

# SPEECH ACTS AND ARGUMENTATION: A DEBATE BETWEEN A TRANSNATIONAL COMPANY (REPSOL) AND ACTIVISTS ON THE WEBSITE

Esperanza Morales-López\*  
Universidade da Coruña (España)

Published in EID&A (Revista Eletrônica de Estudos Integrados em Discurso e Argumentação), nº 3 (november), 2012.

[http://www.uesc.br/revistas/eidea/espanol/index.php?item=conteudo\\_revistas\\_eletronicas.php](http://www.uesc.br/revistas/eidea/espanol/index.php?item=conteudo_revistas_eletronicas.php)

## Resumen

Este artículo es parte de un proyecto de investigación más amplio cuyo objetivo es el análisis cualitativo de la variedad de estrategias usadas en los discursos profesionales en donde hay conflicto. En particular, en este trabajo se aborda el análisis de discursos que muestran una confrontación ideológica entre grupos institucionales, un aspecto poco explorado hasta el momento en el análisis del discurso profesional.

Los datos mencionados corresponden a las discusiones entre una empresa multinacional del petróleo y una ONG a raíz de las diferencias sobre la actuación de la primera en una zona de extracción habitada por pueblos indígenas. El análisis de las estrategias discursivo-argumentativas utilizadas revela una aparente actitud cooperativa entre ambos contendientes. Sin embargo, el análisis en profundidad de la principal estrategia usada por los participantes (la *estrategia afiliativa*) en relación con otros recursos discursivos, y su inter-textualidad con la información colgada en las *webs* corporativas de ambas partes, revela que el significado construido representa un conflicto (aún no resuelto) entre dos marcos cognitivos o visiones del mundo. Para explicar este hecho, creemos que el análisis discursivo-argumentativo necesita completarse con un nivel cognitivo que dé cuenta de estos niveles más complejos de significación.

Desde la perspectiva teórico-metodológica, el análisis de este tipo de datos supone plantearse el tema de los límites de las diversas disciplinas que estudian el discurso y la necesidad de avanzar hacia la interdisciplinariedad.

**Palabras clave:** análisis del discurso profesional, argumentación, estrategias afiliativas, conflicto de marcos.

## Abstract

This paper is part of a broad research project for the qualitative analysis of the variety of strategies used in corporate discourses of conflict. It focuses in particular on data that reveal an ideological confrontation between the parties, a little-explored area within the field of business discourse analysis.

These aforementioned data come from discussions between a multinational oil company and an NGO arising from differences regarding the actions of the former in a drilling zone inhabited by indigenous communities. In explicit pragmatic terms, the most outstanding point is the apparently cooperative attitude between the contenders. However, a more exhaustive pragmatic-argumentative analysis of the main strategy used by the participants (the *affiliative strategy*) in relation to other discursive resources, and its inter-textuality with the information posted on the parties' corporate websites, reveals that the constructed meaning represents an (unresolved) conflict between two cognitive frames or visions of the world. In order to explain this fact, we believe the discursive-argumentative analysis must be supplemented with a cognitive level to account for these more complex levels of meaning.

From a theoretical and methodological point of view, analyzing this kind of data implies the need to address the question of the limits of the various discursive disciplines and to advance towards interdisciplinarity.

**Keywords:** business discourse analysis, argumentation, affiliative strategies, conflict frames.

\* This research is part of the CEI Project (*Communication in business and institutions: Analysis of Discourse and Rhetoric*), financed by the Spanish Ministry of Science and Innovation and Feder Funds (HUM2007-61936FILO). More information on <http://cei.udc.es> and <http://ruc.udc.es/dspace>.

## Introduction

The purpose of this paper is to advance towards one of the main goals of our project, namely the analysis of the diversity of discursive-argumentative strategies used in business communication where conflict is present (see our first study in MORALES-LÓPEZ *et al.* 2005). In the second phase of my research, presented in this paper, I will analyze the construction of what I have termed the *affiliative* strategy, based on Scollon and Wong Scollon (2001, p.46-51), albeit with differences, as explained below.

The data chosen for this research is comprised of a debate during the Annual General Meeting of an international oil company (Repsol), between the oil company itself and the Non-Government Organization (NGO), Intermón Oxfam, which had accused Repsol of breaching the rights of indigenous peoples whilst drilling for oil in their territories in Latin America. Although the parties adopt clearly opposing stances, the most notable feature is the absence of explicit confrontation: indeed, both parties seem determined to resolve their differences through cooperation. This cooperation is mainly achieved through the reiterative use of the *affiliative* strategy by the participants.

Scollon and Wong Scollon (*op. cit.*) uses this term to describe a strategy that maintains interlocutors' involvement –in the sense of paying attention to others. In my data, this strategy fulfils a different function, although it does bear a relation to the definition provided by these authors. In my data, it not only seeks mutual understanding or social rapprochement among the interlocutors (through face-threatening mitigation acts), but is essentially employed to avoid open confrontation that could block further negotiations in the future.

The new meaning of this strategy in my data was revealed when it was analyzed in relation to the rest of data (that is, in its intertextual function) and in relation with its context. The constructed meaning in this debate is not simply a cooperative critical discussion between two parties in disagreement over a specific issue (in other words, at a pragmatic and argumentative level of meaning). Instead, the result shows an ideological discussion where, following a cognitive approach, two frames, with widely divergent world views, economically speaking, are activated (and defended).

Thus, the study of these data has shown that an analysis of the diverse pragmatic-argumentative resources used in any discursive construction needs to be addressed in a

holistic manner in order to reveal other levels of meaning. My second purpose in this paper is therefore to prove the need to include the cognitive level in the analysis of some kinds of discourse.<sup>1</sup>

## **1. The Theoretical Approach**

In two of my recent papers (MORALES-LÓPEZ, 2011, 2012), I have presented my theoretical background, based on an eclectic approach: mainly the American ethnographical tradition, subsequently enriched with contributions from the cognitive approach, some ideas from the European critical discourse analysis group, and the rhetorical-argumentative tradition.

Following the American tradition, my starting point is the perspective proposed by Hymes (1972) and Gumperz (1982, 2001), and Goffman's microsociology. Of particular importance for my work is the idea expressed by Hymes that language is a process rather than a single product; hence the importance of taking into account both the local and global contexts (DURANTI, 1997; WODAK, 2001). In keeping with Gumperz (2001, p.215-217), my objective is to study speech situations, focusing particularly on the empirical analysis of participants' interactions, because they are the standard means through which social forces emerge.

Similarly, from Goffman (1974), I highlight the idea of constructing the individual in the public space and the notion of the participation framework. The framework (or frame) would be the context that participants activate when initiating an exchange and guides them in their interpretation throughout the negotiation of meaning (GOFFMAN, 1974; also BATESON 1972). Lakoff's reformulation of this notion of frame (2007) is an interesting one as it emphasizes its cognitive dimension as an interpretive background of the living experience, internalized during individuals' socialization, and which may be constructed and re-contextualized ideologically with political and persuasive purposes.

In recent decades, this tradition (and therefore also my analysis) has been enriched by the influence of leading authors on discourse theory: the works of Bachtin and Voloshinov, as well as Foucault, Pêcheux and Bourdieu, among others (MORALES-LÓPEZ, 2004). In recent years, the publications of the European Critical Discourse Analysis group (FAIRCLOUGH,

---

<sup>1</sup> See Bargiela-Chiappini (2009) for one of the latest references on professional discourse. In Spain, although the study of professional communication is relatively recent, see Morales-López *et al.* (2005), Prego-Vázquez (2007) and Montolío (2007). Other references are reviewed in Montolío and Ramallo (2009), and Ramallo, Lorenzo and Rodríguez-Yáñez (2006).

1989, 2005, 2009; VAN DIJK, 2003, 2009; WODAK *et al.*, 1999; WODAK and MEYER, 2001; BOLÍVAR, 2009) have served as a stimulus for a greater focus on the relationship between discourse and ideology; and among discourse, cognition and ideology (VAN DIJK, 2009; CHILTON, 2005).

The analysis of ideological discourses discussed in our former papers (see references in MORALES-LÓPEZ, 2011) has revealed that rhetoric and the argumentative tradition are key complements to discourse analysis (PERELMAN and OLBRECHS-TYTECA, 1989; PERELMAN, 2007; PUJANTE, 2011), together with Pragmadilectics (van EEMEREN and GROOTENDORST, 1983, 1992 and 2004). However, I still consider that this rhetorical-argumentative dimension falls within interactional dynamism, as interlocutors present and/or negotiate their constructed meaning through speech acts which create specific expectations (GUMPERZ, 1982, p.100-1).

Likewise, the analysis of increasingly diverse discourse data has confirmed to me that the ideological meaning constructed through various pragmatic and argumentative resources is mostly inferential (not demonstrative), which means that these resources function in many cases as contextualization cues that activate implicit meaning and different ideological constructs. For this reason, I still consider that the constructivist tradition that comes from Bateson (1972), Goffman (1974) and Gumperz (1982) (among other authors), and later reformulated in cognitive terms by Lakoff (2007), is essential for the analysis of ideological discourse.

In French discursive analysis, Adam (1999:103) also proposes something similar when he argues that in the study of discourse it is necessary to consider both the *logos*, and the *ethos* and the *pathos* of these discourses. And, from the rhetoric tradition, Pujante (2011) argues that it is crucial to address both *elocutive*<sup>2</sup> and demonstrative aspects in discourse analysis, if this tradition intends to explain adequately the “convincing / persuading” pair in the variety of professional discourses generated at present.

This constructivist perspective has hardly been developed within the European group of Critical Discourse Analysis (closer to the realist tradition). However, it has been present in precursors to discourse analysis such as Bachtin y Voloshinov, as well as in authors such as Berger and Luckmann (1968), Castoriadis (1975), Bourdieu (1990), and Laclau and Mouffe (2004 [1990]). My interest in exploring further this constructivist perspective has led me in recent years to read authors who, from the viewpoint of other disciplines, are developing

---

<sup>2</sup> From the latin term *elocutio*.

precisely these ideas.<sup>3</sup> An example of these are socio-cognitive approaches, such as those defended by Maturana and Varela (1990), Varela, Thompson and Rosch (1991), and Capra (1996). For these authors, human cognition operates through a network consisting of multiple levels of interconnected, sensorimotor sub-networks (knowledge, emotions, etc.), which are also interconnected with embodiment, action and environment; see also Damasio (1994 and 2010) for similar conclusions from neurological studies. From this perspective, the process of producing and interpreting discourse is a further element in this interconnection (MATURANA and VARELA, 1990, chap. VIII).

### 3. Methodology

#### *Data and the relationship to their context.*

The data used for this paper were downloaded from Repsol and the NGO's websites, several days after their Annual General Meetings (although only selected excerpts will be presented in section 4 of the analysis), namely:

- a) The video recording of Repsol's two Annual General Meetings (May 2008 and May 2009) and the information related to this issue, available on the website at [www.repsol.com](http://www.repsol.com).
- b) The reports posted on the NGO's website ([www.intermonoxfam.org](http://www.intermonoxfam.org)) regarding Repsol's actions towards the indigenous communities, as well as videos with indigenous leaders' testimonies.

The specific conflict began when Repsol, a Spanish company drilling for oil in North Africa and America, was accused by indigenous communities in Peru of failing to respect their traditions during drilling work in their territories. After unsuccessful private talks with the company, Intermón Oxfam (a member of Oxfam, whose beneficiaries include various indigenous communities in Latin America) decided to intervene publicly at the two Annual General Meetings in defence of the indigenous communities' rights, recognized by international laws.

The global context of the information referred to in this article is that of newly-polarized societies built around diverse economic, social-cultural and political axes, where the nation-state has (partially) lost its power because decision-making has shifted to other more global or regional actors and institutions (SOUSA DE SANTOS, 2005). In this scenario,

---

<sup>3</sup> Their purpose is an interdisciplinary approach that could progress towards a transdisciplinary orientation. This later notion has been defined as the confluence of diverse approaches to a common area of theoretical and methodological reflection (MORIN, 1990; NICOLESCU, 2007; VARELA *et al.*, 1991).

diverse multinational corporations have consolidated their power in some states (CASTELLS, 2009, p.57ss.), although at the same time the so-called *third sector* (social groups in the North and the South) has emerged with great force to defend local interests of marginalized populations.

The choice of the transnational company Repsol seemed significant for my research because it represented an example of a “network business”, a company whose main value depends on the global financial market (CASTELLS, 2009, p.60), enabling it to secure contracts to operate in some indigenous territories, without the explicit permission of these groups. Moreover, and unlike other multinational corporations (such as banks, telecommunication companies, etc.), Repsol extracts raw materials (in this case, one of the most symbolic in terms of modern-day progress), and therefore its business in Latin America has an ambivalent symbolic value: it implies the return of the former Spanish exploiters, yet also acknowledges a shared linguistic and cultural heritage (unlike its neighbours in the North).

For similar reasons, the relationship between Spanish NGOs and Latin American social groups has always been very close, and any social and political problems in those countries have always had an enormous impact on our activism.<sup>4</sup>

### *The Participants*

There are three main actors. Firstly, a group of indigenous Peruvians affected by Repsol’s drilling activities, interviewed by a local NGO at the request of Intermón Oxfam. Secondly, Repsol’s Chairman, Mr. Antonio Brufau, who opens each Annual General Meeting with his report informing shareholders about the company’s situation both in the Spanish and global socio-economic context. He intervenes for a second time after a question and answer session that enables shareholders to express their opinions. On the company’s website, both he and the Director of Corporate Responsibility present the main objectives achieved and future proposals. Lastly, we have the activist Dolores López Gómez, acting on behalf of

---

<sup>4</sup> The reference I have made in this section to the loss of power of some nation-states is a factor for consideration in the case of some Latin American countries with an indigenous population; as explained, the origin of the conflict analyzed in this paper arises from the opaque agreements certain governments signed with this and other international companies. These agreements have only benefited the political and economic elites of these countries, completely overlooking the real needs of their populations (see Oxfam’s reports in [www.intermonoxfam.org](http://www.intermonoxfam.org)). Since the nineteen-nineties, international NGOs (in close collaboration with indigenous social groups) have reacted to this new form of colonization with action, first in international political institutions, and later on the boards of multinational companies. In recent years, the Internet has increased the power of their internalization and mobilization.

Intermón Oxfam, who had been authorized to attend the Annual General Meeting by some Spanish shareholders. She intervenes during the question and answer session at both Annual General Meetings.

### *Method of Analysis*

Ethnographic methodology was used to collect the data (DURANTI, 1997, p.87; SCOLLON and WONG SCOLLON, 2001; BLOMMAERT, 2005). In this sense, the relationship between the various discourses and the local and global context has proved crucial in understanding the relationship between such diverse actors and constructed meaning.

Qualitative methodology was used to analyze the data, which included selection of the principal pragmatic and rhetoric-argumentative procedures used to create the affiliative strategy (the most frequently-used strategy in the discourses analyzed) and, in general, each participant's own critical position.

The (interactional) pragmatic approach provides useful tools at micro-level. Specifically, I begin with the analysis of speech acts (SEARLE, 1975), as basic units in any communicative activity (HYMES, 1972), and the selection of contextualization cues.<sup>5</sup> However, this level places limits on the analysis of complex strategies and arguments constructed in ideological discussions (the example of the data presented in this paper). In this case, discourse analysis needs to be supplemented by other resources such as kinds of arguments and fallacies; pragma-dialectal rules, and strategies (ARISTOTLE; PERELMAN and OLBRECHS-TYTECA, 1989; PUJANTE, 2003; van EEMEREN and GROOTENDORST, 2004; WODAK *et al.* 1999).

Finally, the socio-cognitive notion of frame (as Lakoff proposes) will be used at interpretative level to explain the ideological confrontation contained in the present data. The cognitive frame activated by each party is crucial in obtaining an insight into this debate (this issue will be addressed in the final section).

## **4. Data Analysis**

This section analyses the key discursive excerpts. This public debate started some days before the company's Annual General Meeting held on 14 May 2008 (section 4.1) and

---

<sup>5</sup> "Any feature of linguistic form that contributes to the signalling of contextual presuppositions" (GUMPERZ, 1982, p.131).

continued in 2009 with the other AGM (section 4.2); in addition to the (video-recorded) interactional discussion, each party tries to provide proof of their own positions with other information posted on their corporate websites.

#### **4.1. Part One of the Debate: the 2008 Annual General Meeting**

##### **4.1.1. The Indigenous Population's Views**

We will begin with the indigenous leaders' opinions about Repsol's activities in their territories. They can be grouped under three types of speech acts:

a) Assertive acts,<sup>6</sup> with which they present the damage caused by Repsol's drilling activity, as in examples (1)-(2):

- (1) The seismic line crossed my mother's house and the company has only paid 50 *soles* [12.5 euros]. The dynamite exploded near the houses and my home shook.
- (2) ... *We all know that* in the forest they have cut down the medicinal plants; they have not admitted this, because they say it is not a special plant, and, after they left, they have not grown back.

In (1) the speaker also adds an argument based on external causes (PERELMAN and OLBRECHT-TYTECA, 1989) (explaining the specific effects and low compensation); in (2) the speaker's assertion is reinforced by an evidential structure with plural personal deixis (*sabemos que...*)<sup>7</sup>.

b) Assertive acts, reporting the controlled activities and political advocacy agreed upon by the community. The presentation of events occasionally includes opinions and judgments (*nunca había el exterior como ahora lo vemos; estamos totalmente molestos* see 3, below); direct public complaints (*hago denuncia pública*, in 4); and the corrective measures the company would need to implement in the future –through expressions with deontic modality: *pero debe arreglar* in (3); *no vamos a permitir más atropellos* in (4); *la empresa tiene que dialogar* in (5):

- (3) Over here our grandparents moved, always- *never the land as we see it now*. Over here we moved cattle, rode horses, everything. *We are thoroughly upset* that they have left the road as we see it, but they *must repair it*.

---

<sup>6</sup> They commit a speaker to the truth of the expressed proposition (SEARLE, 1975).

<sup>7</sup> I have included the structure in Spanish in those cases where it is not immediately recognizable from the English translation. It will also be given in italics in the English version. The appendix of all data in Spanish is posted on the website <http://ruc.udc.es/dspace>.

- (4) They have begun their work in the Tsoroja community, next to Poyeni, lot 57, without approval of the environmental impact study. So *I wish to denounce this publicly* because *we will not tolerate any more outrages*.
- (5) ... In think *the company has to dialogue* and talk with the chiefs, with the communal authorities.

Resorting to expressions of modality is common in situations of complaint among employees and customers (MORALES-LÓPEZ *et al.*, 2005). In these data, the client shows, through modal structures, how the employees should have behaved in that situation. Thus, the customer activates a simultaneous interactional frame that introduces fictitious employee relationships in a more egalitarian way. We find a similar use in the modal constructions of these indigenous representatives.

c) Meta-communicative acts (following BATESON, 1991, p.204-5; see also CHARAUDEAU and MAINGUENEAU, 2005, p.373ff.) in which they assess the communicative style of the company representatives:

- (6) The company came here last year. The EIA [the report] for the extension of the seismic projection has not been approved yet and without that, the company cannot enter here.
- (7) ... I think the company needs to dialogue and talk with the chiefs, with the communal authorities. Its professionals come, stay 15 minutes, and go. So you cannot talk with them. And sometimes they talk with the villagers and not with the communal authorities.
- (8) The Repsol spokesmen on site only informed or invited some communities in the area and the federation that brings all of them together to the public hearings, the Machiguenga Council of the Urubamba River, was not invited until the last minute.
- (9) The company has never consulted with the owner of the house. What has it done? It has gone to consult with other partners that have nothing to do with the captains, with the organizations; it has gone to consult the people who work with them.
- (10) We have had several briefings for the well and seismics, and also negotiations for land; and my brothers are confused, Repsol is acting quickly...
- (11) What we can request, request that: the head of that company or shareholders respect the indigenous culture, welcoming private investment, but with respect, and complying with its commitments. Do not come so freely and (say) this time, or that date; for safety, what we ask is that community relations in the explorations phase should be changed; in order to improve the company revenue in those communities, the relations with communities must be changed and developed more conscientiously, no haggling and negotiating but both parties working in harmony.

The interventions include (6)-(11) complaints about several issues. The company fails to comply with the procedure agreed upon in a previous report (6) or to establish a dialogue with the representatives authorized by them, (7)-(9). In (10) the indigenous participants make comments about a technologized communicative style that differs considerably from theirs and which they do not understand.

Finally, in (11) the indigenous leader describes their antagonists and their negotiation methods: first, he mentions Repsol's local representatives (his direct interlocutors) and then the company chairman and shareholders (those present at the company's meetings where he knows his community's problem is on the agenda). Secondly, he describes the conflict in communicative terms: a global private company's behaviour, whose style of negotiation does not respect the culture of local groups (*nada de regateo* 'no haggling', the indigenous leader says). It is therefore the local representatives that have been discredited and must be removed if the company wishes to renegotiate with them.

It can therefore be seen that the analysis of these speech acts, which will help to contextualize the remaining data, shows the origin of the problem.

#### **4.1.2. Repsol's Presentation (2008)**

The company refers to this conflict in Chairman Antonio Brufau's letter (12), posted on its website:

- (12) (a) This [the corporate responsibility] is a requirement for Repsol YPF<sup>8</sup> that we are aware of and wish to find a solution for. We also respond to stakeholders' expectations with specific policies... We establish relationships of trust with local communities, preserve biodiversity and apply criteria of transparency in relations with the authorities of the countries where we are present... We operate in very different social, cultural and economic environments. In this sense, we apply standards, policies and global practices, but without ignoring local sensitivities...
- (b) Repsol YPF's efforts to achieve transparency, sustainability and corporate responsibility are increasingly valued by society in a positive way. Our company is part of, among others, the *Dow Jones Sustainability Index* and the *Climate Leadership Index*, which represent an external recognition, validated by the markets, of the company's efforts in issues such as transparency of information and climate change. During 2007, we made significant progress in terms of governance and corporate responsibility... Similarly, the Board of Directors approved the establishment of the Ethics Commission, which is responsible for ensuring the dissemination and implementation of the Rule of Ethics and Conduct in the company... We have also reapplied to our Independent Committee of Experts for the analysis of the contents of our Corporate Responsibility Report.

From an argumentative point of view, the various premises of this text are built on facts as well as on values (Van EEMEREN *et al.* 1996, p.102f.). Repsol defines itself, in Part A, as one of the largest mining companies in the world, and a leader in Latin America, committed to ethical values as well as transparency, sustainable development, biodiversity and respect for the local environments in which it operates. In discursive terms, the most outstanding feature of these assertive acts is the use of a generalizing plural to refer to the actors and procedures in the events described: *We establish relationships of trust with local communities..., we apply standards, policies and global practices, but without ignoring local*

---

<sup>8</sup> In 1999 the company bought Argentina's YPF state enterprise when the government privatized it. From then on the official name was Repsol YPF.

*sensitivities*. Although the Peruvian indigenous groups refer to specific points made by the company and its representatives (namely, those analysed in section 4.1.1), the Chairman limits his discourse to general points regarding the shareholders' demands and the Company's attitude towards local communities, etc. This morphosyntactic feature is clearly a contextualisation cue that activates an implicit meaning: the Chairman avoids referring to the specific case that has unleashed the conflict.

In Part B, the Chairman uses the argument of authority (PERELMAN 1997, p.107; PUJANTE 2003, p.124-125) in order to corroborate that international authorities in this field have certified the company's progress both in terms of its transparency and its attempts to combat climate change. Regarding the obligation to respect local communities, he does not refer to any specific certifying authority, but does indicate that, internally, the company has also made progress in this regard: he cites the steps taken by the Board and the request for a review of the report on corporate responsibility drawn up by an independent committee of experts. Unlike the previous experts, he does not mention the members of this committee.

Contrasting this presentation with the indigenous people's former criticism, my interpretation is that Mr. Brufau is accomplishing one of the main functions of any ideological discourse: the construction of "our" (Van DIJK, 2003, p.65). He is building the company's positive presentation (or self-legitimation), not only in economic but also, mainly, in social terms, as a way to balance the criticism received. But, unlike other ideological discourses (i.e. political discourse), the Chairman avoids any explicit reference to his opponents.

#### **4.1.3. Intermón Oxfam's Intervention (2008)**

In the 2008 General Meeting, Dolores López (on behalf of the NGO), sets out the problem between Repsol and the indigenous peoples, and the need to protect their rights, constructing a symbolic argument (PERELMAN, 2007, p.114), namely the deep ties indigenous peoples feel for their lands (18)-(22): "The indigenous people profess a deep relationship with their land..."<sup>9</sup> Then she performs a speech act in which she questions the way the company operates in some indigenous territories, providing evidence based on external evidence (her own reports and those of other organizations) in (28)-(30):

28. [...] Our reports and those of other organizations *question* the way
29. your company
30. is operating in some indigenous territories.
31. Repsol YPF DOES NOT RESPECT

---

<sup>9</sup> See the Appendix for the long excerpts. The transcription of data follows orthographic conventions, with the exception of splitting the text into informational units (as is traditional in interactional approaches).

32. the basic rights internationally recognized to indigenous people
33. in the United Nations' declaration in September 2007
34. or in the 169 agreement of the International Labour Organization [...]

In (28), the verb “to question”, before her accusation in (31)-(37), is the first example of the affiliative strategy that will be repeated throughout her speech. Other examples are:

1. “We therefore value positively the initiative taken by Repsol YPF... (68)-(69).
2. “Another highly positive consideration is that Repsol YPF...” (76)-(77).
3. “We now ask you to seize *the opportunity that yourselves have been given*” (83)-(84).
4. “[It] must represent a motivation for this task” (93).
5. “We are confident that you will not waste an opportunity like this to improve...” (94)-(95).
6. “We are convinced that the majority of board members...” (104)-(105).
7. “Our organization continues to seek... forms of dialogue with your company for this purpose” (111)-(115).

In these expressions, she uses certain lexical terms to stress the positive measures adopted by the company: *we... value positively...* in point 1, above, and then in 2. She uses a marked syntactic construction which shows the company taking the initiative in this matter (... *que aprovechen la oportunidad que ustedes mismos se han dado*) in 3. Finally, the choice of verbs in 5-7 (we are *confident*, *we are convinced*, [*we*] *continue to seek...*), reveals her conviction that Repsol will respond positively, as well as her willingness to reach some form of agreement.

As already pointed out in the introduction, this strategy does not function as indirect speech acts designed as a face-saving measure, but as a way of maintaining the activists' cooperative attitude in this debate. In addition, the analysis of other discursive features reveals that the illocutionary force of her accusation is not reduced by this affiliative strategy. These discursive features are the following: a) the lexical terms “development projects” in (57)-(58), and “voluntary social action” in (65) work as contextualization cues that reinforce the company's negative behaviour (they activate an *assistance* model of development); and b) various deontic structures activate the opposite frame, the one based on the compliance with rights, which is proposed to the company as an obligation: *debe ser* ‘[it] should be’ in (64), *debería ser aplicada* ‘[it] should be applied’ in (73), and *deben ser* ‘[they] must represent’ in (93).

It is therefore clear that, although discrepancies exist, the analysis reveals respect for the ideological stance of the other party. In terms of the rules formulated by Van Eemeren and Grootendorst (2004), the activist has conformed to Rule 6, which states: “The antagonist may always attack a standpoint by calling into question the propositional content or the justificatory or refutatory force of the argumentation... [They] may not defend or attack standpoints in any other way”.

The Chairman's response in the following section implies acknowledgement of the intentionality and seriousness of the criticism launched by the other party, yet, most significantly, also considers the way in which it was presented in a positive light.

#### 4.1.4. The Chairman's Response (2008)

Following the shareholders' question and answer session, Mr. Brufau takes to the floor to answer each of the participants' questions. He begins with a speech act thanking the speakers for the tone of their intervention; in discursive terms, he is referring to the affiliative strategies used by his opponents (3)-(6) (see Appendix).<sup>10</sup> However, he disagrees with them because, he says, Repsol is fully committed to bringing about radical change in its relationship with the indigenous communities:

- *Sí discrepo de ustedes...* 'I totally disagree with you' (14ff.),
- *yo estoy totalmente de acuerdo con ustedes...* 'I completely agree with you' (44ff.),
- *nuestra actitud es de máxima colaboración* 'our attitude is one of maximum cooperation' (59ff.),
- *esto no lo hacemos para cubrir el expediente* 'we do not do this for the record' (68ff.).

He reinforces the illocutionary force of these assertive acts with different modifiers – the adverb *totalmente* in (44) and the adjective *maxima* in (59); and with an argument of authority, in (29)-(36) and (61)-(67), referring to diverse auditors consulted for the company's corporate responsibility report.

However, despite the conviction of his initial words, practically the whole of the rest of his intervention focuses on the defence of the company's social model, based on the following arguments and discursive strategies:

- He uses the fallacy known as *argumentum ad verecundiam*, appealing to an authority of dubious recognition by the other party (Van EEMEREN and GROOTENDORST, 1992, p.161), as is the case of the World Bank.
- He constructs a delegitimization of the indigenous communities, with his reference to those who demand their rights while wearing the shirts from Spain's international soccer teams in (53)-(56); and with his appeal to these countries' governments to discern the "sensitive" indigenous communities, (51)-(58).
- Finally, he builds an argument based on the locus of existence (PERELMAN and OLBRECHTS-TYTECA, 1989, p.161), which presents what is real as superior to that which is unreal or does not yet exist. When Mr. Brufau said *esto es infinito...* 'it is infinite' in (10)-(13), and *la perfección no se consigue...* 'perfection is impossible to

---

<sup>10</sup> In this paper, I have only analyzed the speech of Intermón Oxfam's spokesperson. In both General Meetings, after Dolores López's intervention, another activist, Isabel Tamarit Berlín, took the floor on behalf of a group of U.S. shareholders, Boston Common Asset Management. The Chairman responds to both of them because their positions are quite similar.

achieve' (71)-(74), he is appealing to this locus as a self-justification for the demands of activism.

The analysis of these discursive-argumentative strategies, therefore, reveals how, despite his initial words, Mr. Brufau does not fully accept the point of view defended by the other party and that there is still a considerable distance between their respective stances.

## **4.2. The Second Debate at the 2009 Annual General Meeting**

### **4.2.1. Repsol's Website**

The debate continued a year later within the context of another General Meeting. The following passage has been selected from Mr. Gonzalo's speech in a video-recording posted on the website:

- a) In 2008 we have made further progress in implementing new and more ambitious environmental and social commitments, among which I would highlight the following: first, we have improved our employees' safety [...]. We have also managed to reduce emissions of greenhouse gases [...]. b) We have adopted corporate policies that will guide and manage our relationships with local communities with an emphasis on protecting the rights of particularly vulnerable communities such as indigenous communities in Latin America.
- c) Also, in 2008 we have allocated 30 million euros to social projects, almost 70% of them in Latin America. They have been education and training projects, community development, environmental protection and care, social integration, health and cultural patronage, from which thousands of people, many of them in difficult living conditions, have benefited [...]. We are, and will remain, even more committed in 2009, a company that advocates social responsibility and sustainable development.<sup>11</sup>

Since he is in charge of Corporate Responsibility, the beginning of his message focuses on this particular issue: he explains the benefits implemented by the company for staff and the environment (Part A), as well as the relations with local communities (Part B). In Mr. Brufau's 2008 letter, he spoke of establishing "relationships of trust with local communities"; now Mr. Gonzalo is much more explicit in stating that the emphasis will be placed on protecting the rights of indigenous communities in Latin America; after this assertion, in Part C he continues to explain the company's social projects there.

In terms of Van Eemeren and Grootendorst (2004, p.154-157), the company has tentatively accepted Rule 14: the inclusion of the main demand presented by the other party (the approach based on human rights); although Mr. Gonzalo places it on the same level as the social aid model. The debate can therefore now move forward in cooperative terms.

---

<sup>11</sup> This transcript is literally the written text that appeared at the bottom of the video-recording while Mr. Gonzalo was speaking.

#### 4.2.2. Intermón Oxfam's Intervention (2009)

The progress mentioned by Mr. Gonzalo is more explicitly recognized by Dolores López at the beginning of her speech in the second General Meeting (in (15) and (18)-(19), excerpts not included), concluding in (25) as follows: “This is a step in the right direction”. However, the debate does not end here for Dolores López, as she puts forward two new measures for Repsol's consideration: the first is still related to protecting the rights of native Latin Americans (26)-(39), and the second refers to a new topic, the demand for a greater transparency in the global extractive sector (40)-(124).

From a discursive standpoint, Intermón Oxfam's spokesperson again uses the affiliative strategy, highlighting the positive steps taken by Repsol. She appeals to the locus of quality in (55)-(62), (66), (79)-(80) and (119)-(121) to highlight the company's position at the forefront of the sector. She also employs an active syntactic structure (marked in this context) in order to present the company as the agent of events: *así posiblemente lo consideren ustedes mismos al señalar...* ‘this may be your own conclusion...’ (68)-(69).

However, she then goes on to detail her new demands before the company: “Repsol needs to inform its shareholders... in each country... It is also necessary to end the practice of confidentiality clauses... [Repsol] must take these steps voluntarily...” (73)-(82). The use of deontic modality reinforces again the illocutionary force of her various speech acts –*es necesario...* ‘Repsol needs’, in (73) and (77); *una empresa... debe adoptar...* ‘a business must take’, in (79)-(80).

Her conviction regarding these proposals is completed with examples of other companies that have already taken important steps in this direction (91)-(106), as well as with the example of shareholders and ethical funds who have given Intermón Oxfam the right to intervene on the Repsol board, (109)-(116). All of them are presented as an argument based on models (PERELMAN and OLBRECHTS-TYTECA, 1989), whose *ethos* can be imitated.

#### 4.2.3. Mr. Brufau's Response (2009)

In parallel with his response to the activists in 2008, Mr. Brufau's speech begins here with the repeated use of expressions to ally the company with its opponents:

- “I totally agree with you...” (18)-(21),
- “there is no better future in the world and no better future for Repsol than to operate in countries where there is social cohesion... and for that we are supporting all initiatives” (31)-(38),
- “the best defence we can have would be... the progress of the people living together with us” (64)-(67),
- “I therefore agree with you all, we are going to work...” (68)-(71).

Thus, the President seems to agree with the human rights approach that his opponents have put forward in the debate. So far he has accepted the requirements of Van Eemeren & Grootendorst's Rule 14 (2004), by explicitly accepting the views of his opponents.

However, despite this cooperative attitude, Mr. Brufau is also trying to preserve his company's positive presentation, as he did in the 2008 General Meeting. In 2009, this self-legitimization takes two forms.

First, he unloads part of the responsibility onto the governments of countries, building a fallacy named *shifting the burden of proof* to a third party (van EEMEREN and GROOTENDORST, 1983, p.185). Consequently, in (31)-(71), he makes a complaint about the timid response received by those countries, as only Peru had accepted the challenge of transparency (39)-(45). He is also pointing out the difficulties they experience in that issue: "let's see how we can report..." (50); and expressing his desire for greater transparency in these processes –"we would like more accountability... And we also would like..." (58-62). The use of the impersonal construction *se puede informar* ('one can report') in (50), hiding the agent, indirectly shows the conditions imposed on the company in these countries, despite its explicit commitment to transparency, in (52)-(56).

Secondly, Mr. Brufau ends his response to this block of questions with a comment on a doctor's intervention at the end of the question and answer session, in (80)-(88). This doctor had expressed her gratitude for the assistance received by Repsol in a health program with the Guarani people, an indigenous group suffering from extreme poverty.

The fact that the Chairman links the doctor's work with the activists' proposals (despite their differing development models) is significant at this point of his speech. This reinforces the company's legitimation in order to counteract the criticisms received. In addition, Mr. Brufau continues to explain other projects financed by the company on behalf of indigenous communities (excerpts not included in this paper), although, at the end of his speech, he again refers to the company's willingness to continue with Intermón Oxfam's talks, in (144)-(156). These comments also show that the other participant's point of view has not been completely accepted by his company.

The analysis of this second response shows it has the same structure as the previous one: the proposals put forward by the activists are explicitly accepted by direct speech acts, although the social model defended by the company is later justified through the use of various discursive resources.

## 5. Discussion and Final Conclusions

The analysis of the selected data leads us to make some comments on the constructed meaning. As already stated, this debate is not only a critical discussion between two parties in disagreement over a specific issue (the company's behaviour in its relation to specific indigenous groups), but a dispute between two corporate groups (a multinational company and an international development organization) for the hegemony of an ideological economic model.

The pragmatic-argumentative analysis has revealed that the main strategy used in this data has been the affiliative one. However, instead of functioning as a resource for face-threatening act avoidance, as Scollon and Wong Scollon (2001) state, it functions to avoid open confrontation between the parties.

The repeated use of this strategy by both parties, while Mr. Brufau continues with the legitimation of his company, shows that the meaning constructed comes more at inferential than demonstrative level (more in what it is evoked than in what is said). My interpretation is that two main cognitive frames have been activated; frames with very divergent world views, by way of two competing symbolic universes (BERGER and LUCKMANN, 1968, p.124ff.).

In this way, Mr. Brufau's cooperative attitude made explicit in his responses seems to function as a *strategic acceptance* of the thesis proposed by activists. The company apparently sides with the criticism launched by the NGO; but Mr. Brufau continues to consolidate the Company's legitimation, and employs various resources in order to defend it from the attacks received.

A type of *self-organizing* process can be observed in the approach adopted by the Company's management, whereby the proposed new cognitive framework defended by activists can be accommodated and therefore coexist with the more traditional economic and social activities that the company has carried out to date. However, the result implies that, by communicatively placing the new emerging model (based on compliance with human rights) on the same level as the welfare model defended by the company, what is in fact occurring is the *naturalization* of the former. This may blur the possible force for change proposed by activism and help to preserve the dominant ideology (PÉCHEUX, 1975; RAITER, 1999) which defends the company from the social point of view.

My conclusion is that the world view proposed by the NGO is not fully accepted by the company, despite its actual words. Communication has advanced without apparent conflict, but there is no proof that it could lead to more profound social changes. The *order of*

*discourses* in Fairclough's (1989, p.28ff.) terms, has not been modified, although this debate has managed to make tentative progress.

The activist is also aware of this, and consequently the proposals put before the company have been carefully constructed from a discursive point of view: they are presented very explicitly, but also in a gradual manner and always interspersed with affiliative strategies. In this sense, the activist seems to realize that the only way to achieve any ideological hegemony (LACLAU and MOUFFE, 1990) lies at a symbolic level, namely in the strength of their arguments and persuasive resources,<sup>12</sup> but that this ultimate goal is still a long way off.

From the theoretical-methodological point of view, I have defended the need for an interdisciplinary approach for the analysis of professional discourse; an issue which becomes even more prominent when dealing with ideological discourses, as they may include not only pragmatic-argumentative meaning, but also world constructions (BOURDIEU, 1990) or imaginaries (CASTORIADIS, 1975).

Since the 1960's, the various approaches to Discourse Analysis have produced valuable contributions to our understanding of the foundations of discourse (as explained in Section 2); however, I believe that, taken separately, none of them provides an appropriate solution for the global analysis of the various levels of meaning, including ideological meaning. Discourse is also studied from the perspective of other social disciplines whose analytical tools may be of particular use, despite the fact that, when used alone, they also fail to provide complete analytical solutions. There is a need for an interdisciplinary perspective, in keeping with the theoretical approaches that defend the study of phenomena from their maximum complexity and interrelation (MORIN, 1990; NICOLESCU, 1997; CAPRA, 1996).

This paper has explored the interrelation between pragmatic-interactional analysis and the rhetorical-argumentative tradition (in particular Perelman and Olbrechts-Tyteca's approach), profiting by their complementary nature to provide a more precise description of both macro and micro levels. In addition, both traditions share what I consider to be two significant aspects: their functionalist vision of discourse, and the position that reality does not exist and cannot be constructed outside discursive practices.

My stance also involves a socio-cognitive perspective; in this sense, the notion of *frame* has proved useful on an interpretative level in order to explain the implicit ideological meaning that is activated by both parties and which is the cause of conflict in this debate.

---

<sup>12</sup> In the constructions of *deep frames*, as Lakoff (2007) would say.

My final comment focuses on the possibilities of developing this socio-cognitive perspective and its potential for the analysis of ideological discourses. Among other possibilities, I would consider first the inclusion of the cognitive frame approach on a micro-analytical level, rather than just the global interpretation of meaning. Exploring other cognitive proposals at this micro-analysis level could also be another objective.

## References

- ADAM, Jean-Michel. **Linguistique textuelle. Des genres de discours aux textes**. Paris: Nathan, 1999.
- ARISTOTLE, **Retórica**. Madrid: Aguilar, 1977.
- BACHTIN, Michael. **Teoría y estética de la novela**. Madrid: Taurus, 1989 [1975].
- BARGIELA-CHIAPPINI, Francesca (Ed.). **The handbook of business discourse**. Edingburg: Edingburg University Press, 2009.
- BATESON, Gregory. **Steps to an ecology of mind**. Nueva York: Ballantine Books, 1972.
- BATESON, Gregory. **Una unidad sagrada. Pasos ulteriores hacia una ecología de la mente**. Barcelona: Gedisa, 1991.
- BERGER, Peter L.; LUCKMANN, Thomas. **La construcción social de la realidad**. Buenos Aires: Amorrortu Editores, 1986 [1968].
- BLOMMAERT, Jan. **Discourse**. Cambridge: Cambridge University Press, 2005.
- BOLÍVAR, Adriana. “‘Democracia’ y ‘revolución’ en Venezuela: un análisis crítico del discurso político desde la lingüística basada en corpus”, *Oralia* 12, 2009, p.27-54.
- BOURDIEU, Pierre. **In other words. Essays towards a reflexive sociology**. Stanford: Stanford University Press, 1990.
- CAPRA, Fritjof. **La trama de la vida. Una nueva perspectiva de los sistemas vivos**. Barcelona: Anagrama, 2008 [1996]. [Original title: **The web of life**].
- CASTELLS, Manuel. **Comunicación y poder**. Madrid: Alianza, 2009.
- CASTORIADIS, Cornelius. **L’institution imaginaire de la société**. Paris: Seuil, 1975.
- CHARAUDEAU, Patrick; MAINGUENEAU, Dominique. **Dictionnaire d’analyse du discours**. Paris: Seuil, 2005.
- CHILTON, Paul. “Missing links in mainstream CDA. Modules, blends and critical instinct”. In: WODAK, Ruth; CHILTON, Paul (Eds.). **A new agenda in (critical) discourse analysis**. Amsterdam: John Benjamins, 2005, p. 19-52.

- DAMASIO, Antonio R. **El error de Descartes. La emoción, la razón y el cerebro humano.** Barcelona: Crítica, 1994 [Original title: **Descartes's error**].
- DAMASIO, Antonio R. **Y el cerebro creó al hombre. ¿Cómo pudo el cerebro generar emociones, sentimientos y el yo?** Barcelona: Destino, 2010 [Original title: **Self comes to mind**].
- DURANTI, Alexandro. **Antropología lingüística.** Madrid: Cambridge University Press, 2000 [1997].
- FAIRCLOUGH, Norman. **Language and power,** Londres, Longman, 1989.
- FAIRCLOUGH, Norman. "Critical discourse analysis in transdisciplinary research". In: WODAK, Ruth; CHILTON, Paul (Eds.) **A new agenda in (critical) discourse analysis.** Amsterdam: John Benjamins, 2005, p. 53-70.
- FAIRCLOUGH, Norman. "Critical discourse analysis and change in management discourse and ideology: a transdisciplinary approach to strategic critique". In: Fernando RAMALLO, Fernando; LORENZO, Anxo, M.; Xoán P. RODRÍGUEZ-YÁÑEZ; CAP, Pier (Eds.). **New approaches to discourse and business communication.** New York: Palgrave Macmillan, 2009, p. 12-30.
- GOFFMAN, Erving. **Frame analysis: An essay on the organization of experience.** New York: Harper & Row, 1974.
- GUMPERZ, John J. **Discourse strategies.** Cambridge: Cambridge University Press, 1982.
- GUMPERZ, John J. "Contextualization and ideology in intercultural communication". In: Luzio, Aldo di; Günthner, Susanne; Orletti, Franca. (Eds.). **Culture in communication. Analysis of intercultural situations.** Amsterdam: John Benjamins, 2001, p. 35-53.
- HYMES, Dell. "Models of the interaction of language and social life". In: GUMPERZ, John J.; HYMES, Dell (Eds.). **Directions in Sociolinguistics: The Ethnography of communication.** New York: Holt, Rinehart and Winston, 1972, p. 35-71.
- LACLAU, Ernesto; MOUFFE, Chantal. **Hegemonía y estrategia socialista. Hacia una radicalización de la democracia.** Mexico: Fondo de Cultura Económica, 2004 [1990] (second edition).
- LAKOFF, George. **No pienses en un elefante: lenguaje y debate político.** Madrid: Editorial Complutense, 2007 [2004].
- MATURANA, Humberto. **La realidad: ¿objetiva o construida?** Barcelona/ México DF.: Anthropos, Universidad Iberoamericana, 1996 (2 vols.).

- MATURANA, Humberto; VARELA, Fernando. **El árbol del conocimiento. Las bases biológicas del conocimiento humano**. Barcelona: Debate, 1999 [1990].
- MONTOLÍO, Estrella. "Advising without committing: the use of argumentative reservation in texts written by consultants". In: GARZONE, Giuliana; SARANGI, Srikant (Eds.). **Discourse, ideology and specialized communication**, Berna, Peter Lang, 2007, p. 251-275.
- MONTOLÍO, Estrella; RAMALLO, Fernando. "Spain". In: BARGIELA-CHIAPPINI (2009, p.412-422).
- MORALES-LÓPEZ, Esperanza. "Las aproximaciones americanas al análisis del discurso oral: perspectivas de futuro". In: PUJANTE, David (ed.). **Caminos de la Semiótica en la última década del siglo XX**. Valladolid: Universidad de Valladolid, 2004, p. 109-123.
- MORALES-LÓPEZ, Esperanza. "Hacia dónde va el análisis del discurso", *Tonos Digital*, 21, 2011 (<http://www.um.es/tonosdigital/znum21/secciones/estudios-21-discurso.htm>).
- MORALES-LÓPEZ, Esperanza. "Discourses of social change in contemporary democracies: The ideological construction of an Ecuadorian women's group based on *solidarity economy and finance*", *Text and Talk. An interdisciplinary Journal of Language, Discourse and Communication Studies* (2012, in press).
- MORALES-LÓPEZ, Esperanza; PREGO-VÁZQUEZ, Gabriela; DOMÍNGUEZ-SECO, Luzia. "Interviews between employees and customers during the process of restructuring a company", *Discourse and Society* 16, 2, 2005, p.225-268.
- MORIN, Edgar. **Introducción al pensamiento complejo**. Barcelona: Gedisa, 1990.
- NICOLESCU, Basarab. "La transdisciplinariedad, una nueva visión del mundo". Downloaded from <http://nicol.club.fr/ciret> (March 2010 [2007]).
- PÊCHEUX, Michel. **Language, semantics and ideology. Stating the obvious**. London: MacMillan Press, 1982 [1975].
- PERELMAN, Chaïm; OLBRECHTS-TYTECA, Lucie. **Tratado de la argumentación: la nueva retórica**. Madrid: Gredos, 1989 [1958].
- PERELMAN, Chaïm. **L'empire rhétorique. Rhétorique et argumentation**. Paris: Librairie Philosophique J. Vrin, 1997.
- PREGO-VÁZQUEZ, Gabriela. "Frame conflict and social inequality in the workplace: Professional and local discourse struggles in employee/customer interactions", *Discourse & Society* 18, 3, 2007, p.295-335.
- PUJANTE, David. **Manual de Retórica**. Madrid: Castalia, 2003.

- PUJANTE, David. “Teoría del discurso retórico aplicada a los nuevos lenguajes. El complejo predominio de la *elocutio*”, *Rétor* 1, 2, 2011, p.186-214.
- RAITER, Alejandro. **Lingüística y política**. Buenos Aires: Biblos, 1999.
- RAMALLO, Fernando; LORENZO, Anxo M.; RODRÍGUEZ-YÁNEZ, Xoán Paulo (Eds.). **Discourse and enterprise: Communication, business, management and other professional fields**. Munich: Lincom, 2006.
- SCOLLON, Ron; WONG SCOLLON, Susanne. **Intercultural communication**. Malden, Mass.: Blackwell, 2001.
- SEARLE, John. Una taxonomía de los actos ilocucionarios. In: VALDÉS VILLANUEVA, Luis Ml. (Ed.). **La búsqueda del significado**. Madrid: Tecnos, 1991 [1975], p. 448-475.
- SOUSA DE SANTOS, Buenaventura. **El milenio huérfano. Ensayos para una nueva cultura política**. Madrid: Trotta, 2005.
- Van DIJK, Teun A. **Ideología y discurso**. Barcelona: Ariel, 2003.
- Van DIJK, Teun A. **Society and discourse. How social contexts influence text and talk**. Cambridge: Cambridge University Press, 2009.
- Van EEMEREN, Frans H.; GROOTENDORST, Rob. **Speech acts in argumentative discussions. A theoretical model for the analysis of discussions directed towards solving conflicts of opinion**. Dordrecht: Foris, 1983.
- Van EEMEREN, Frans H.; GROOTENDORST, Rob. **Argumentation, communication and fallacies**. London: Erlbaum, 1992.
- Van EEMEREN, Frans H.; GROOTENDORST, Rob. **A systematic theory of argumentation. The pragma-dialectical approach**. Cambridge: Cambridge University Press, 2004.
- Van EEMEREN, Frans H.; GROOTENDORST, Rob; HENKEMANS, Francesca S. **Fundamentals of argumentation theory. A handbook of historical backgrounds and contemporary developments**. Mahwah: Erlbaum, 1996.
- VARELA, Francisco; THOMPSON, Evan; ROSCH, Elionor. *De cuerpo presente. Las ciencias cognitivas y la experiencia humana*. Barcelona: Gedisa, 1997. [Original title: **The embodied mind: Cognitive science and human experience**. Cambridge MA: MIT Press, 1991].
- WODAK, Ruth. “El enfoque histórico del discurso”. In: WODAK, Ruth; MEYER, Michael (eds.) (2001, p.101-142).

WODAK, Ruth; DE CILLIA, Rudolf; REISIGL, Martin; LIEBHART, Karin. **The discursive construction of national identity**. Edinburgh: Edinburgh University Press, 1999.

WODAK, Ruth; MEYER, Michael (Eds.). **Métodos de análisis crítico del discurso**. Barcelona: Gedisa, 2003.

### Appendix<sup>13</sup>

#### Dolores López's intervention (2008):

13. [...] Repsol YPF is the leading private oil company in Latin America,
14. where it has been present since the early nineties,
15. with activity in fourteen countries
16. in a region where
17. approximately 34 million indigenous people live.
18. The indigenous people profess a deep relationship with their land;
19. it is precisely the deprivation of their land
20. and the deterioration of its natural environment
21. that has made them especially vulnerable;
22. a circumstance that is heightened with the presence of drilling activities. [...]
35. Our reports and those of other organisations question the way
36. your company
37. is operating in some indigenous territories.
38. Repsol YPF DOES NOT RESPECT
39. the internationally recognized basic rights for indigenous peoples
40. in the United Nations' declaration in September 2007
41. or the 169 agreement of the International Labour Organization;
42. an agreement I want to stress here
43. has been ratified by all countries in which Repsol IPF operates
44. in Latin America and also by Spain [...]
45. Intermón Oxfam also calls on Repsol YPF to establish a procedure that is
46. publicly
47. transparent
48. and verifiable,
49. developed with the assistance,
50. especially,
51. of indigenous peoples,
52. and that would ensure compliance with the principles
53. and rights
54. recognized
55. in this policy.
49. Ensuring the exercise of these rights will allow,
50. in addition, Repsol YPF,
51. to rely today on the essential
52. social license to operate there,
53. going
54. beyond
55. the signing of a contract.
56. We know, as Mr. Brufau pointed out earlier today,
57. that Repsol YPF carries out, in areas affected by its extractive activities,

---

<sup>13</sup> See the following website for the appendix in Spanish:  
[http://www.uesc.br/revistas/eidea/espanol/index.php?item=conteudo\\_revistas\\_eletronicas.php](http://www.uesc.br/revistas/eidea/espanol/index.php?item=conteudo_revistas_eletronicas.php)

58. development projects.  
59. These initiatives are not the solution  
60. or the essence of a socially responsible policy.  
61. The effective and clear assurance of  
62. the rights granted to these populations,  
63. who are particularly vulnerable,  
64. should be the first step in that direction,  
65. beyond any kind of voluntary social action,  
66. and, therefore, unenforceable,  
67. that the company carried forward.  
68. We therefore value positively  
69. the initiative taken by Repsol YPF to develop  
70. a policy  
71. in relation to indigenous peoples and communities  
72. that, as your 2007 report says,  
73. should be applied  
74. by your company  
75. in the second half of this year.  
76. Another highly positive consideration is  
77. that Repsol YPF has recently opened a consultation process  
78. for its draft policy  
79. to seek expert opinions  
80. and also those of relevant organisations  
81. for their expertise in development projects and working with indigenous communities,  
82. including Intermón Oxfam.  
83. We now ask you to  
84. seize the opportunity that you yourselves have been given,  
85. to ensure that the policy  
86. your company will eventually adopt  
87. responds to a public and formal declaration  
88. of respect for the principles and rights  
89. which are known to these peoples.  
90. The 11,000 signatures  
91. of citizens,  
92. which we will shortly hand over,  
93. must represent a motivation for this task.  
94. We are confident  
95. that you will not waste an opportunity like this to improve  
96. the draft policy that you have presented before us,  
97. that was too vague and imprecise;  
98. it suffers,  
99. especially,  
100. from a lack of recognition  
101. and the company's explicit commitment to indigenous rights.  
102. This is the axis on which we understand  
103. the policy you are developing should focus.  
104. We are convinced that the majority of  
105. board members  
106. and shareholders in general will support Intermón Oxfam's demand  
107. and the shareholders who have voiced their opinions here today,  
108. not only for the reason just cited,  
109. but also  
110. for reasons of ethics and respect for human rights.  
111. Our organization  
112. continues to seek,  
113. as before,  
114. and as it does today,  
115. forms of dialogue with your company for this purpose.  
116. We believe that in this way  
117. both Repsol and indigenous peoples

118. would benefit from better results,
119. than those resulting from confrontation.
120. This is our commitment,
121. and we are confident that it is possible.
122. Thank you very much.

**Mr. Brufau's response (2008):**

1. Ms. Dolores López Gómez and Ms. Isabel Tamarit,
2. have most certainly referred to the same issue.
3. I appreciate their words
4. for several reasons;
5. first, for the tone;
6. because I found them enormously respectful towards the company;
7. and obviously extremely critical of the company.
8. But for me, the first part is as important as the second.
9. Regarding the critical part, I would like to say obviously eh::
10. it is infinite;
11. namely the attitude of- of working
12. sustainably in complex environments
13. well never- never is perfect.
14. I totally disagree with you that Repsol intends-
15. will do better or worse,
16. has the absolute intent and will
17. to do the job well
18. with respect to all indigenous communities,
19. with respect to all international regulations that are present
20. and, as you have said,
21. we are also in the process of making a public policy;
22. as you have mentioned,
23. you were called upon for consultation,
24. precisely for this,
25. to establish the Decalogue of performance or performance standards
26. in relation with indigenous communities.
27. Ms. Tamarit made a specific reference to block 39 in Peru,
28. which is obviously part of the strategy.
29. The first thing we did when we started in block 39
30. was to engage the services of the Smithsonian Institute,
31. which is an institute that
32. basically
33. what it seeks is the analysis, study and strategy
34. on the maintenance and balance of biodiversity,
35. understanding by biodiversity all
36. the situations that may occur.
37. Obviously, in our company,
38. and you also mentioned this,
39. we now have a guide for community relations,
40. a guide for conducting environmental and social impact studies,
41. a protocol for communicating with indigenous communities,
42. a procedure
43. of contingency on non-detected indigenous communities, etc.
44. So I completely agree with you
45. and we are available,
46. as you know,
47. to advance this process of respecting human rights,
48. of respect for these communities that basically
49. do not want to be in a world other than theirs
50. and not interfere in it.
51. Obviously, we also ask the help of governments in these countries

52. because really you find everything in life, right?
53. There are communities that,
54. as has happened to us,
55. come with these rights, but still wearing Madrid and Barça team shirts.
56. So this doesn't make much sense, does it?
57. Obviously, then, there are thousands of highly sensitive communities
58. and which basically correspond to what you two have mentioned, right?
59. So, uh:: our attitude is one of maximum cooperation,
60. open to all
61. and we have prepared a report which basically is our corporate responsibility report,
62. which is audited by experts.
63. For example, I have taken note of Adena,
64. the Foundation of Economists without Borders,
65. the Foundation of Ecology and Development,
66. the World Bank
67. and the Organization of International Transparency.
68. It can- and we do not do this for the record, believe me,
69. we do try to have an environment,
70. in our business, a more sustainable environment.
71. We did not succeed as you have been commenting,
72. but obviously this is something we are trying to do.
73. And we will never achieve it;
74. because perfection is impossible, right?
75. but our mind is precisely set
76. on reaching
77. the standards required in this area,
78. at the highest level.

### **The second debate (2009)**

#### **Dolores López's intervention (2009):**

26. [...] However, all this effort may go unheeded.
27. First, the last proposal we know of the policy adopted by Repsol
28. does not clarify
29. which option the company would take if inquiries are made to indigenous communities,
30. according to the letter and spirit of Convention 169,
31. but they do not give their agreement to operate.
32. On the other hand, the company has not publicly committed
33. to implementing this policy in all the exploitations currently in operation
34. in Latin American countries that have indigenous communities.
35. We sincerely hope that the final policy
36. has solved these issues,
37. thus making
38. Repsol YPF's commitment to indigenous rights clear.
39. Otherwise your efforts will have been in vain.
40. But the challenges of Repsol, as a global company,
41. extend beyond the relationship with indigenous communities.
42. Repsol exploits oil and gas in countries that despite being rich in these raw materials
43. are becoming poorer.
44. 3,500 million people,
45. that is, approximately
46. two thirds of the world's poor,
47. live in countries rich in natural resources.
48. The prevailing lack of transparency in the extractive sector
49. clearly favours
50. the looting and corruption that impedes the right to a dignified life
51. for many millions of people.
52. In order to shed light on this sector,

53. various international initiatives have arisen  
 54. such as the Initiative for Transparency in Extractive Industries, EITI,  
 55. which Repsol joined in 2003,  
 56. and which to date is the only Spanish extractive company that has signed up to it.  
 57. Other companies such as Gas Natural or Cepsa have not done so.  
 58. Your company has also shown recently  
 59. its willingness to dialogue on this topic,  
 60. to be, again,  
 61. the only Spanish company that participated in the Bureau for the Transparency of Extractive Industries  
 62. which we co-ordinated in the Parliament last week.  
 63. But Repsol's adherence to the EITI  
 64. -of which Intermón Oxfam is also part  
 65. and the Spanish State-  
 66. despite being a significant event,  
 67. is not enough.  
 68. And this may well be your own conclusion,  
 69. in your Strategic Plan 2008/12,  
 70. that one of your priorities is working  
 71. precisely  
 72. to be "leaders in transparency and social responsibility".  
 73. Repsol needs to inform its shareholders, partners,  
 74. the general public  
 75. of your expenditure and earnings in each country  
 76. as you do in Spain or Argentina.  
 77. It is also necessary to end the practice of confidentiality clauses  
 78. in contracts signed by enterprises and states.  
 79. A leading company such as Repsol  
 80. must take these steps voluntarily,  
 81. although both in the United States and Europe  
 82. legislation for transparency in payments is already progressing.  
 83. The United States is preparing a law that, once passed,  
 84. will force extractive companies,  
 85. whatever their nationality,  
 86. trading on the New York Stock Market,  
 87. to publish a report,  
 88. country by country,  
 89. of payments made in all the countries they operate in.  
 90. And some companies are already anticipating this.  
 91. We ask Repsol to follow the example of these companies who are implementing a very active policy in  
 this issue.  
 92. One of them is the Canadian firm Talisman  
 93. that voluntarily  
 94. and without any legal enforcement,  
 95. breaks down and publishes payments  
 96. in all the countries it operates in  
 97. (including Sudan, China and Malaysia).  
 98. Another example is Río Tinto,  
 99. that recently  
 100. has chosen to break down  
 101. voluntarily  
 102. taxes and fees paid in the-  
 103. in the 13 countries in which it is present.  
 104. Other companies with good practices for transparency are TOTAL,  
 105. StatoilHydro (Norway)  
 106. or American Newmont.  
 107. It's not only civil organizations who are publicly asking Repsol  
 108. to strengthen its commitment to transparency.  
 109. Investors and ethical funds in the USA  
 110. Norway,  
 111. Spain,

112. and numerous minorities shareholders
113. have been in contact with our organization over the last few days,
114. to transfer their shares to us
115. and their right to attend here
116. and to put this request before you.
117. The ball is now in Repsol's court.
118. Only if it can meet the challenge of transparency
119. will it maintain its leading position
120. and take advantage of future opportunities
121. in an increasingly global world.
122. Repsol and its shareholders now have a unique opportunity
123. to commit to the development of millions of people
124. living in poverty yet surrounded by extremely valuable natural resources.
125. Thank you very much.

**Mr. Brufau's response (2009):**

1. Well.
2. There's no-one else...
3. I do not think there are more people who have asked...
4. shareholders who have requested their participation.
5. So I will try to answer.
6. I think there have been several questions, eh::
7. related questions, right? [...]
11. I think they have referred,
12. specifically,
13. to all matters relating to our relationship with transparency,
14. with information,
15. with the relationship with communities eh::
16. indigenous eh::
17. eh:: I- eh::
18. I must say that I totally agree with you,
19. that everything we do and more
20. will never be enough.
21. Obviously, this company tries to do things well.
22. As you have recognized and have said,
23. that in 2003 when the EITI was formed
24. eh, eh:: we incorporated. [...]
31. Clearly, there is no better future in the world
32. and no better future for Repsol
33. than to operate in countries where there is social cohesion,
34. where there is sustainability,
35. where there is transparency,
36. where you know where your taxes go;
37. and for this we
38. are supporting all initiatives.
39. In Latin America,
40. unfortunately, the only-
41. the only country (maybe) in this-
42. It has to be the countries,
43. that sign up to the initiative,
44. like, as was referred to earlier,
45. like Peru.
46. We are working with the Government of Peru
47. to see what kind of information can be provided.
48. And what I can guarantee is that,
49. yes, we are going to keep on working,
50. let's see how we can report:: the payments we are making,
51. on taxes;

52. obviously,  
 53. as you can imagine  
 54. it's all,  
 55. everything  
 56. eh:: is transparent.  
 57. We pay the taxes we have to pay.  
 58. We would like more accountability from governments,  
 59. no doubt.  
 60. And we would also like to see that also- that the gov- that the countries  
 61. or areas where we operate  
 62. well progress along with Repsol's progress,  
 63. otherwise it is difficult to understand.  
 64. It would be the best defence we can have,  
 65. more precisely, the progress of the people who live and who live together with us  
 66. in the places  
 67. where we are present, right?  
 68. I therefore agree with you all,  
 69. we are going to work,  
 70. let's try to improve eh::  
 71. in any way we can. [...]  
 80. Yes, yes, I think you know  
 81. basically we are in three areas that have a special influence on the indigenous world,  
 82. which are basically Ecuador,  
 83. Peru,  
 84. and Bolivia.  
 85. Here it has also been mentioned,  
 86. by Doctor- Doctor Echenique of::  
 87. what it is, the actions she is undertaking  
 88. as well as Repsol in Margarita, in Puerto Margarita [...]  
 144. Eh:: therefore, every-  
 145. everything and more is needed;  
 146. everything and more is needed.  
 147. I am available  
 148. and I am a:: well entirely at your disposal,  
 149. then, to share all those views  
 150. that bring about  
 151. improvements to the transparency of our information in all this  
 152. that is, eh:: that is relevant;  
 153. and obviously, too, eh::  
 154. to consider all projects which involve::  
 155. well, a better living environment  
 156. of the indigenous communities in which we are present.