all need money, excluding the Speaker because he was not a beneficiary of the allowance. I also need the Kshs. 600,000, but the question is; what modalities are we going to use to arrive to that point?

Mr. Speaker, as you said, this cannot affect the Assembly Calendar. It is upon your Office to provide that communique. The Standing Orders requires you as the Speaker to come with a communication to this House or make an undertaking to circulate it through our portal. I therefore beg for clarity of this matter. This should not affect the Assembly Calendar. This not the First Assembly whereby our personal interests superseded the interests of the entire institution. Even during this ten days' recess, you can use the Standing Orders to send this communication to our portals. Hon. Speaker, that is the point of information that I wanted to pass across.

**Hon. Speaker:** Hon. Minority Whip, your mic is on, go ahead.

**Hon. Mark Mugambi:** Thank you, Hon. Speaker. I apologize for coming late, I was attending to important matters. This Adjournment actually comes as a reprieve. But all in all, iron sharpens iron. We get gold after the metal has gone through fire. Hon. Speaker, I am 99% sure I will come out victorious in this and we shall continue as we are going. So, Members do not be cowed by the shenanigans and the hullaballos that are ongoing.

Hon. Speaker, as I support the Motion on Adjournment by the Majority Leader, I also wish in a special way to request you to put into consideration the request by Hon. Oyugi because it was the pronouncement of the Court that Members of this House and 46 other county assemblies be refunded their Kshs. 660,000.

Hon. Speaker, the fight that I am getting is because Members are angry. I would not wish the same to any other leader. The Clerk should move with the same speed he used to deduct from our car reimbursements to refund the money. Let him honour the Court Order with the same speed. As the slogan goes; *ata kwake lazima iwork*.

Hon. Speaker, we have a few days to go and spend with our family members and our children now that schools are closing. Hon. Members will have some time to bond with their families.

This being a long weekend, make sure you take your children for a vacation or a weekend getaway. I am sure that after this plenary, the Speaker will do his magic because he is a man of his words. He is a champion of the Members' welfare in this House and I am sure that he will work miracles. I am sure that the Speaker has already authorized the Members to make arrangements on how they will book hotels. It is upon you not to fail them, Hon. Speaker.

I wish also as we adjourn, to express my dismay to the County constables that harassed the traders within the CBD yesterday. One was captured in a video harassing a motorist. This is a very uncouth behavior that cannot be condoned in this century. Let them be people of dignity and integrity, and treat even the peasants with the dignity that they deserve. If it is about compliance, let them exercise without damaging their source of income. We saw eggs and sausages being spilled all over the street, this is uncalled for. I would like you to guide the Executive to take stern action on all the officers that participated in this uncouth behavior.

With those few remarks, I wish to support this Adjournment Motion.

**Hon. Speaker:** Hon. Hamisi, is it by chance or mistake that you have not made any request?

**Hon. Hamisi Maleya:** I rise in support of the Motion on Adjournment.

**Hon. Speaker:** Thank you. Hon. Whip.

**Hon. Moses Ogeto:** Hon. Speaker, I wish to sincerely thank the Leader of Majority for bringing this Motion. As much as my colleague who we used to call Martin Luther King in the Second Assembly is talking about money, I want to tell him to be patient as the recess is only ten days and then we will come back.

Hon. Speaker, this Motion on Adjournment is good, and like my counterpart said, we should go for vacation but most importantly, we should check on our electorates who gave us the mandate to be in this Assembly. We have had a very busy schedule.

Hon. Speaker, I discussed with the Leader of Majority on what Hon. Oyugi was raising but we do not need to discuss such a matter in this House because we do not know whether the 14 days will be over. I can share with the Hon. Member the judgement of that day on WhatsApp. It is not good to feed Members with lies because the money deducted was sent to KRA and we can only get the money from them. I know my counterpart is undergoing some issues, but things will be okay.

Hon. Speaker, as we are going for recess, the special elect will go back to their parties and ensure that they champion for the interests of their parties, that is part of representation. With those few remarks Mr. Speaker, I beg to support.

**Hon. Speaker:** Hon. Peter Mwangi.

**Hon. Peter Mwangi:** Thank you, Hon. Speaker. I want to thank you for the magic that my party Whip has talked about, my phone has started doing press-ups. I thank you on behalf of all Members for doing the right thing. We have been waiting for this Kshs.660.000. Thank you Hon. Speaker, I beg to support.

**Hon. Speaker:** Hon. Kiogora.

**Hon. Eric Murigu:** Thank you, Mr. Speaker, I rise to support this motion. I think it is important for us to go on recess. I kindly want to request our leaders led by the Majority Leader

and the Deputy Speaker that as Hon. Members, the Executive side owes us a lot of money. It is important that you guide your chairpersons to push the Executive to pay us. The Hon. Member for Umoja I has said that we should go vacation during the recess. We cannot go for a vacation without money. The Majority Leader and the Deputy Speaker, please help us get paid the money so that we can enjoy during the recess. I support. Thank you, Mr. Speaker.

**Hon. Speaker:** Hon. Isalambo.

**Hon. Emmy Isalambo:** Thank you, Hon. Speaker. I thank the Majority Leader for bringing this Motion. Most of us are parents and we have kids in school and are about to close school. There are those who will begin their final exams and we need to go and pray with them. For me, we really need this ten days' recess. Thank you, Hon. Speaker.

**Hon. Speaker:** Thank you. The last one, Hon. Hellen Awuor.

**Hon. Lawrence Odhiambo:** Hon. Speaker, let me... **Hon. Speaker:** Order, Hon. Lawi! Are you Hellen?

**Hon. Lawrence Odhiambo:** I am using her card. Allow me to use her card so that I can debate on this.

**Hon. Speaker:** Okay, you may proceed.

**Hon. Lawrence Odhiambo:** Thank you, Hon. Speaker. First of all, let me take this opportunity to congratulate Hon. Majority Leader for give us this short break.

Hon. Speaker, we are demanding for our money. This money is not even the Kshs. 600,000 the Members are talking about; it is more than Kshs. 660,000. We were deducted this money...

**Hon. Speaker:** Hon. Member, can you confine yourself. Are you in support of the Motion?

**Hon. Lawrence Odhiambo:** I am in support of the Motion, but I am still supporting what my colleagues...

**Hon. Speaker:** Hon. Lawi, please stop misleading the House.

**Hon. Lawrence Odhiambo:** I am supporting the Motion that we must be given an opportunity...

**Hon. Speaker:** You are not holding any brief on the Executive, please. Confine yourself to the Motion of Adjournment.

**Hon. Lawrence Odhiambo:** If you don't allow me to support what Hon. Members are saying, then I don't know why we are supposed to be here, Hon. Speaker. Anyway, let me support the Motion by the Majority. We need to be given the few days maybe to go and take our children out and engage with them because they are closing schools. It will also help us refresh our minds. But we cannot go on the recess without the money that was deducted from us. The Kshs. 660,000 is a lot of money and we must to be given. Thank you, Hon. Speaker.

**Hon. Speaker:** Hon. Member, you are mistaking the Chair as a tax entity. Please your money is with the KRA.

**Hon. Lawrence Odhiambo:** I am supporting the Motion, but we cannot go for the short recess without money.

**Hon. Speaker:** Don't make such references.

**Hon. Lawrence Odhiambo:** Yes. No money, no recess.

**Hon. Speaker:** Thank you.

**Hon. Speaker:** Hon. Minority Leader, welcome. Unfortunately, we are at the tail end of the Adjournment of the Assembly for a short recess. May be just some words of wisdom and your input as the Leader of the House. You may proceed.

**Hon. Anthony Karanja:** Thank you, Hon. Speaker for this opportunity, and sorry because I had to attend to very important international matters that are affecting the world.

Hon. Speaker, it is another opportunity for us to go on recess, and I urge our Members to go and sharpen their skills. Personally, I want you to use this opportunity when you go home to ask all the UDA members to remember that on 9<sup>th</sup> December, I will be the new Chairman of the UDA Party in Nairobi County.

As my colleagues, please do your part and support a colleague because it is only fair that we support each other in this House. Hon. Speaker, it is also an opportunity for us to go and rethink about our strategies especially for the coming year. During this time, since the last recess, I know we have done very well. We have maintained our respect and unity. I would like us to take this opportunity again to go and soul search because I think we are slowly sliding into anarchy.

Hon. Speaker, I would like to comment on a matter that happened the other day. Somebody called me "*matako*" on our social media platform. Honestly, Hon. Speaker, it is not fair.

**Hon. Speaker:** Hon. Leader.

**Hon. Anthony Karanja:** Yes.

**Hon. Speaker:** Kindly, you are a senior leader. The Motion before us here is the Motion on Adjournment of the Assembly. Please, don't make references that might antagonize the peace of this Assembly as a leader. It is my humble request that there are several avenues to address such issues.

**Hon. Anthony Karanja:** Okay. Noted and withdrawn, Hon. Speaker.

**Hon. Speaker:** Thank you.

**Hon. Anthony Karanja:** As we proceed for recess, continue praying for yourselves, your families, each other, this County and this country. I look forward to see you I think it is in a week's time.

Hon. Speaker I hear the word Kshs. 660,000. I know you know what that means. We listened to you. Personally, I will do my part which needs to be done for that to happen. I believe the Hon. Speaker as the Chair of the Board and the CEO of this institution will also do the same. During the recess, Hon. Speaker, kindly do your best to make sure that you make our lives easier. I remember it was a big debate before the money went to KRA, and unfortunately it went. So, we hope that we will be able to get it back. Thank you, Hon. Members.

**Hon. Speaker:** Thank you. Hon. Deputy Whip.

**Hon. Stazo Omung'ala:** Thank you, Hon. Speaker. I stand to support the Motion of Adjournment. The people of Upper Savannah Ward will be happy with this Adjournment of the House because they have organized a gallant Spanish dinner for their servant. They have also invited other Members.

**Hon. Speaker:** I was not keen, maybe you will allow the Member to proceed a bit. Can you repeat yourself?

**Hon. Stazo Omung'ala:** Hon. Speaker, I rise to support the Motion to adjourn the House since my employer, the people of Upper Savannah Ward, had organized an extravagant Spanish dinner for their servant at the Green Span Mall. Knowing very well that many Members like the Member of Umoja I has no malls in their wards, we have invited them at least to have a cooling place. Mr. Speaker, I would like to throw a message of strength to my brother, Hon. Ronaldo and the Minority Leader that at the end of the day, peace will prevail. Thank you, Hon. Speaker.

## **APPENDIX IB: Motion on inefficiencies in the delivery of services**

### MOTION ON INEFFICIENCIES AND DELAYS IN THE DELIVERY OF COUNTY GOVERNMENT SERVICES

**Hon. Paul Kados:** Thank you, Hon. Speaker. The Motion was moved and seconded. I would like to do an amendment.

Hon. Speaker, I beg to move the following amendments to the Motion on Inefficiencies and Delays in the Delivery of County Government Services:

By adding the following paragraph, No. iv (a) immediately after No. iv;

“That the County Executive Committee Member for Finance and Economic Planning, in conjunction with the Nairobi City County Revenue Administration Authority, should expedite the drafting of rules and regulations pursuant to Section 44 of the Nairobi City County Revenue Administration Act, 2019 for effective implementation of the Act.”

Hon. Speaker, the objective of this amendment is to ensure the Revenue Administration Act, 2019 is fully implemented. I beg to ask Hon. Kimemia to second that amendment.

**Hon. Antony Gathumbi:** Thank you very much, Madam Speaker. I stand to second that amendment. It is important that we have Acts that are followed with the rules and regulations. This will be supported by the Chairman of Implementation, who has been following these matters very much. We have Acts that do not have regulations supporting them and passed by the Assembly. So, I stand to second the particular amendment. Thank you very much.

**Hon. Temporary Speaker:** Hon. Members, debate. Mover!

**Hon. Paul Kados:** Thank you, Hon. Speaker. I beg to reply as amended.

**Hon. Temporary Speaker:** Hon. Members, you may now debate. Hon. Jateso.

**Hon. Peter Imwatok:** Hon. Speaker, as I always say, Hon. Jateso is a formidable name. I did a deed poll in law that requires me to change my name to any name. So, if you call me Jateso, know that you are calling a real name recognized by the Republic of Kenya.

Secondly, Hon. Speaker, the House is a full house. It is great to see the Third Assembly to capacity. That shows our debate is getting to another level, and this is great. Let us keep it up. This is a House of debate, let us debate constructively with a lot of humility and respect to each other.

Hon Speaker, I was talking to my Deputy Speaker here telling him he has captured the aspirations of this County before we captured it through an ad hoc committee, which I am aware that tomorrow the Whips are going to present a name before this House. But the issue of service delivery to us as the representative of the people is not a request, it is something that at all times we must envision and make sure that the County Executive is accountable to it.

Hon Speaker, it has come to our attention that the platform used by the County Government so far in terms of payment is not working for the good of the people, more so to those who

need services from us. If you look for instance the informal sector, particularly the construction industry is the major employment opportunity in our County. If you go to Kayole, Kileleshwa, Lavington, Runda and every corner of this County every morning, there are construction ongoing. A construction site must have a mason, an electrician, a plumber and a mama mboga who supplies food, it is a source of employment. But recently, Madam Speaker, there has been a delay even in the Planning Sector in terms of knowing who has paid which plan, when is it supposed to be approved and when is it supposed to receive this plan.

Madam Speaker, the delays in a particular form of conveyance of information makes the investors suffer. As you are aware in the current dispensation order, there is no way you can raise Kshs.200 million to put up a 17 story building. A developer partners with a bank. But this approval delays for months and months and the bank starts calling for repayment of the loans.

Therefore, Madam Speaker, this Motion has captured the aspirations of that particular Committee. The two Hon Whips will capture. As I support it, let us move together for the good of the people of Nairobi. Thank you once again and welcome to the Assembly tomorrow in the same numbers. I am grateful.

**Hon. Temporary Speaker:** Hon Odhiambo Majiwa. You had made a request. Hon. Paul Wachira Kariuki.

**Hon. Paul Kariuki:** Sorry, Madam Speaker, I have a very mischievous neighbor here. I pressed by mistake.

**Hon. Temporary Speaker:** Hon Hamisi Maleya.

***Point of Order***

**Hon. Hamisi Maleya:** Thank you, Madam Speaker, I rise under Standing Order No. 59 (h) on the question privileges of this House, more particularly to Members. Madam Speaker, I have seen a circular circulating on our walls.

**Hon. Temporary Speaker:** Order, Hon Hamisi! There is another Motion before the House. We will give Hon Kiragu a chance after this debate.

**Hon. Hamisi Maleya:** Thank you, Madam Speaker.

**Hon. Temporary Speaker:** Hon Musango Maithya.

**Hon. Kennedy Swaka:** Hon Speaker, I have used his card because I don't have one. If you allow, I can contribute to this Motion.

**Hon Temporary Speaker:** Proceed.

**Hon. Kennedy Swaka:** Thank you, Madam Speaker. I thank the Deputy Speaker for bringing such a wonderful Motion. Streamlining payments in the sectors will ease the time wasted by the public in trying to follow up on the procedures of making payments.

We need to come up with the easiest method that can help the suffering public from wasting a lot of time queuing. These delays make officials take that advantage to ask for bribes from those seeking services for faster services. There is need for decentralization of payments to different sectors for efficient service delivery. I support this Motion. *Asante sana.*

**Hon. Temporary Speaker:** Hon Sospeter Mumbi.

**Hon. Sospeter Mumbi:** Thank you, Hon Speaker, I rise to support this Motion on the grounds that I see it as remedy for us MCAs in a way. We all agree that the roles of an MCA are oversight, representation and legislation. But today from where we see it, the office of the MCA has become an implementing organ because the public that we represent expect us to come and install street lights, fix sewers and repair roads. That is not really our role as MCAs. Where is his lacuna? It is borrowing from the failed structure of County Government.

The structure of the County Government is well decentralized up to the ward level. For example, in Roysambu Ward, we have a ward admin. If my people of Roysambu Ward have any concern regarding street lights, road, a sewer or anything that is under the function of the County

Government, they need to record that at the Ward Manager's Office, not in my office as the MCA.

But once they report that and the ward manager fails to support them or execute whatever services they want, that is when they need to come to my office to complain so that I am able to follow up on their issues.

Allow me to go straight to the point and say this, that if the County Government can work and support the structures on the ground, what do I mean? When it comes to revenue collection, let revenue be collected from Roysambu Ward because we have the Planning officer there. If it is about approvals, why can't we have a system that is at the ward level that is concerned with approving whatever documents that are needed when it comes to planning? When it comes to licensing again, we want to have everything decentralized at the ward level so that if you ask me how much is generated from Roysambu, I will be in a position to say. Today, if I walk into that office, the officers there including the Ward Admin have very little information. Maybe they will talk about some services and not the entire services of the County because there is a lapse somewhere.

Why we have many concerns is because some individuals at the County level have decided to sabotage that process to their advantage. That is why the Nairobians are not able to access services, including us. That now becomes a burden to us as the representatives of the people.

I am supporting this Motion so that when it comes to contractors, let them be paid. When it comes to revenue collection, let me know how much is being generated from Roysambu. Let us ensure that this structure that has been established by the law works to the betterment of the people of our various wards that we represent.

With that much, I rise to support and thank the Deputy Speaker for this wonderful Motion. Thank you.

**Hon. Temporary Speaker:** Hon. Nasra Nanda.

**Hon. Nasra Nanda:** Thank you, Madam Speaker. I rise in support of this Motion mainly for three reasons: In the first instance, when we supported the Constitution of Kenya, 2010 as Kenyans, we supported devolution as a way of championing Kenyans in service delivery in a devolved manner. In this regard, a move to ensure that devolution is championed is something

that I would endorse because, in principle, it should enhance the service delivery that Kenyans signed up for.

In the second instance, Madam Speaker, I would like to highlight that of particular interest to me, is the fact that the Deputy Speaker in his Motion has also endorsed and emphasized the establishment of the Nairobi City County administration regulations and rules, pursuant to Section 44 of the same. This is particularly important because often as legislators, we fight to champion the rights of Kenyans. This ends here where implementation is not followed. So, I would like to applaud the Deputy Speaker for mentioning regulations as part and parcel of this Motion.

Last but not least, I think it is worth mentioning to this Hon. House that Nairobi is crucial to the GDP of Kenya. Currently, the GDP of Kenya stands at Kshs.113 billion dollars, where Nairobi is responsible for 27%, which is the equivalent to Kshs.33 billion dollars. In a system that ensures that this 27% is managed efficiently, that Kshs.33 billion dollars is something that could be realized and utilized for the benefit of the Nairobians.

On the converse where we do not have the structures and regulations in place to ensure that this is being done, then we see that we are being robbed of Kshs.33 billion dollars. That means Nairobians are not getting what they should be getting. Madam Speaker, that is why I rise to support this Motion. Thank you.

**Hon. Temporary Speaker:** I now call the mover to move the Motion since we don't have any more requests.

**Hon. Paul Kados:** Thank you, Hon Speaker. I want to thank the House for supporting this very important Motion, which if implemented will go a long way to enhance service delivery of Nairobians, which has been a headache. It is unfair to tell an old woman to queue or log in into something which he/she doesn't understand. This County could come up with better ways of making the payment system easier and accessible to the public.

My gratitude to the whole Assembly for support in consideration of this Motion. I beg to reply.

*(Applause) (Question of the Motion as amended put and agreed to*

**APPENDIX IC: Motion on establishment of ad hoc committee to investigate revenue collection**

MOTION: ESTABLISHMENT OF AD HOC COMMITTEE TO INVESTIGATE COUNTY LOCAL REVENUE COLLECTION SYSTEMS AND ADMINISTRATION

**Hon. Speaker:** Hon. Majority Leader, please.

**Hon. Peter Imwatok:** Hon. Speaker, Motion No. 8 by the designation of God, Hon. Peter Jateso Imwatok MCA, the great Leader of Majority of Nairobi City County Assembly, is to move the Motion. The subject is; Establishment of an Ad Hoc Committee to Investigate the County Local Revenue Collection Systems and Administration.

THAT, pursuant the Resolution made on Wednesday 11th October 2023, the County Assembly establishes an Ad Hoc Committee comprising of the following Hon. Members to inquire into the revenue collection system(s) adopted by the County Government: -

1. The Hon. Peter Imwatok, MCA The Hon. Paul Kados, MCA The Hon. Anthony Kiragu, MCA

The Hon. Jane Musangi, MCA

The Hon. Wilfred Odalo, MCA

The Hon. Silas Matara, MCA

The Hon. Nicholas Juma, MCA

The Hon. Fathiya Abdilahi, MCA

The Hon. Fredrick Njogu, MCA

The Hon. Carrington Heho, MCA

11. The Hon. Joyce Muthoni, MCA

12. The Hon. Diana Katile, MCA.

13. The Hon. James Karis, MCA.

Hon. Speaker, I want to start from the onset by quoting a philosopher by the name Musonias

Rufus. *“If you accomplish something good with hard work, the labor passes quickly, but the good endures; if you do something shameful in pursuit of pleasure, the pleasure passes quickly, but the shame endures.”* This Philosopher speaks about what we can stand in life. As the mover of this Motion, I have a stand in life. For those who know my history, I share some peculiarities with the Speaker from our lives. Long time ago, I was a watchman for the Kenya Railways, a toilet cleaner in Makongeni Estate, and I used to sell jeans in Garissa Lodge. I have a slogan; *“If you cannot make money, make a name; that name one day will make you good money.”* That is my philosophy. Hon. Speaker, I’m pursuing this Motion not for monetary gain as people want to put it. The essence of this Motion is to bring sense to the revenue system of our County. The wisdom of the Nairobi people bestowed on us under Article One of the Constitution that our oversight role should not be compromised by anyone. We took an oath of office last year in September in this Chamber to protect the Constitution and more so to exercise our overall role of oversight, legislation and representation.

Hon. Speaker, another philosopher said, *“It does not matter how slow you go, as long you do not stop.”* We have been slow but we have not stopped because the issue of revenue in this County is wanting. No matter how much the elected leaders are pondering on the issue of Ward Development Fund to be disseminated at the ward level, without revenue this is not possible.

Hon. Speaker, it has been a journey to understand where the servers of our revenue system are. Who manages our loans? Who audits these servers? I give credit to the Committee of ICT, you have done your bit. May be you could not bite as much.

I have received calls and persuasions that this Committee is not good and it is not the right thing as it will burn my fingers. Yes, it may burn my fingers but will not burn my toes to walk on. This Committee has the sweat and the blood of Nairobians in their hands. One of my friends walked in my office and asked me why I was too low. The burden of this Motion has been too heavy. May be it will cost some people lives, it is allowed in life. This Motion is not about Nairobi County; it has brought a lot of interests across the country from the highest office to the smallest office, I do not know why.

I was speaking to the Speaker and told him that I was contemplating to withdraw myself from this Motion but he was a bit hesitant to comment. I came across a quote which says; *“A hungry stomach, an empty wallet and a broken heart can teach you great lessons of life.”* That is my heritage as a Seventh Day Adventist. Everything I do in life must bring me some lessons, that is why my name has been retained as a Member of this Ad Hoc Committee.

I want to learn some lessons, and understand how a government can be run by a system that is collecting money that no one can explain where the logs are and much is collected. For the last one week, the Nairobi County Government has not collected revenue because all the systems are down. You can pay for services through M-Pesa, but who has these servers and the logs? Who manages the system and where is it physically located? Those are the lessons that I want to learn even if it is through the hard way.

History will say that Hon. Imwatok moved the Motion and ran away from it. Last week, somebody approached me in the streets and asked me; *“Have you been bought off the Motion because you have not brought it in the Assembly?”* I asked my Whip to extend the time for consultation based on what was happening in the UDA side so that the names can be brought in the House when it is in unison.

As I urge you to pass this Motion, Hon. Speaker and Hon. Members, I will be co-opting two Members as we move forward through amendment after the passing of this Motion so that you bring the most experienced Members of this Assembly in this Committee. Members who know the history, know during Gakuo’s time how the County was being ran and what happened.

Hon. Speaker, there are many experts who will come before this Committee to help us understand if this system is licensed by the Communication Authority of Kenya. I want to see this Committee summoning the KRA Director General in charge of Revenue. Does he know that the KRA is the one purported to develop this system? A committee under Article 195 of the Constitution is more or less as the High Court.

Hon. Speaker, these communications will come to your Office and the Clerk’s Office as this Committee starts its work. I also appeal to the Office of the Clerk to give this Committee the best brains that we have in the secretariat, be faithful to the people of Nairobi and not what

they can get in their pockets. I am ready to learn the lessons and believe that the 13 Members and the two Members who are going to be co-opted are also ready to learn the lessons. As the son of Teso,

as my brother Hon. Alai tells me always, don't refer to it. That is my heritage as a Seventh Day Adventist.

I ask Hon. Diana Katile to second the Motion.

**Hon. Diana Mwangangi (Katile):** Thank you very much, Hon. Speaker. Much has been said by the Majority leader regarding the importance of this Ad Hoc Committee. This Committee is supposed to do justice not only for the Assembly but also for the residents of Nairobi County. We will summon the people that need to be summoned without fear or favour. This Committee will do the job it is intended to do to completion and I am certain that the work that will be done here will bring pride to this Assembly. With those few words, Hon. Speaker, I beg to second.

**Hon. Speaker:** Hon. Members.

**Hon. Kennedy Oyugi:** Mr. Speaker, have you given me the opportunity?

**Hon. Speaker:** Yes.

**Hon. Kennedy Oyugi:** I was afraid that you might shut me down. Thank you, Mr. Speaker for the opportunity to also contribute to this Motion. Mr. Speaker, initially I was adamant to support this Motion because I asked myself a number of questions. One among them was that we have the ICT Committee which the Mover has lauded for doing some excellent job. So, I was asking myself, if we have an ICT Committee which is competent and up to the task, why don't we bestow this responsibility to the ICT Committee? I did not get the answers. Again I asked myself, if the ICT is not going to give appropriate answers or will not offer solution to this problem, why can't it be referred to the PAC Committee? Again I did not find the answer. However, Mr. Speaker, I found it quite embarrassing to oppose my leader, the Majority Leader. For that reason, I want to support the Motion.

KO: Mr. Speaker, I am seeking your indulgence if I can move an amendment.

**Hon. Speaker:** Hon. Member, maybe at least you get an opportunity to go through the Standing Orders in reference to the concern as raised. The Standing Orders does not allow you to raise amendments on the floor.

**Hon. Kennedy Oyugi:** Yes, I know I am late, Mr. Speaker. I would have done it in writing some few minutes before the session, but also remember...

**Hon. Speaker:** So, can you confirm to the House you have taken back your words?

**Hon. Kennedy Oyugi:** Mr. Speaker, you also remember that in the Order Paper, we are getting it right...

**Hon. Speaker:** Hon. Oyugi, please can you confirm to the Assembly that you have taken back your words?

**Hon. Kennedy Oyugi:** Mr. Speaker, your orders are always law to me. So, don't worry.

**Hon. Speaker:** Thank you. You may proceed by supporting the Motion.

**Hon. Kennedy Oyugi:** Thank you, Mr. Speaker. Waswahili have this saying, *Mgala muue na haki yake mpe*. My brother, Hon. Alai has been so passionate about the issues of automation in this County, I would have loved and passionately appeal to the leadership, if it cannot be amended because of time constraints, find it appropriate to incorporate him. Hon. Alai has been so passionate about this subject. If we are forming an Ad Hoc Committee, with sincerity, I think Hon. Alai deserves to be in this Committee. Thank you, Mr. Speaker.

**Hon. Speaker:** Hon. Oyugi, you stand guided. In the House of procedure, it is always upon the Members to move a Motion on amendments on any Bill or Motion. So, we still have the window.

Hon. Hon. Whip, please.

**Hon. Moses Ogeto:** Thank you, Hon. Speaker. I sincerely want to congratulate the Leader of Majority. He has quoted serious sayings and provided background over the same.

Hon. Speaker, the 13 Member men and women who have been put in this Committee, I believe they will share their experience. The Leader of Minority and Hon. Deputy Speaker are men and women who have been in this Assembly for the last 10 years. That is a decade, Hon. Speaker. I believe that their experience will be felt.

Hon. Speaker, I remember this system was created during the Nairobi Metropolitan Services' (NMS) time. When the Nairobi City County did the Deed of Transfer of the functions, the KRA took over the revenue collection. Hon. Speaker, I saw even a communique from the County Secretary referring to the media that the Assembly and the Ethics and Anti-Corruption Commission are willing to investigate, but Article 195 of the Constitution gives this Assembly a lot of powers because it is equivalent to High Court. Hon. Speaker, I believe the EACC will be patient enough so that they will be in a position to get the recommendations of this Committee.

Hon. Speaker, as it has been outlined well in Article 195 of the Constitution, this Committee, especially for my Membership, we considered gender. I can see even the Chair of Budget is a Member of this Committee. I believe that these Members will be in position to expedite the process within the timelines which they will be given to ensure that this happens. Some of the Members of the Committee, including the Deputy Speaker are vehemently ready to take the bite, as the Leader of Majority has said.

With those few remarks, I beg to support this Motion. Thank you.

**Hon. Speaker:** Hon. Waithera Chege.

**Hon. Waithera Chege:** Thank you, Mr. Speaker. Now that I stand guided that we cannot amend this document on the floor of the House, allow me to oppose.

**Hon. Speaker:** Order, Hon. Members! You may be seated. Maybe as the custodian of the statutes and the Constitution, I want the House to get it right from our Standing Orders; you may read with me Standing Order No. 62, Amendments to be in writing. But under the same Standing Order No. 62 (2):

*“Despite paragraph (1), the Speaker may, in exceptional circumstances, allow a Member to move an amendment to a Motion before the Assembly at any time during consideration of that Motion.”*

So, there is a window, but again the Chair must be persuaded that there is a need to adjust the number of the Membership of the Committee by the House. So, you stand guided.

Hon. Waithera, please.

**Hon. Waithera Chege:** I stand guided, Mr. Speaker. However, allow me to oppose this Motion, not on the subject matter but in the composition of the Membership of the Ad Hoc Committee. I want you to go with me to Standing Order No. 173 (2):

*“In nominating Members to Select Committees, County Assembly political parties, the Committee on Selection or the sponsor of a Motion establishing a Select Committee other than those provided for under the Standing Orders, shall, as much as it is feasible, take into consideration the need for fair representation of the various political parties in the Assembly, the interests of independents, regional balance, gender and other special interest groups in County and shall ensure that not more than two-thirds of the nominees are of either gender.”*

I have no issue with the sponsor of the Motion or the subject of the Motion, I have a problem with the composition of that Committee. Thank you, Mr. Speaker.

**Hon. Speaker:** For that reason, I have actually observed the list as it appears. Now that the Member has raised it under parliamentary practice, the Speaker is always blind until his attention is raised to a...

**Hon. Peter Imwatok:** Hon. Speaker, this Standing Order speaks about a Select Committee...

**Hon. Speaker:** Hon. Majority Leader, I am still on the floor. I have not even indicated the direction I am taking. I would want to give Members in under five minutes to interrogate the concern of Hon. Waithera Chege under Standing Order No. 173.

Hon. Members! Hon. Majority Leader, please.

**Hon. Peter Imwatok:** Hon. Speaker, I want not to differ with my sister in principles, but to differ with the subject matter of understanding this Standing Order. Standing Order No. 173 which she rightly quoted, subject to any written law.

*“In nominating Members to Select Committees, County Assembly political parties, the Committee on Selection or the sponsor of a Motion establishing a Select Committee other than those provided for under the Standing Orders, shall, as much as it is feasible, take into consideration...”*

Hon. Speaker, the creation of the Ad Hoc Committee must originate from the Liaison Committee which transmits and passes the numbers. If you look at our Standing Orders, I may not quote clearly, it says you cannot establish an ad hoc committee without passing through the Liaison Committee. This particular Committee was created...

**Hon. Speaker:** Clerk, kindly help the Majority Leader in highlighting the correct Standing Order.

**Hon. Peter Imwatok:** As the Clerk verifies the Standing Order, it speaks to the Select Committee which is already in existence and has given birth to this particular Committee. Standing Order 211:

*“(1) The Assembly may, by a resolution establish an Ad Hoc Committee for purposes of inquiring into a matter or matters specified in the resolution.*

*(2) A notice of Motion for the establishment of an Ad Hoc committee shall not be admissible unless presented together with a written recommendation of the Liaison*

*Committee.”*

The Liaison Committee is a Select Committee which has to establish an ad hoc committee. Standing no. 173 dissuades a Select Committee that form this to make sure it confirms to Standing Order No. 173 (2).

Hon. Speaker, when I tabled a Notice of Motion, the written HANSARD submission was, ‘We establish a 15 Member Committee.’ When we tabled a Notice of Motion, it was a 13 Member Committee. That is why I said in my submission, we will need to co-opt other Members who we feel historically are important for this County or create an amendment as you directed, Hon. Speaker.

**Hon. Speaker:** Hon. Majority Whip, kindly proceed.

**Hon. Moses Ogeto:** Hon. Speaker, I am also persuaded to support the Leader of Majority under that Standing Order No. 212 in line with other Standing Orders which have been prescribed in this. She has said that there is need to consider interests of independents and gender. If it is a matter of religion, we have a Muslim in that Committee, Hon. Fathiya Abdilahi. If it is a matter of gender, I have done calculations. In this 13 Member Committee, we have almost four women. A third of 13 is 4.1. I believe if you round off, that will be four 4.

Hon. Speaker, in matters of independent candidates, it is the discretion of the Speaker. No independent person has come to me as the Majority Whip or to my counterpart there to be incorporated as a Member of the Ad Hoc Committee. This is a resolution which was passed in this Assembly. I want to challenge independent candidates if they approached the Leader of Majority or the Leader of Minority to be part of Ad Hoc Committee. This House must be ruled with facts.

Hon. Speaker she has opposed this. Let her proceed with opposing so that she can galvanize the numbers in opposing this Motion. We have no problem. This Motion is for the benefit for the Nairobians. We want to investigate whatever is happening in the servers which are in Manyani. She must tell us if a third gender was considered. If it was, then we proceed. Thank you.

**Hon. Speaker:** Hon. Chege, why are you still on the floor? The Whip is on the floor. You may proceed.

**Hon. Mark Mugambi:** Thank you, Hon. Speaker. I also wish to echo the sentiments of my counterpart, the Majority Whip in regards to the composition of the same. I wish to confirm that none of the independent MCAs in this House has reached to me or to the office requesting to be added in the same Ad Hoc Committee neither in writing nor...

No, don't say I am lying. I am affirming...

**Hon. Speaker:** Order! Don't engage the Member directly, please.

**Hon. Mark Mugambi:** Hon. Speaker, protect me.

**Hon. Speaker:** You are protected. Speak through the Chair.

**Hon. Mark Mugambi:** Thank you, Hon. Speaker.

**Hon. Speaker:** You may proceed.

**Hon. Mark Mugambi:** The key word here is independent because if it is about gender, we have achieved it. If it is about religion, it is represented. If it is about ethnicity, it is represented. Any Member that feels to have been shortchanged should produce evidence, especially the independent that they brought their concerns to either of our offices and it was overlooked.

Hon. Speaker on the same breath, the independent...

**Hon. Speaker:** The Member is on Point of Order, please give him time to conclude.

**Hon. Mark Mugambi:** The independent Members also are at the discretion if either of the Whips don't attend to their needs, they have the Speaker as a person they can always take their interests to for consideration. Maybe you can confirm to us if they brought their interests and we didn't consider them to be Members of the Ad Hoc Committee.

**Hon. Speaker:** Thank you for the confirmation. Hon. Chege Waithera, you may proceed and build your case.

**Hon. Waithera Chege:** Thank you, Chair. We are not questioning the process, I think the point that we are differing with my colleagues is, we are asking; do you satisfy the issue in Standing Order 173 (2) about fair representation, independent candidates and gender? All those things put together, that is where we part my dear colleagues. Today you might be in power but tomorrow you might be out of power.

**Hon. Speaker:** Hon. Member, kindly persuade Members to be in support of your position.

**Hon. Waithera Chege:** Mr. Speaker, Sir, we are addressing the question of fair representation, nothing else.

**Hon. Speaker:** You have all the right to oppose the debate, Hon. Chege Waithera, but please don't point fingers. There are no reservations here.

**Hon. Waithera Chege:** Mr. Speaker, I don't know where you read that.

**Hon. Speaker:** At the end of it, we will put a question, either side will take it. So, please whip the emotions of the proposers and those who oppose.

**Hon. Waithera Chege:** Mr. Speaker, we are not arguing for the sake of arguing. On our side for example, we have two independent candidates. We have looked at the list, there are other political dynamics that may not be satisfactory on the floor of this House but we will be able

to discuss them even outside this Assembly. I am not going to political dynamics, but let us discuss Standing Order No. 173 (2) with all fairness. I want to plead with my brother, Hon. Imwatok that it is not too late, we can agree in this House that this can be suspended and we amend the document so that you bring it on the floor of the House tomorrow and we will all support. Thank you, Mr.

Speaker.

***Point of Information***

**Hon. Speaker:** Hon. Matara. You want to inform the House or a Member?

**Hon. Silas Matara:** The House, Hon. Speaker.

**Hon. Speaker:** Hon. Oyugi, please sit.

**Hon. Silas Matara:** The same Standing Order 173, Hon. Speaker, we have three issues that we need to address as a House. First, it is expressly indicated in our Standing Orders that ad hoc committee is to be considered as a Select Committee. Number two, when you look at Standing Order 173(2) that our able Deputy Minority Leader is speaking about, on the issue of fairness, there is a word 'shall', but after the word, there is 'as much as it is feasible.' What that means, you have been able to achieve three quarters of fairness in terms of consideration of gender and representation of respective parties.

In as much as the Member has a valid point when it comes to representation of the independent Members, but in the same Standing Order, it is not expressed that the Members are supposed to make an application to the offices of the Whips. So to that effect, Hon. Speaker, we are supposed to learn from this experience. It is upon you to direct the Office of the Clerk to amend the Standing Orders to avoid a similar scenario in the future occurrence. You should find a way of how the Members of independent parties should be considered in future. But in terms of fairness in the list, it has been met because three quarters of people who are supposed to be in the Committee have been met.

**Hon. Speaker:** The information is taken.

**Hon. Silas Matara:** Thank you.

**Hon. Speaker:** Hon. Alai, you may proceed.

**Hon. Robert Alai:** Thank you, Hon. Speaker. Since I have been mentioned in this debate, I don't want to involve myself in the debate so that I don't have a conflict of interest or undue interest. I just want to remind our able Minority Whip that he is setting a very bad precedent when he says that independent Members must show interest. Tomorrow, you will say that you will not nominate women unless they show interest. You cannot start that.

Hon. Speaker, I beg that you protect the interest of all the stakeholders represented in this House. The Standing Order should not be amended as the Hon. Member is saying for the independent Members to show interest. The interests, the custodian, the rule and the spirit of fairness must be protected by the Office of the Speaker. Thank you, Hon. Speaker.

**Hon. Speaker:** Thank you, Hon. Alai, the House stands guided. Hon. Jared Akama.

**Hon. Jared Ondieki:** Hon. Speaker, I don't know why the Majority Whip whenever I am given the opportunity, he...

***Point of Information***

**Hon. Speaker:** Hon. Whip, you may proceed.

**Hon. Jared Ondieki:** You know the Majority Whip...

**Hon. Speaker:** Please, the Whip is on the floor.

**Hon. Moses Ogeto:** Hon. Speaker, thank you so much. Hon. Akama, the Chairman of Justice and Legal Affairs Committee, I believe justice will be served before this Assembly today.

I wanted to inform you, Hon. Speaker, under Standing Order No. 173 again on fairness. We have 26 Committees in this House and we have three independent candidates. I know in the House Business Committee we have an independent Member nominated courtesy of the Minority side. Those are facts you can't run away from. If we may consider the question of fairness as it has been raised by Hon. Chege Waithera, will all these independent candidates sit in all the Committees? If that is fairness, then I would wish the same fairness be applied in all Committees.

Hon. Speaker, fairness cannot be skewed to satisfy the egos of some individuals in this House. We can't.

Hon. Speaker, the same Standing Order has given...

**Hon. Speaker:** Hon. Whip, kindly use Parliamentary language. Kindly withdraw 'egos of Members.'

**Hon. Moses Ogeto:** Hon. Speaker, I withdraw the word 'ego' and replace with 'the desire of these Members.'

Hon. Speaker the same Standing Orders has given Members an authority of serving two Sectoral Committees and one Select Committee. Then a question comes in; will these independent Members serve in all the 26 committees? Is there fairness? Hon. Speaker, the question of fairness...

**Hon. Speaker:** Whip, kindly conclude that debate.

**Hon. Moses Ogeto:** Even in the National Assembly we have about 26 independent Members. They have agreed to work with other political parties to ensure that they fit. In this Assembly, Hon. Joel Munuve is an independent Member who works closely with Azimio La Umoja-One Kenya Alliance...

**Hon. Speaker:** Your message is home, Hon. Whip, thank you. Hon. Akama, you may proceed.

**Hon. Jared Akama Ondieki:** Thank you very much, Hon. Speaker. I want to exonerate myself from the direction the debate is going and basically look at the bigger picture in this case. I want to support this Motion by the Majority Leader.

I feel sad because I was in the Second Assembly when the Motion of giving the KRA the power to collect revenue on behalf of Nairobi County was done. I want to bring to the attention of the House because of the institutional memory. The Motion to pass the KRA as a collector of revenue for this County was passed in a record of five minutes in this House without Members being given an opportunity to process and even evaluate the pros and cons of giving a National body to collect funds for a County.

I urge this Hon. House to really overcome this kind of action and wherever a serious Motion just like this is brought to this House, it should be taken with a lot of attention so that we avert ourselves from this situation we find ourselves in. I believe that reason why there are financial constraints even to finance this Hon. House is because of the challenges we are having as a County in terms of collecting revenue.

Hon. Speaker, there is something I was following last week because my Members had not been paid their per diem for a retreat in Mombasa. I took interest when the work plan was taken to the COB. I noticed that it was taking this County a record of eight days to collect Kshs.12 million. When I enquired further – and this is very serious and I am happy that this House has risen to the occasion to give justice. This word ‘justice’ has been used by my Majority Whip. Let us for once ensure that we are giving justice to the people of Nairobi. This House sits as the godfather and godmother of this great County. I am happy today that we have risen to the occasion to ensure that the revenue collected by Nairobians is not lost; that is the bigger picture.

I want to invoke the words of Museveni in early 80s when he was a revolutionary. He said, *"It doesn't matter whether a cat is white or black, as long as it catches mice."* The most important thing to me is when this Committee Ad Hoc Committee has been constituted. Hon. Speaker, in the last Assembly for instance, we had a common denominator called *kipindi*. It is the words of *kipindi* that brings us where we are today. I want to believe that the Ad Hoc Committee which is being constituted today will rise to the occasion above *vipindi* and ensure that Nairobians get value for the money they remit to this County. That is the bottom line.

Hon. Speaker, mine is to wish the Ad Hoc Committee all the best. But ensure that we are watching and we expect nothing other than giving justice to the people of Nairobi. Otherwise, I support the Motion. Thank you very much.

**Hon. Speaker:** Thank you. Hon. Dr. Wilfred Oluoch Odalo, your mic is on. Hon. Joyce.

**Hon. Joyce Kamau:** Thank you so much, Mr. Speaker. Mr. Speaker, you cannot ignore the important issues that Members have raised. I was just checking....

**Hon. Speaker:** Order, Hon. Member! Please can you correct your statement?

**Hon. Joyce Kamau:** Which statement?

**Hon. Speaker:** The Speaker does not ignore any concern of Member.

**Hon. Joyce Kamau:** I am speaking to myself, that I cannot ignore.

**Hon. Speaker:** Okay.

**Hon. Joyce Kamau:** Mr. Speaker, I was looking at the composition of Members in Committees and I have noticed that we have one Member called Hon. Anthony Kiragu who is sitting in eight committees of this Assembly. This Ad Hoc Committee will be his ninth

committee, and, Mr. Speaker, we have an independent Member like Hon. Francis Kimondo who has only three committees in this House. I think it is only fair to include everybody. We cannot have a Leader who is sitting in many committees while other Members do not have enough committees. Thank you, Mr. Speaker.

*(Applause)*

**Hon. Speaker:** Thank you. Hon. Anthony Kimemia Gathumbi.

**Hon. Antony Gathumbi:** Thank you very much, Mr. Speaker for according me this time to speak. So much has been said by my fellow Members, including *Mheshimiwa* Akama. I think he was reading the notes I have been writing here.

Mr. Speaker, I first want to know the issue of Hon. Waithera Chege, whether it is the issue of the composition. The Standing Order 173 has been conclusive...

**Hon. Speaker:** Order, Hon. Member! Please, confine yourself to the Motion. Don't take us back to the...

**Hon. Antony Gathumbi:** I just wanted to guide the House because if...

**Hon. Speaker:** Please, are you in support or opposing the Motion?

**Hon. Antony Gathumbi:** Well, I support the Motion for these reasons...

**Hon. Speaker:** Please raise your points.

**Hon. Antony Gathumbi:** Thank you. I thought as a Member of the Speaker's Panel, I would guide the House. I will continue and support the Motion. I have a live situation that is going on in the Executive. Today, residents of Buruburu Estate were given notices to vacate their houses within seven days because they have not paid their rent. But when you look at their accounts, they have paid all the rent. When they came to the Executive to find out what was going on, all the systems had broken down. So, we do not know if it is by design or by default.

Therefore, I take this opportunity to send this Ad Hoc committee to find out what is happening in this County. As it is now, for example, when you go to Planning Sector, all the monies cannot be seen where they have gone to. Also in Housing Sector, every amount of money is not known where it is going to. So, Mr. Speaker, the House has done well to institute this Ad Hoc Committee. I support that they move with speed.

As a Member mentioned here, we have ad hoc committees that have come to report here quickly. What they have said is passed. That is why we failed and we moved to the KRA without knowing. We want them to give this House an opportunity to discuss that report as it comes so that it does not come with hidden agendas. Thank you very much, Mr. Speaker. That is my take.

**Hon. Speaker:** Thank you. Hon. Gathahu.

**Hon. Sospeter Mumbi:** Thank you, Hon. Speaker for this opportunity. I also thank the Hon. Members who have raised concerns with regard to the independent candidates. We really appreciate for the demonstrative solidarity.

Hon. Speaker, I do not have a problem with the Motion itself; I am only having an issue with the constitution of the Committee.

**Hon. Speaker:** Are you in support of or opposing the Motion?

**Hon. Sospeter Mumbi:** I am not in support.

**Hon. Speaker:** You are opposing the motion?

**Hon. Sospeter Mumbi:** Yes. But based on the constitution of the Committee.

**Hon. Speaker:** Proceed.

**Hon. Sospeter Mumbi:** Thank you, Hon. Speaker. From where I sit, I understand your role as the custodian of the Standing Orders in this Assembly. I also acknowledge that the various representatives of the parties are elected to serve as safeguard and to look into the issues of their respective parties. In that regard, that is why the Standing Order is very clear that, we, the independent candidates, remain under your mercies and guidance, Hon. Speaker. As such, in the constitution of this Committee, and including the House Business Committee and any other committee in this Assembly, it is within your discretion to scrutinize the said committee to ensure that the spirit of the Standing Order is well taken care of. The Standing Order 173 is categorical that the independent Members shall form part of it. On Standing Order 167 on the Constitution of the Nairobi City County Assembly Business Committee, again the aspect of the independent Members is clearly captured.

Allow me to enlighten Hon. Majority Whip that my inclusion in the House Business Committee – I do not know how I got there – but I have the right based on the Standing Order to form part of that particular Committee.

Hon. Speaker, I will also refer you to Standing Orders 202, 173, and 167. The spirit is on the inclusion of the independent Members in various committees and in the business of the Assembly. You need to give guidance on the constitution and the list that has been tabled in this House to ensure that the spirit and interests of the independent Members are catered for. Members, I do not mean that I want to form part of this list, kindly I am standing on behalf of the three independent Members and also other independent Members that will form part of this Assembly moving forward. Thank you, Hon. Speaker.

**Hon. Speaker:** Hon. Kennedy Oyugi.

**Hon. Kennedy Oyugi:** Mr. Speaker, thank you again for the opportunity. I want to narrow myself to Standing Order 173 (1) in this debate. Mr. Speaker, we need to be alive to the fact that we are all human beings, and any human being can make a mistake. If I make a mistake as a human being, I only need to lend an ear.

**Hon. Speaker:** Hon. Member, you can only do the Hon. House a favour by either supporting or opposing before you make a...

**Hon. Kennedy Oyugi:** Mr. Speaker, I want to believe that I am a sane person. Let me debate, and within the debate I will make an informed decision. At the end of it, I will make a decision.

**Hon. Speaker:** Okay, thank you.

**Hon. Kennedy Oyugi:** Mr. Speaker, Standing Order 173 (1) talks about the formation of special committees, and here we are supposed to do not less than 11 and not more than 17. It is true that this Committee was formed, but there were lapses. I want us to agree that let us not pass this baby as it is ours. Let us only agree that there are lapses. Time is on our side; we can

make that correction. It is true that the members of the independent in this Assembly were not taken care of. So, it is incumbent upon us to accept and include even one member of the independent in this Committee.

Hon. Whip was narrowing as if Hon. Waithera was contesting the formation from all the committees, which is not true. We are on a specific one, the special Ad Hoc Committee. Honestly, how do you expect three Members to serve in all the 19 or 20 committees? It is not possible. So, let us narrow our debate on this special Ad Hoc Committee. I would like to plead with the Majority Whip, Majority Leader and all the Leadership of the House, let us do what is just and what is right, include the Members of independent, even one of them.

Mr. Speaker, the argument that a specific group did not show interest; who told my Majority Leader or my Majority Whip that I never wanted to be in that position? Was he was expecting me to go and lobby?

I think in their own wisdom, they thought that the Hon. Members that were included in those committees have the capacity. So, if you expect Hon. Members to go and lobby, it is wrong. Wherever you are as a leader, bear in mind that you are representing different interest groups, including independent Members.

Mr. Speaker, I am supporting the Motion, but with the inclusion of doing what is right. Let us include this group that was left out. I want to believe it was not intentional. Kindly, Majority Leader and Majority Whip, let us do what is expected of us. Thank you.

**Hon. Speaker:** Hon. Members of the Assembly, I do not want to get involved in the debate because that is not by space, but I just want to guide the proceedings. If you are keen enough, you may understand at some point I had quoted Standing Order 62 (2), which gives the Speaker and the Hon. House an opportunity to move a Motion of Amendments. Here I read,

*“Despite paragraph (1), the Speaker may, in exceptional circumstances, allow a member to move an amendment to a Motion before the Assembly at any time during consideration of that Motion.”*

Hon. Members, that is all what the Chair expects from you. I cannot move an amendment, I expect it to come from the Members and dispense it before the plenary so that we can put a question. I hope the House is now guided. Hon. Fiunifiu.

**Hon. Kamau Fiunifiu:** Thank you, Hon. Speaker. I am happy that a lot of Members have pronounced themselves on the composition of this Committee. The composition is important because we are going to have a good output. But, Hon. Speaker, the independent Members...

**Hon. Speaker:** Hon. Member, you are out of Order! Please, let us read from the same script. I have just made a pronouncement on the same issue you are raising.

**Hon. Kamau Fiunifiu:** Thank you, Hon. Speaker. I want to help this House...

**Hon. Speaker:** Hon. Member, you may be seated. Can we get a Member under Standing Order 62 (2) to move a Motion of Amendments so that we can rest this case?

**Hon. Speaker:** Hon. Waithera Chege, please.

**Hon. Waithera Chege:** Thank you, Mr. Speaker, Sir. Allow me to move an amendment to allow Hon. Sospeter, Hon. Waithera Chege, Hon...

**Hon. Speaker:** Kindly refer to the relevant Standing Order, which is No. 62 (2). **Hon. Waithera Chege:** [Editor's note: words expunged]

**Hon. Speaker:** Hon. Waithera Chege, please, just make proposed amendments on the composition, but you do not propose the names. Let the Members consider the adjustment on the number of the Memberships. Correct that, and it be expunged from the HANSARD. Hon. Waithera Chege, please rephrase your point of amendments.

**Hon. Waithera Chege:** Thank you, Mr. Speaker. I want to propose an amendment:

THAT, four Hon. Members be co-opted into the Ad Hoc Committee to investigate the County Local Revenue Collection Systems and Administration. Thank you, Mr. Speaker.

**Hon. Speaker:** Can you propose someone to second your Motion, please?

**Hon. Waithera Chege:** Mr. Speaker, I want to request Hon. Oyugi to second. Thank you, Mr. Speaker.

**Hon. Speaker:** You cannot rise on a Point of Order before the Member seconds the motion.

**Hon. Kennedy Oyugi:** Thank you, Mr. Speaker for the opportunity again to second this Motion. I am rising to second this Motion of Amendment. The Standing Orders allows us to have 17 Members. As it is here, we have 13 Members. So, the proposal of having 14 Members is within the Standing Orders. We will have a maximum of 17 Members. For that reason, Mr. Speaker, I second.

**Hon. Speaker:** Hon. Members, under Standing Order No. 62 (2):

*“Despite Paragraph (1), the Speaker may, in exceptional circumstances, allow a Member to move an amendment to a Motion before the Assembly at any time during consideration of that Motion.”*

For that reason, Hon. Members, I allow the debate on Standing Order 62 (2). Hon. Whip, please.

**Hon. Moses Ogeto:** Hon. Speaker, today may be a sad day...

**Hon. Speaker:** Hon. Majority Whip, please. I have I have proposed the question under Standing Order 62(2), maybe the Clerk did not get me right. And I have given the Whip an opportunity.

**Hon. Moses Ogeto:** Hon. Speaker, it may be a sad day this afternoon at around 4.31 p.m.

on a Wednesday. I have never seen anywhere in Parliament a Member proposing herself on the same Motion. That is a conflict of interest under Standing Order 95.

**Hon. Speaker:** Order! Hon. Chege Waithera, kindly be seated. Hon. Majority Whip, the Member already withdrew the intentions and the chair instructed the Clerk to expunge it from the HANSARD, so, please do not base your argument on that. Are you for the amendments or against?

**Hon. Moses Ogeto:** Hon. Speaker, I oppose the amendments.

**Hon. Speaker:** Thank you, proceed.

**Hon. Moses Ogeto:** Hon. Speaker, the powers conferred to me under Standing Order 23 as the Majority Whip of the Azimo la Umoja-One Kenya Alliance to appoint and nominate Members to the Committee. Hon. Speaker, the Hon. Member has taken powers from the Majority

Whip and appointed Hon. Robert Alai to this Committee without me nominating under Standing

Order No.168. So, Hon. Speaker...

**Hon. Speaker:** Hon. Majority Whip, please don't mislead the Assembly. The nomination of any Member to sit in a committee remains a reserve of the whips. The pronouncement made by the Hon. Waithera Chege is null and void. It remains on the ambits of the Minority Whip and Majority Whip to nominate Members to sit in the said committees. What we are doing here is making an adjustment to the composition of the Membership and not naming Members who are supposed to sit in the committees. Let it be very clear; the names should not be included right now, but they should be relayed by the relevant Whips to the Selection Committee.

**Hon. Peter Imwatok:** Hon. Speaker, respectfully with a lot of humility, let us not destroy the spirit of this Motion. Even if we can put all the 123 Members, for me as the mover, I am okay. The Speaker has given a direction to the House under Standing Order 62 (2), and a Member has proposed amendments. What we should debate now is the addition of the Membership. I don't care about the numbers as the mover. Let us also allow the Whips to exercise their jurisdiction. That is what the Speaker has overruled. Therefore, the debate is whether you oppose the amendment to include Members in this particular Motion or not, so that we narrow ourselves into the substratum of the amendment.

As the mover of the Motion, I will not care, but I will also guard the independence of the specific offices. No one shall appoint herself or himself to a specific committee. Those two parameters, I am in respect to it; respecting the particular offices and respecting the substratum of the debate.

If today this House in its wisdom decide to convert this Ad Hoc Committee into the Committee of the Whole House and we are in agreement, that is good as long as the Nairobians understand where our servers are. Who opens them and locks them at 6.30 p.m. every evening? Who declares how much comes to the County? That is the substratum of this Motion. The numbers are neither here nor there. Now that the amendment has been moved of increasing the numbers, can we as Hon. Members dissuade ourselves from other – Sorry, Mr. Speaker, you will tell me to withdraw.

Allow me to stop there and ask my colleagues that it is not us, our mothers in hospitals need money to buy medicines. Our Ward Development Fund of Kshs. 1.9 billion – the Chair of Budget is here, yesterday together with the CECM of Finance, the CFO and the Members of WDF, we realized we had a deficit of Kshs. 2.7 billion to realize our development agenda in our respective wards. We passed three weeks ago a Finance Bill which was increasing our revenue by Kshs.16.5 billion. So far, we are collecting less than Kshs.10 million a day in the

Capital City of Nairobi, compared to Kirinyaga County. Is it something that we can debate about who is there or who is not? It is about the wisdom of this House.

We need to now leave the Whips to make their own wisdom as per the rule. If the Whip decides Hon. Alai does not deserve to sit in this Committee, that is his function. If Hon. Roro feels that there is inadequacy in Hon. Waithera Chege to be a Member of this Committee, that is his own discretion. If the Whip feels Hon. Majiwa does not deserve, it is at his own discretion.

As the Leader of this House, I have never interfered with any institution neither will I interfere with the offices of the Whips. Kindly, Hon. Speaker, let us go to the substratum of the Motion, which is; are we increasing the four Members across the aisle or not?

Hon. Oyugi has said categorically the number to be increased to 17 which is dictated by the Standing Order on the Select Committee. If so, we can put a question whether we increase the number or not, and leave the Whips to do their part.

**Hon. Speaker:** The Hon. Whip, please.

**Hon. Moses Ogeto:** Thank you, Hon. Speaker. I really do not want to differ with my Majority Leader. I want to bring to your attention on Standing Order No. 61 (5). Hon. Speaker, I would like you to take the Members through that Standing Order. We have no problem increasing the numbers. This motion was passed and no Member at that time stood up to propose increase in the numbers. We cannot go back after this House ensured that the Motion was passed. The only thing which was missing in the Motion was the names. In amending this Motion, which words do you want to be amended? We are the protectors of the Constitution, the Standing Orders and the Statutes of the law. We are unable to fulfil the desires of few individuals to destroy the purpose of this Motion. I want you to read what the Standing Order 61 (5) says.

**Hon. Speaker:** Hon. Jera.

**Hon. Samson Ooko:** Thank you, Hon. Speaker. I rise to oppose the amendments to this Motion because we are setting bad precedence in this House. That, when Ochieng Jera does not support, I go around lobbying other Members to oppose.

Hon. Speaker, I wish... Hon. Whip, you have spoken here seven times. I wonder what is wrong with people. I am saying we are setting bad precedence because when a team feels like they are not included in the list, they complain. What will happen tomorrow when a team from the forest again complains that they are not on the list?

We must be guided by the rules that we are talking about. The problem in this House is that some of the Members who are new are believed not to understand the Standing Orders. Let it be made clear today that once the Whips have been given the authority to bring the list, just like the coaches who prepare the list of the players who are going to play, we must respect that.

Mr. Speaker, they are representing this House, and any report that will be brought by the Committee will be reported back to this House. The collection of revenue in this County has been so poor and something needs to be done. I am certain that the people who have been selected to this Committee are men and women of integrity. Let us give them a chance to serve us. Otherwise, the next thing we are going to do is demand that my name be put. Where are we heading to?

Mr. Speaker, Sir, kindly, I oppose the amendment to this Motion. Thank you.

**Hon. Speaker:** Hon. Whip.

**Hon. Mark Mugambi:** Thank you, Hon. Speaker. I wish to echo the sentiments of my counterpart. If we indeed feel that the Committee is under composed, can the mover of the Motion withdraw then we go back to the motion itself, and then go back to Liaison Committee so that we can start afresh? We bring the Motion on the formation of the Ad Hoc Committee here and the addition of Members from 13 to 17, if it so pleases the masses so that we do not perform illegality to satisfy the desires of those who deem that their interests are not taken into consideration.

Hon. Speaker, as we speak, we have already passed that stage. The addition of these Members would have come during the plenary session when we were debating the formation of this Ad Hoc Committee. That is when we could have adjusted the numbers from 13 to 17, but we did not do that.

Hon. Speaker, the Motion in front of us is very clear, either you support the names listed here or you don't.

**Hon. Speaker:** Order, Hon. Members!

**Hon. Mark Mugambi:** AS I finish, Hon. Speaker, for the Members that feel that the composition is not right, we can proceed. The mover can allow us to fail this Motion so that we can bring it at later date when it will have the composition of all those that feel they have been left out. Alternatively, we can also decide to discuss the affairs of this as a Whole House so that no Member will feel like they have been left out in one way or another. We have Muslims, Nubians, Catholics, and other many groups here.

**Hon. Speaker:** Order, Hon. Members! Let us not make mockery out of the debate. Hon. Members, by leave of the Chair, you were given an opportunity to ventilate on the Motion, but subsequently, you need to understand we have a substantive Motion appearing in the Order Paper, which takes the first precedent. For that reason, Hon. Members, I call the mover of Motion No. 8 to reply.

**Hon. Peter Imwatok:** Hon. Speaker, I kindly seek guidance, do I reply to the Amendment of the Motion or to the Substantive Motion?

**Hon. Speaker:** I have said Substantive Motion No. 8.

**Hon. Peter Imwatok:** Hon. Speaker, my life has always been defined by a sense of controversies since birth because I believe in feeling the temperature of the situation. Hon.

Speaker, I still repeat that we have all the interests of Nairobi, that is why I am quiet. I wish I could show you how my phone is ringing and what has been happening from yesterday because of this Motion. The interests are beyond us, but we must salvage Nairobi County. Let us not reason with our emotions on this, let us reason with the interests of Nairobians.

The Speaker walked into my Office and I told him that I was getting off, but he never responded. When I remained alone in my office toilet, I asked God if this was the right thing to do. I would have absconded my duty. Members, including the Chairman of Budget here told

me “Leader, hold on.” If you look at my eyes, I have not slept since yesterday. I was wrestling between what is right and what is wrong, and what is just and what is unjust.

Just like Jesus Christ came from heaven to save the world, someone somewhere has to stand in the gap of men who cannot speak, and we are the ones. If this Motion goes through, this will be our baby. As I said, the Committee has many ways it can cure all you have said.

Hon. Speaker, thank you. I was in the First Assembly and such debates could not be allowed. That is why I was very quiet, this is healthy for this House. Let us not make the Assembly an assembly of speechless men and women; let the people speak. But beyond this red carpet, we are all the Hon. Members of the County Assembly of Nairobi.

In the National Parliament, you will never find such a debate unless it is in the interest of the National Government, I can attest that to you. Who is debating in the interests of the County Executive here? We are all debating on the interests of the people of Nairobi. I know even the Fourth Estate is surprised at how the debates go from one corner to the other.

As I reply, Hon. Minority Whip, you know me in history, I have never withdrawn a Motion in my life. It has never happened. You can go on YouTube and look. What I place before the Chamber, let it die a natural death or let me execute it and I remain alone. History is not comparable to how many you are; it is only about you.

In the mountain of Patmos, a disciple was told to recant Jesus Christ, but he said, “*What do you want to do to me? You want to go throw me there? Please, do it.*” But I know this House cannot throw out what is right for the people of Nairobi. Hon. Speaker, you are doing us justice, Thank you.

**Hon. Speaker:** Thank you very much.

*(Question put and agreed to.)*

ADJOURNMENT

**Hon. Speaker:** Hon. Members, the Assembly adjourns to tomorrow, Thursday 2<sup>nd</sup> November 2023 at 2.30 p.m.

***The House rose at 4.55 p.m.***

## **APPENDIX ID: Motion on policy and programs on child-headed households**

### **MOTION: POLICY AND PROGRAMS ON CHILD-HEADED HOUSEHOLDS WITHIN THE COUNTY**

**Hon. Perpetua Mponjiwa:** Thank you very much, Madam Speaker...

*(A Member spoke off the record)*

I am not confused, Madam Speaker, protect me. Just to bring to the attention of this House, it is such a wonder that when a Madam Speaker is sitting on that powerful Chair, there are shouts especially from the men, and it doesn't happen when the substantive Speaker or even the Deputy Speaker, Hon. Kados, who I have never seen any Member shout at him. So, Madam Speaker that is a point for this House to note. You should sit in that seat of yours, as powerful as it is, and make sure that you are not intimidated.

THAT, aware that the United Nations Convention on the Rights of the Child (UNCRC) is the most complete statement of children's rights ever produced and is the most widely-ratified international human rights treaty in history, ratification which Kenya is party to;

NOTING that the Convention has 54 articles that cover all aspects of a child's life and set out the civil, political, economic, social and cultural rights that all children everywhere are entitled to and also explains how adults and governments must work together to make sure all children enjoy all their rights;

CONCERNED that ensuring child rights in Kenya is still a challenge 31 years after ratification of the treaty, and efforts by the State to enforce these rights have not been sufficient as evidenced by rampant cases of abuse and neglect;

FURTHER CONCERNED that there are many children heading households (CHH) in urban informal settlements facing specific vulnerabilities shaped by limitations on their opportunities and capabilities within the context of urban inequities, which affect their wellbeing;

NOTING that Section 62 of the Children Act, 2022 provides for the County Government to establish welfare schemes to provide or facilitate the provision of childcare facilities and programs for children, including children with disabilities;

RECOGNIZING that if County Governments do not supplement efforts to address Child

Rights by National Government, the implementation of the UNCRC charter will remain a mirage;

CONSIDERING the huge mandate that the Nairobi City County has in respect to the Children and acknowledging that the County is in the process of enacting a policy and legislation on children welfare;

THIS ASSEMBLY urges that the County Executive to:

2. Develop a comprehensive policy that will promote sustainable solutions to child headed households; and
3. Develop programs which will create awareness and address needs of child headed households, skills training on issues of reproductive health, children's rights, drug abuse, home management and conflict resolution for children in child headed households within the County.

Madam Speaker, in a nutshell, I am trying to bring to the attention of this House that in Nairobi, there are children under 18 years who head their own households; just the way your father and mother can head a house or you as an adult can head a house. These children might have found

themselves in this situation not coincidentally, may be they are orphans and have no choice. The firstborns decide to be the heads of the families and take care of their siblings. They may be children who have run away from home, so, they think that it is proper to start a home or head a home.

Before I call my seconder, I want to elaborate a bit. These children face lot of problems. In children's home when we try rehabilitating the children and integrate them back to society, we find many hitches because majority of them would want to go back and be the head of their own households yet they are under 18 years old.

The reason why the policy has to be made is because there is a case in the children's home where one, Mr. Adida, if I am not wrong, is a legal parent to all the orphans in the children's home who are going to secondary school or college. The policy and the law requires them to have a parent yet they do not have.

Therefore, we want to bring to the attention of the County Government to support the National Government in supporting these children headed households. When you support children headed households, you will reduce the number of child pregnancies in Nairobi.

I call upon Hon. Katile to second this Motion. Thank you very much.

**Hon. Diana (Katile) Mwangangi:** Thank you very much, Madam Speaker, I stand to second this Motion. Before I proceed further, though I can see he has left, I would like to acknowledge the step by Hon. Sospeter of standing up and saying that he is an example of having experience of being the head of a child headed household.

Madam Speaker, the effect of this household is that these children end up not living the life of a child, they are denied a certain stage of their life because they have to become parents at an age they are still supposed to be enjoying the privilege of being taken care of and provided for. These children face many issues, some of them are exploited by extended family. Once they become child headed households, you will find out that at times they are even disinherited because they do not have someone to fight for them. They also lack socioeconomic needs such as food, health, and hygiene. These needs are not met because these children do not have work or where to go. They also face multiple layers of hardship that intersect with the socioeconomic dimension of vulnerability. They are vulnerable because this is an institution that does not have a recognizable head. When you think of a household, you think of a father, mother, and children. If the father is not there, there is a mother. But this is a household that is headed by a child. Any person who thinks of harming these children will find the leeway to go and do what they want to do because there seems to be no recognizable head.

Even as we are urging the County Government to develop policies and programs, we urge them to come up with a participatory approach in which they are able to engage the children heading those institutions so they are alive to the problem that these children are facing. There are organizations that have gone to these households and done studies. We urge the County Government to also go to these households and take their findings and involve these children so that they can come up with proper policy after involving them.

With that, Madam Speaker, I beg to second. Thank you.

*(Question proposed)*

**Hon. Silas Matara:** Thank you, Hon Speaker for this opportunity, I rise to support this Motion. First, I would like to extend gratitude to Hon Mponjiwa, Chair of Education Committee, for taking time to remember this vulnerable segment of our community.

In line with urging the Executive to come up with a policy towards achieving the desired results of Mheshimiwa and this Hon. House, the sector that deals with children and the vulnerable members of the community, be it youth and social services, should make a budgetary provision towards addressing the concerns raised in this Motion. In as much as they will have to come up with a policy, it needs financing to be able to come up with tangible programs to be able to alleviate their suffering.

Hon Speaker, it is important that this child headed households are taken into consideration. We have had incidences of respective extended families deliberately not taking care of those children for the interest of maybe they have land which they are supposed to inherit, bank accounts and properties, and the issues about next of kin are not clear. When we have a policy in place, it means that it is going to do a follow up whether these households have extended families whether in Nairobi or in their rural areas, how do we locate the families and how to integrate them into the society and to their extended families.

In the policy, the Executive should liaise with National Government agencies, National Government existing institutions and infrastructure like Nyumba Kumi whereby if the parents have deserted their kids or they died, they have information of these respective families. The County and National Government need to liaise and have a convergence of initiatives towards identifying those respective families and ensuring that whatever support that comes from the County or the National Government gets to reach these children.

There is an issue about these children being exposed to adulthood quite early in life. The County Government can come up with a policy whereby these children headed households can be enjoined with other families, institutions or county institutions and be given extra support. If it is a business entity, they can be allowed to pay lower rates.

The policy should also need to come up with mechanism of identification of these families and linking up of these children with all government agencies and their families. There is also an element of urging the communities to take care in wholesome of these children led families.

In finality, societies or leaders are judged by the way they treat the vulnerable members of the community. In this case, these families are very vulnerable. So, I urge my colleagues support this Motion in full because if it sees the light of day, then history will judge us fairly. Thank you, Hon Speaker.

**Hon. Temporary Speaker:** Thank you. Hon Lily Kidenda.

**Hon. Lily Kidenda:** Thank you very much, Hon Speaker, I rise to support this Motion. I would like to thank my Chair for Early Childhood Education for coming up with this Motion. In the area of counseling, we call these children being parentified. It is a big word that says a child has become a man or a woman, and the responsibilities that come with that exposes a child to things that we probably may not even imagine. These children are exposed to sexual issues very early, they become hardened and they want to stop things that should not happen that they saw mummy and daddy do.

The first thing that we should recommend is awareness. I would like to appreciate the Hon Member who seconded this Motion for the elaborate way in which she has spoken to this Motion. I would just like to add that if we want this succeed, we have to bite it one small chunk at a time. It looks like a big mountain, but we need to bite it in sub county by establishing centers where data can be collected, support can be channeled to central place, where reports

are written and where there is a follow up. We could even come down to the ward level. If Members of this County know the number of vulnerable children and the children headed households within their wards, then we have something to work with. If we make it global, we can collect and bring everything we can do, but for it to get to the target group, that is really what will work.

I pray that we will support and pass this Motion but we will not leave it there, we will cut it down into the implementation and follow up to see what works. One day, we will wake up and say we have rescue centers of support and centers with data that we can work with. Thank you, Hon Speaker. I congratulate the mover of this Motion.

**Hon. Temporary Speaker:** Thank you so much. Hon Emily Khatemeshi.

**Hon. Emmy Isalambo:** Thank you, Hon Speaker. I thank the Chair of Education for bringing in this timely Motion. I think this is the best thing the County should do for the children. Imagine a child who is growing and doesn't even know or remember when he\she was born. Most of them don't even own a birth certificate, and when it comes to that time of them getting identity cards, it is a real problem. Most of them are regarded as foreigners.

These children are vulnerable and don't even enjoy freedom of movement as they have no access to play grounds and maybe churches, therefore not knowing anything to do with God. So, it is important that this Motion will bring sanity to them. Thank you so much, Madam Speaker.

**Hon. Temporary Speaker:** Thank you. The mover to reply.

**Hon. Perpetua Mponjiwa:** Hon Speaker and the House at large, I really appreciate. I beg to reply.

**Hon. Temporary Speaker:** Thank you.

*(Question put and agreed to)*

**APPENDIX 1E: Motion for adjournment on standing order No 34 to issue bursaries**

**MOTION FOR ADJOURNMENT UNDER STANDING ORDER NO. 34 (1) DELAY BY THE COUNTY EXECUTIVE TO ISSUE BURSARIES**

Hon. Temporary Speaker: Hon. Jeremiah Themendu. Hon. Jeremiah Themendu: Thank you, Madam Speaker. I think I can repeat it again. Hon. Temporary Speaker: Hon. Member, please proceed. Hon. Jeremiah Themendu:

THAT, aware that Article 43 (1) (f) of the Constitution, 2010 provides that every person has the right to education;

FURTHER AWARE THAT, the County Government has been funding students from informal settlements through bursaries issued through the Members of the County Assembly each year since 2013; CONCERNED THAT, the County Executive delayed the issuance of bursaries for the third term, which has locked most students out of school due to a lack of school fees;

ACKNOWLEDGING THAT, most students from the informal settlements in the County depend on the bursaries issued by the County Government as school fees;

THIS ASSEMBLY ADJOURNS pursuant to Standing Order 36 to discuss the delay by the County Executive to issue bursaries to the students who depend on them, as a Matter of Definite Urgent County Importance.

Hon. Speaker, on 29th June 2023, the County Assembly approved the County Government Budget, with a budget allocation of Kshs. 7 million for ward bursaries for the financial year 2023- 2024. Hon. Speaker, the ward bursary is supposed to be disbursed per academic term, starting with the third term of this year. We issued the bursary forms in September with the anticipation of receiving bursary cheques at the commencement of the third term. However, the County Executive is yet to disburse the cheques, making it difficult for the needy students who depend on bursaries for education. Hon. Speaker, I call upon Hon. Hamisi Malenya to second the Motion.

Hon. Hamisi Maleya: Thank you, Madam Speaker. I rise to support this Motion based on the obvious reasons known to every Hon. Member in this House. Education is a right under the Constitution of Kenya. We passed a budget that was supposed to cater for the needy students within the course of the year. The first and second terms' disbursements were well done, but third term has been a problem. We, as grassroots leaders have been faced with a lot of challenges whereby we are forced to explain the delays in the bursaries. That is why this Motion was brought up by our senior Member, Hon. Themendu, so that we may get answers. As you are aware, we are just approaching the end of the term and some schools have closed. It is only because of the National Exam that is ongoing. I rise to support this Motion so that we may get immediate answers and possibly get the cheques to give to our parents who are suffering. As we are heading to the end of the year, the results of some students haven't been given due to a lack of school fees. With those few remarks, I support. Thank you.

(Question proposed)

Hon. Temporary Speaker: Hon. Members, you may now debate on the Motion. Hon. Samora Mwaura. Hon. Samora Mwaura: Thank you, Madam Speaker for the opportunity to contribute

to this very important issue. Firstly, I would like to congratulate Hon. Themendu for raising this issue at this juncture. We are all aware that third term is coming to an end and there are those students who are sitting for their KCSE exams. Most Members will attest that students are being chased away from schools or they are being threatened that they cannot be given results unless they clear their fee balance. So, for the sake of those students, I would like to urge the concerned authorities or departments to make sure that we get those cheques as soon as possible. Secondly, we are heading to first term, and if we do not dispense with this issue now, these bursaries will collide with those that we are supposed to give in first term. So, the sooner we deal with this, the better. As you know, apart from the WDF, the other most important thing to an elected Member is bursary. It is the only item that an elected Member can use to directly touch the parents or the constituents, and it is very emotive. For that, I support. Thank you.

Hon. Temporary Speaker: Majority Whip.

Hon. Moses Ogeto: Thank you, Madam Speaker. I sincerely thank Hon. Themendu for bringing such a Motion. I believe that it is not in bad faith but for the interests of the people of Nairobi. Hon. Speaker, Hon. Samora who has just spoken had done breaking news somewhere. I thought he would do the same on this issue. As much as I stand here to support this, it is also good to bring to the attention to this House that I have just spoken to the Chairman of the Budget Committee and he has informed me that for the last two months, the Government of Kenya Kwanza has not released the exchequer. Even the money for payment of salaries has not been released. So, as we continue to debate this Motion, we are also requesting the National Government, especially the National Treasury to disburse the equitable share of revenue. Hon. Speaker, I was asking myself; where are we standing? Then I was brought to attention by Hon. Ami Peres that it is a Motion on bursary. Hon. Themendu happens to be close to that Government, I wish he could have asked that. But now that he has brought it before this Assembly, it is good to debate it. Hon. Speaker, it is good to be aware that the problem facing Nairobi County is not only caused by the Nairobi County Government itself. We want to tell the National Government to also release the equitable share of revenue which was passed by CARA so that Hon. Themendu can happily go back to Kayole and tell his people that the National Government has given out the money. Hon. Speaker, currently, the revenue that is being collected in Nairobi County is at its lowest point. I believe that with the little amount collected is used to pay for some of the small things. I also want to bring to the attention of this House that even our salaries have not been released by the National Government. It is through the Speaker's connections that he has ensured salaries have been paid. It is also through the connections of the Governor that the Nairobi City County staff have been paid. However, the money from the National Treasury has not been disbursed for the last three months. As much as we are becoming beggars of the National Government, we are requesting them so that we avoid such Motions being tabled in this Assembly, Hon. Speaker. Hon. Speaker, Hon. Samora broke good news on our WhatsApp page that Ward Development Fund Projects will now be advertised. Even if these projects will be advertised, where will be the money? I really encourage such Motions, but again, it is good to inform the Members that the National Treasury has not disbursed the amounts to us. The Chair, Budget said that the moment the money hits the account from the National Treasury, priority number one will be the bursary. The WDF will be priority number two. We hope that we will not have another Motion for Adjournment brought by Hon. Samora on the WDF. I have asked myself where the Chairperson of Education is. When you are elected as the Chair and the Vice Chair, these are

the things you should be on top of so that you are able to brief the House the position of the bursaries. That is why, Madam Speaker, some chairpersons are here and some are not. These chairpersons should be briefing Members. When the County Assembly of Nairobi is in panic mode about money, even you, Madam Speaker will be slaughtered. That is the truth. With those few remarks, I really support this Motion. But I am telling Hon. Themendu and Hon. Members to be patient and wait for the National Treasury to release our equitable share. Thank you, Madam Speaker.

Hon. Temporary Speaker: Thank you, Majority Whip. Hon. Antony Maragu.

Hon. Antony Maragu: Thank you, Hon. Speaker. I take this opportunity to thank Hon. Themendu and you, Madam Speaker. Earlier, we were a bit concerned when the Hon. Member proposed that we adjourn and debate this Motion. I was a bit worried personally when you wanted to give us a separate time and not an opportunity to debate this Motion immediately. As Members of this Assembly, we are the representatives of the people of Nairobi and it is important when such important issues are facing our people, we get involved and debate. Hon. Speaker, we have been under a lot of pressure as elected Members especially at a time when our children are sitting for national examinations. We have read in the papers that even the National Government has not released funds, as the Majority Whip has said that the equitable share has not yet been released. Indeed, it is true that even the capitation, that is the money that high schools are supposed to be receiving from the National Government, has not been released. It seems that the principals have shifted their mindset to our offices for bursaries now that the National Government has failed. Hon. Speaker, as I speak for many, we are under pressure because our children are almost being sent away from school. We have written letters to these schools to allow the children to continue with their education. I am almost doing a third letter to multiple schools that I had written to earlier requesting them to give us three weeks so that we can send them cheques. Three weeks lapsed and I had to write to them again not to send the children home promising to send them cheques. Hon. Speaker, we are getting pressure from our people and we have no answers when parents call us. You promise them tomorrow or next week, but then it does not happen. I have seen the Governor in another forum indicating that we have collected some revenue. Even as we utilize the resources that we are collecting as own source revenue, we must prioritize. We do not have to take money to other forums where we feel they are more important. These bursaries are important especially for the elected Members. We are living in times when getting elected as a Member of the County Assembly comes with a lot of expectations. That one thing that we have to take to our people directly from our offices, if it is not prioritized in this County, then we are at risk. Hon. Speaker, I also fault the Committee of Education because they have not been prompt in giving us this information. We are only learning now from our Majority Whip that resources have not been released by the National Government. We should be informed so that by our own ways we can know how to put pressure. Hon. Majority Whip, I do not know if it is only Nairobi which has not received its equitable share or it is across the counties. Hon. Speaker, we request that this issue is expedited because County Executive people do not interact with the electorates the way we do every day. Hon. Speaker, I conclude there and support the Motion. Thank you.

Hon. Temporary Speaker: Hon. DNG.

Hon. Davidson Ngibuini: Thank you so much, Hon. Speaker for this opportunity. Indeed, bursaries have stalled and cheques have not been forthcoming. The Education Sector has sadly

reported that it has no money in their account. But it said that funds have been redirected by the CECM Finance to other sectors and to pay suppliers. Hon. Speaker, bursaries were a commitment from His Excellency the Governor. We had a caucus as the 85 elected members in Naivasha with the Governor and we agreed that bursaries are going to be non-negotiable. Indeed, we have seen bursaries been increased to now Kshs. 7 million. However, despite that goodwill and commitment from the Governor, our cheques have not been released. There are basic deliverables that we promised Nairobian that we must execute seamlessly without fail, and education is one of them. We cannot say that this great City is working yet we are unable to take our vulnerable children to school. It is sad when the money collected in this County every day goes to pay suppliers, but the basic services like garbage collection, lighting and now bursaries have not been adhered to. Our vehicles have no fuel and our children cannot go to school yet we are collecting taxes every day. I had lunch at Ajode Restaurant today and the City Court is full, people are paying penalties. Where is the money collected going to? The issue we are dealing with is not that the National Government is not giving us our equitable share, it is a sad state of mismanagement and lack of leadership in this great County. This is unacceptable and must be sorted out as soon as possible. The Majority Whip has asked; where do we get money for the bursaries? Let me do a quick calculation for this House. For your information, Nairobi County collected Kshs. 10.6 billion, which was declared. We are not going to talk on what was undeclared because that is the work of another committee. If you divide the Kshs. 10.6 billion by 365 days in a calendar year, that will be Kshs. 29 million per day. How much is our bursaries? Kshs. 7 million shillings per ward, multiply by 85 is equal to Kshs. 595 million. If you divide Kshs. 595 million by Kshs. 29 million collected per day, it takes 20 days to deliver our bursaries. Surely, are we unable to collect that money?

(Applause) It does not take someone who has done CPA 7 to do basic mathematics like this. If we use our collection for 20 days, we can quickly pay our bursaries that have stalled and take our children back to school. Let us take this seriously. Point of Order Hon. Moses Ogeto: Point of Order under Standing Order No. 99 on Statement of fact, Madam Speaker. It is good to tell Hon. DNG who happens to be my neighbor in Kilimani, that a government is a going concern. Can he present all the Statements that he has so that we are able to interact with this document? When he says 365 days, the Government only works for five days, Monday to Friday, and half day on Saturday to collect revenue. The spirit of the Motion is that the bursary money should be paid as a priority. I want to enlighten him that the money collected was before June, last financial year 2022-2023. Hon. DNG should provide the documentation. Hon. Themendu is saying that the Kayole residents will be able to get their bursary cheques when the children will be going back to school. The National Treasury has not paid salaries including his salary. His Excellency the Governor is trying to talk with financial institutions to see that we get this money. Madam Speaker, if the salaries for last month were not paid, you could not be even sitting there. I am requesting Hon. DNG to confine himself with statements of fact before this House. Thank you, Madam Speaker. Hon. Davidson Ngibuini: Hon. Speaker, I would like to inform the distinguished Whip that the figure of Kshs.10.6 billion is not from my imagination. We had the CECM Finance stand in this House and table these figures, and I believe whatever he gave was a commitment. He can get that information from the HANSARD and do quick maths. I know this is not a maths class, but just do an average. As much as these were figures from the last financial year, anybody who has done finance – I have a global Executive MBA, we deal with projections. The Governor is on record saying that he is working to collect more. But that notwithstanding, what we are saying today is that we want our bursary cheques released. If the Governor can do namna hii namna hii for salaries to be paid, he can

also do namna hii namna hii for bursaries to be released. Those heading the Finance docket should handle their basic mandate of managing our cash collection because even in our markets, there are Inspectorate askaris on Saturdays collecting 50 shillings from the mama mbogas; I have three markets in my ward. They must prioritize the expenditure that this House has prioritized, which is education. Also, they must manage our cash well. Otherwise, let them be sent home because there are competent financial managers and accountants who are ready to serve Nairobi who are jobless and can be called to come and serve if those in the finance docket wameshindwa na kazi. That is all that I am saying, Hon. Speaker. I support Hon. Jeremiah Themendu's motion 100%. Asante sana.

Hon. Temporary Speaker: Thank you so much, Hon. Member.

Hon. Waithera Chege: Thank you, Madam Speaker. Before I give just two statements, allow me to congratulate and thank Hon. Themendu for this Motion. I don't know how many people know that Hon. Themendu is a liberator and not an oppressor. He deserves our congrats. (Applause) Number two, Hon. Speaker, it is so sarcastic that this same Assembly passes the budget and when it comes to priority issues like bursaries, we have to come back here and plead to be given. In the previous term because it is on record, we started missing bursaries at the end of the fourth year and not the first year. We are barely two years old and we have started crying about bursaries. What will the common mwananchi say? Number three, Hon. Speaker, 96% of elected Members in this Assembly represent areas that are geographically occupied by informal settlements. What does that tell you? Apart may be from Hon. Palapala and Hon. Alai who represent Kileleshwa, Lavington and upmarket areas, the rest of the Hon. Members have to dig deep in their pockets to help the residents of the informal settlements take their children back to school. This is not an agenda that we should be discussing in the floor of this House because we say there is no money yet you see officers flying from Nairobi to Washington. They have money for foreign travel but there is no money for bursaries. We are saying; the same kitty that they get money for foreign travel and have some funny people follow them up the road, they should get money for bursaries from that kitty for these Hon. Members. (Applause) Hon. Speaker, it is very sad that Hon. Members have to come back to the floor of the House to plead for the same budget that they passed. I beg to support the Motion. Thank you, Madam Speaker.

Hon. Temporary Speaker: Thank you. Hon. Mark Thiga.

Hon. Mark Thiga: Thank you, Hon. Speaker for giving me this chance to make my contribution to this very important matter that has been raised by Hon. Jeremiah Themendu. Let me congratulate him at this juncture. Madam Speaker, a lot has been said about the same and the Hon. Majority Whip has asked for a statement of fact. On 4th April 2023, there was a release that the County revenue was on a rise. The County collected Kshs. 673 million which was more than what was collected in the first quarter of 2022. Collectively, the 85 wards need a quarter of what was collected. Madam Speaker, a precedence has been set and I think the County is doing better if they were able to collect Kshs. 4.6 billion from January to March. The previous year they had collected Kshs. 3.86 billion. The County is doing better right now and we need to set our priorities right. We should not gamble with the education of Nairobians. We do not take it lightly that the bursaries have not been issued in good time, let it not be business as usual. Let us make sure that the bursaries are released and our children are able to go back to school. Thank you, Madam Speaker.

Hon. Temporary Speaker: Thank you, Hon. Members for contributing on this Adjournment Motion. Indeed, I share your concerns regarding the issue of bursaries. The nature of this Motion does not anticipate resolutions, nevertheless, I direct the Chairperson of Education Committee to take up this matter and report to the Assembly next week, Tuesday 14th November 2023. Chairperson, Education, please bring concrete answers and give us a reliable report. I direct that you come with a comprehensive resolution on this Motion. Thank you, Hon. Members.

## APPENDIX II: Sample Legislative Calendar Schedule

PERIOD	DAYS
SECOND SESSION	13 <sup>TH</sup> FEBRUARY – 6 <sup>TH</sup> DECEMBER 2018
FIRST PART	
<p>A: Sitting Days</p> <p>Tuesday 13<sup>th</sup> February – Thursday 29<sup>th</sup> March 2018 (7 weeks)</p> <p>B: Short Recess</p> <p>Friday 30<sup>th</sup> March – Monday 9<sup>th</sup> April 2018 (11 days)</p>	Tuesdays (afternoon), Wednesdays (morning and afternoon) and Thursdays (afternoon)
SECOND PART	
<p>C: A: Sitting Days</p> <p>Tuesday 10<sup>th</sup> April – Thursday 1<sup>st</sup> May 2018 (5 weeks)</p> <p>D: Short Recess</p> <p>Friday 18<sup>th</sup> May – Monday 4<sup>th</sup> June 2018 (18 days)</p> <p>E: Sitting Days</p> <p>Tuesday 5<sup>th</sup> June – Thursday 2<sup>nd</sup> August 2018 (9 weeks)</p> <p>F: Long Recess</p> <p>Friday 3<sup>rd</sup> August – Monday 24<sup>th</sup> August 2018 (24 days)</p>	Tuesdays (afternoon), Wednesdays (morning and afternoon) and Thursdays (afternoon)
THIRD PART	
<p>G: A: Sitting Days</p> <p>Tuesday 4<sup>th</sup> September – Thursday 18<sup>th</sup> October 2018 (7 weeks)</p> <p>H: Short Recess</p> <p>Friday 19<sup>th</sup> October – Monday 29<sup>th</sup> October 2018 (11 days)</p> <p>I: Sitting Days</p> <p>Tuesday 30<sup>th</sup> October – Thursday 6<sup>th</sup> December 2018 (5 weeks)</p> <p>J: Long Recess</p> <p>Friday 7<sup>th</sup> December – Monday 11<sup>th</sup> February 2019 (9 weeks)</p>	Tuesdays (afternoon), Wednesdays (morning and afternoon) and Thursdays (afternoon)

(Source: Nairobi CityCounty Assembly website)

### APPENDIX III: Data Extraction Tool

Question No. and Issue for investigation	Description	Inclusion (Yes)/Exclusion (No) criteria
Title for the study	A pragma-dialectical approach to Discoursal Functionality of Argument Schemes in County Assembly Debates	
Time frame of data transcripts for the study	February 2023 to December 2023	Yes
Research design	Descriptive case study design	Yes
Methods of data collection	Primary data: Archival records of the print version of the <i>Hansard</i> for the time frame February 2023 to December 2023 Secondary data: <i>Standing Orders</i> of the assembly, and related library documents	Yes
Units of analysis	Excerpts of debates consisting of Simple and complex speech acts from complete debate transcripts	Yes
	Incomplete debate transcripts, punctuation and other diacritics	No
Study location	Pilot study: Vihiga County assembly Main study: Nairobi City County Assembly	
Time frame and population for pilot and main study	Pilot: May 2023 in Vihiga County Assembly to collect 3 complete debate transcripts and a total of 10 units of analysis Main study: June 2023 in Nairobi County Assembly to collect 12 complete debate transcripts and a total of 50 units of analysis	Yes
Setting	Pilot: Peri-urban	Yes
	Main Study: Urban	Yes
Data analysis	Simple and complex speech acts extracted from debate transcripts	Yes
Research Qtn 1	Argument schemes; identify speech acts which show supporting standpoints for an argument by a discussant Rules for critical discussion	Yes
Research Qtn 2	Standing orders and identify speech acts which are indicators for strategic manoeuvring in debate transcripts of the Hansard. Conditions under which argumentative moves are made	Yes
1. Research Qtn 3	Argumentative discoursal texts ; argumentative moves and their dialectal routes	Yes

#### **APPENDIX IV: Nairobi City County Assembly Sectoral Committees**

Source: Nairobi county assembly website

Serial No	Ministry/Committee	Abbreviated Form
1	Children, Early Childhood Education and Vocational Training	CECE
2	Labour and Social Welfare	LSW
3	Water and Sanitation	WS
4	Justice and Legal Affairs	JLA
5	Energy and Information, Communications and Technology	EICT
6	Culture and Community Services	CCS
7	Environment and Natural Resources	ENS
8	Agriculture, Livestock and Fisheries	ALF
9	Planning and Housing	PH
10	Transport and Public Works	TPW
11	Health Services	HS
12	Trade, Tourism and Cooperatives	TTC

**APPENDIX V: City County Electoral Wards**

<b>Serial No.</b>	<b>Name of Ward</b>	<b>No. of Wards</b>
1.	Westlands	5
2.	Dagorreti North	5
3.	Dagoreti South	5
4.	Lang'ata	5
5.	Kibra	5
6.	Kamukunji	5
7.	Kasarani	5
8.	Roysambu	5
9.	Ruaraka	5
10.	Makadara	4
11.	Mathare	6
12.	Starehe	6
13.	Embakasi Central	5
14.	Embakasi North	5
15.	Embakasi South	5
16.	Embakasi East	5
17.	Embakasi West	4

Source: County Integrated Development Plan 2023-2027)

## APPENDIX VI: LETTER FROM ETHICS REVIEW COMMITTEE



MASINDE MULIRO UNIVERSITY OF SCIENCE AND TECHNOLOGY (MMUST)

Tel: 056-30870  
Fax: 056-30153  
E-mail: [directordps@mmust.ac.ke](mailto:directordps@mmust.ac.ke)  
Website: [www.mmust.ac.ke](http://www.mmust.ac.ke)

P.O Box 190  
Kakamega – 50100  
Kenya

### Directorate of Postgraduate Studies

Ref: MMU/COR: 509099

Date: 27<sup>th</sup> March 2023

Robinson Oduma  
LAL/H/01-53350/2018  
P.O. Box 190-50100  
KAKAMEGA

Dear Mr. Oduma,

#### RE: APPROVAL OF PROPOSAL

I am pleased to inform you that the Directorate of Postgraduate Studies has considered and approved your PhD. Proposal entitled: '*A Pragma Dialectical Approach to the Discoursal Functionality of Argument Schemes in County Assembly Debates, Kenya.*' and appointed the following as supervisors:

1. Dr. Reginald Atichi Alati - MMUST
2. Prof. Benson Ojwang' - KAFUCO

You are required to submit through your supervisor(s) progress reports every three months to the Director of Postgraduate Studies. Such reports should be copied to the following: Chairman, School of Social Arts and Social Sciences Graduate Studies Committee and Chairman, Department of Language and Literature Education. Kindly adhere to research ethics consideration in conducting research.

It is the policy and regulations of the University that you observe a deadline of three years from the date of registration to complete your PhD thesis. Do not hesitate to consult this office in case of any problem encountered in the course of your work.






We wish you the best in your research and hope the study will make original contribution to knowledge.

Yours sincerely,



Prof. S. Odebero, PHD, FIEP  
DIRECTOR, DIRECTORATE OF POSTGRADUATE STUDIES

**APPENDIX VII: NACOSTI PERMIT**

 REPUBLIC OF KENYA	 <b>NATIONAL COMMISSION FOR SCIENCE, TECHNOLOGY &amp; INNOVATION</b>
Ref No: <b>196236</b>	Date of Issue: <b>11/July/2024</b>
<b>RESEARCH LICENSE</b>	
	
<b>This is to Certify that Mr. Robinson Oduma of Masinde Muliro University of Science and Technology, has been licensed to conduct research as per the provision of the Science, Technology and Innovation Act, 2013 (Rev.2014) in Nairobi on the topic: A PRAGMA-DIALECTICAL APPROACH TO THE DISCOURSAL FUNCTIONALITY OF ARGUMENT SCHEMES IN COUNTY ASSEMBLY DEBATES, KENYA for the period ending : 11/July/2025.</b>	
License No: <b>NACOSTI/P/24/37511</b>	
196236 Applicant Identification Number	 Director General <b>NATIONAL COMMISSION FOR SCIENCE, TECHNOLOGY &amp; INNOVATION</b>
Verification QR Code	
	
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