

Political Discourse Analysis in Deliberative Processes: Application to the Public Debate on Mineral Waters in Brazil

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Abstract

Two Brazilian cities in the southern region of the state of Minas Gerais have engaged in public debate on the exploitation of their mineral waters by the private sector, with prompted contestation from organised civil society and other actors to the governmental decision. This study aimed to analyse that public debate using the theoretical-methodological approach of argument analysis within critical discourse analysis (CDA). A news report and a legal text formed the corpus of analysis as representative of ongoing argumentations because these discourses can influence public policy decision-making. The results showed how the controversy is rooted mainly in the conflict of values between two parties – on the one hand, the concern over sustainability and environmental conservation, cultural identity, the concept of water as a common good, and the defence of public participation and, on the other hand, the predominance of values focused on economic development and the efficiency of financial management of resources.

Keywords: political discourse analysis, argumentation, water conflicts, deliberative processes

1. Introduction

In Brazil, mineral waters are considered, legally, ore. Accordingly, mineral waters are managed differently from other waters, which are regarded as water resources. Therefore, there are various conflicts around their exploitation; one such case involving Nestlé and the city of São Lourenço, in the southern region of the state of Minas Gerais, is the best known case (Queiroz, 2011; Valadão, Alcântara & Cordeiro Neto, 2018). This conflict is a recurring problem in the region, where several municipalities have mineral spas in the well-known destination spa area, Circuito das Águas. The population and non-governmental organisations (NGOs) fear commercial, predatory exploitation, as they believe that it may dry up the springs, which are responsible for the municipalities' cultural identity. The people advocate that mineral waters are a common good and cultural heritage that must remain under public and free access.

In 2017, the Minas Gerais Economic Development Company (Companhia de Desenvolvimento Econômico de Minas Gerais – Codemig), a state-owned enterprise with the concession on the spring water of the Brazilian cities Caxambu and Cambuquira (located in southern Minas Gerais) launched a public consultation on the search for a private partner for water bottling. The initiative has generated widespread controversy and contestation among organised civil society; however, in the same year, the call for bids was opened to grant the mineral water concession to a private company. In this context, the objective of the present study is to analyse the public debate that occurred during this process, during which a public policy decision was made. For this purpose, we have adopted the theoretical-methodological approach to the analysis of argumentative discourse within critical discourse analysis (CDA) as proposed by Fairclough and Fairclough (2012).

The adopted approach, proposed by Fairclough and Fairclough (2012), advocates the use of analytical tools of argumentation theory to study texts related to political deliberation. Considering that policy decision-making implies choosing among different possibilities of action and that they are usually made under conditions of scarcity (because resources are insufficient to take every action, nor is it possible to satisfy everyone) and

uncertainty (different agents hold different positions) (Hay, 2007), arguments must be pondered before a decision is made or action is taken. In this context, critical discourse analysis may render a decision more sensible and help to identify the best argument (Fairclough & Fairclough, 2012).

Using this methodological instrument, we have analysed the premises used by the parties involved in the debate on the private exploitation of mineral waters in Brazil, therein reflecting on the validity claims (Habermas, 2012) that have been presented, the contestation of those claims, the counter arguments presented, and the weak points in this debate. We have used the transcript of a television news report on the case and the text of a lawsuit filed by civil society organisations against Codemig as the corpus of analysis of the arguments on both sides of the dispute, using both as representatives of the arguments in circulation.

We have adopted, therefore, the approach proposed by Fairclough and Fairclough (2012) for the study of political discourse and situations of deliberation and contestation, with the aim of answering the following question: How were the arguments that underpinned policy decisions related to the topic structured in this scenario of disputes related to the private exploitation of mineral waters?

We highlight that although CDA is widely used in Brazil, argumentation analysis remains unprecedented in the field of public administration, to which it may contribute by considering governmental actors' decision-making processes, which are subject to counter argumentation by society. The use of this theoretical-methodological proposal opens new avenues for research on argumentative processes involving public and private stakeholders and civil society.

In the course of the article, we present the proposal by Fairclough and Fairclough (2012) on the structure of practical reasoning for policy decision-making. We then report the results from the application of the method to the analysis of the texts included in the corpus of study and, simultaneously, discuss the results and their contribution to the general interpretation of the public debate under study. Similarly to Persson and Moretto Neto (2018), we consider the texts not as ends in themselves, but as strata of reality that allow us to examine and understand what happens in the public sphere, albeit in a selective and partial manner.

2. Theoretical-Methodological Approach

We have adopted the theoretical-methodological approach proposed by Fairclough and Fairclough (2012), which shows an interaction between CDA and the theories of argumentation based on pragma-dialectics (developed by Frans H. Van Eemeren and Rob Grootendorst). According to these theories, argumentation is a verbal process that seeks dispute resolution through critical and rational discussion. Amossy (2016) explains that pragma-dialectics regards argumentative discourse as an exchange of speech acts that seeks to resolve a difference of opinion based on the acceptance of antagonistic points of view and respect for rational and ethical norms necessary for resolving the difference of opinion; discourse is thus a normative process that aims not only to describe how argumentation occurs but also to evaluate the "proper functioning of the critical discussion and to provide the criteria that can ensure its success" (Amossy, 2016, p. 169).

Thus, CDA advocates propose reconstructing argumentation used in political discourse "to measure the logical validity of arguments submitted to the other and to detect anything that breaks the good rules of deliberation. It [logical validity] is understood in both an Aristotelian and a Habermasian sense: it links rationality to the ethics of discussion" (Amossy, 2016, p. 176). In their critical analysis of political discourse, Fairclough and Fairclough (2012) consider political discourse a primarily argumentative genre, mainly focused on the practical argumentation necessary for informed decision-making. That is, the text, through arguments, provides the agent with reasons for action. This situation forms the basis for proposing the integration of argumentation analysis with CDA, thereby refining and expanding the analytical framework of the latter.

Fairclough and Fairclough (2012) advocate that deliberation and public debate ought to be strengthened. Thus, the collective decision-making process should involve all those who will be impacted by the choice, thereby legitimising the decision. The critical process of probing and testing proposals would reduce the impact of limited rationality, which can lead experts to closed forms of reasoning, which in turn often lead to wrong decisions. That is, deliberation rests on the argument of human fallibility – an individual, alone, has limited knowledge and imagination, which limits his or her ability to make the best choice. When several citizens come together in the assessment, the likelihood of a good decision is higher because the pool of knowledge and forecasting skills will be enhanced (Fairclough & Fairclough, 2012).

This perspective implies, for the authors, the need for large public debates so that citizens can participate and express opinions on the nature of political circumstances, values, and goals that should support policy decision-making, the alternative courses of action that may be adopted, and the arguments for and against the

subject that should be considered.

2.1 Structure of Analysis

The work by Fairclough and Fairclough (2012) is a proposal to identify the structure of practical reasoning in political discourse and to represent it. In such a structure, the argument essentially consists of a claim for action (what ought to be done), a goal (future state of affairs to be reached, which motivates the action), current circumstances regarding the case, and the values that move the agents (concerns about things they believe in or ought to do). Based on these premises, the agents plan the action they must take, connecting current circumstances and their future goal. We underline that an argument consists of premises and a conclusion. In this case, the claim for action is the conclusion; the goal, circumstances, and values serve as premises (Figure 1).

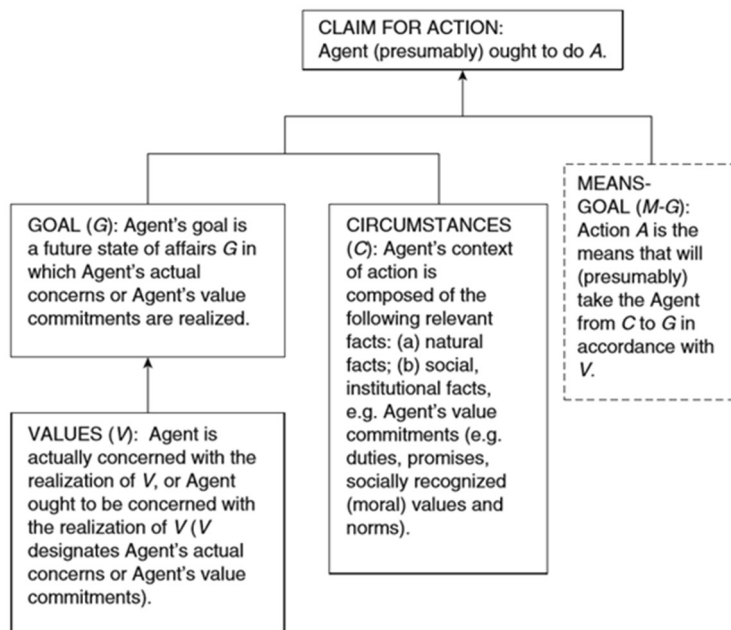


Figure 1. The structure of practical reasoning

Source: Fairclough and Fairclough (2012, p. 48).

The goals should be understood as a proposed future state of affairs. Often, the agent does not set a goal for personal reasons but instead thinks that the goal is right for external reasons, because it is normatively appropriate and corresponds to moral values the agent deems correct, among other reasons. Moreover, the values determine the goals and support them. We will set goals based what matters to us, on what concerns us. Values, therefore, are sources of normativity (Fairclough, 2012). In addition to encompassing internal motivations, values may result from some form of commitment of the actor to the circumstances (external motivations, such as duties, requirements, obligations, norms, rules, laws, i.e., what the actor ought to want).

However, even when a claim for action seems reasonable, some additional premise (expressing new information, better alternative means that are brought to our attention, a competing moral goal or principle, some undesired consequence of the action we had not foreseen) may lead us to revising the argument or rejecting the original claim. The possibility of negative consequences from the proposed action (failure to achieve the goal or “negative consequences that undermine other legitimate goals”) requires weighing, through argumentation analysis, the pros and cons before deciding (Fairclough, 2012, p. 156).

Thus, for a more rational decision, critical challenges to the decision to act ought to be organised to test whether the action is actually the most appropriate. If the premise resists rebuttal attempts, it may be provisionally accepted (Fairclough, 2012). This notion is close to the proposal by Habermas (2012).

There are two types of possible practical counterarguments. One will question circumstances, values, and goals within the argument, interfacing with the idea of validity claims related to truth, normative correctness, and veracity (Fairclough, 2012); the other presents likely consequences from the action (if negative, they show that

the action should not be taken). All consequences from the action must be explored to assess whether the first argument will resist rebuttal. Then, the negative consequences lead to a counterargument. Therefore, deliberation involves considering alternative practical arguments, as illustrated in Figure 2.

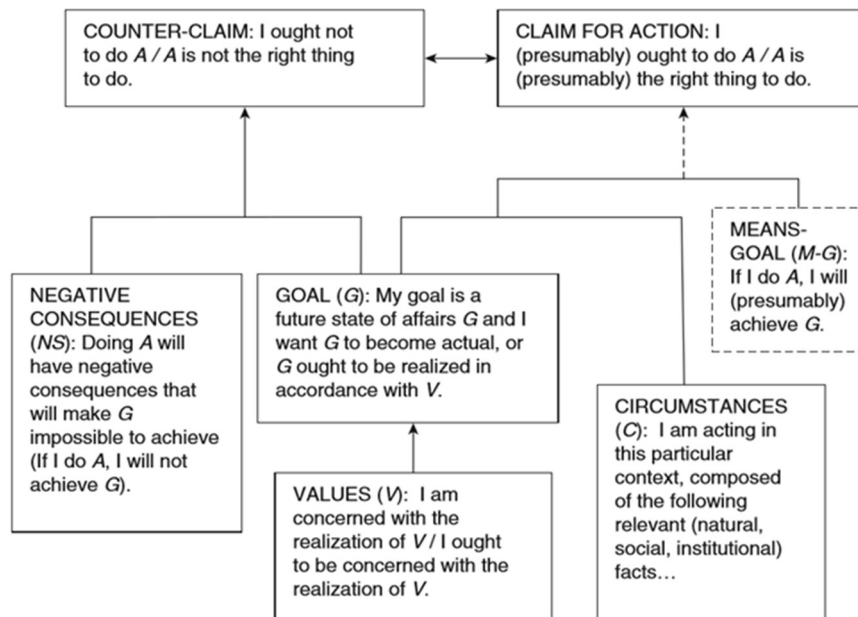


Figure 2. Argument and counterargument in the deliberative process – the structure of practical reasoning assessed during an argumentation analysis

Source: Fairclough and Fairclough (2012, p. 51).

Practical arguments, therefore, are supported by values, which in turn support goals and influence how circumstances are described. Because people have different values and goals (although they may all be reasonable), in addition to different ways of outlining circumstances, they may disagree, and indicating consequences from actions will play a key role in ensuring that the best decision is made. However, Fairclough and Fairclough (2012) argue that good practical arguments cannot be recognised as those that emphasise differences, infringe upon human rights, violate fundamental duties, and impede capacities.

3. Materials and Methods

Considering that the conflicts over mineral waters in Brazil are marked by a dispute of arguments (Queiroz, 2011; Valadão, Alcântara & Cordeiro Neto, 2018) and that the case involves public policy decision-making against the position of the civil society, we believe that argumentation analysis with CDA improves our understanding of the structure of the debate and may even systematise the positions of the stakeholders, thereby enabling them to identify and to bridge gaps in their premises. Thus, we adopt this analysis tool because it may help us to understand the debate and to find the best argument. Accordingly, the structure shown in Figure 2 is used to analyse argumentative texts from the case, with the necessary adaptations, similarly to Fairclough and Fairclough (2012), throughout the work, as shown in the examples above.

We aim to analyse a part of the debate over mineral waters that was specifically triggered by the launch of a public consultation (February, 2017) by Codemig and by the opening of a call for bids (November, 2017) for the private exploitation of mineral waters in the Brazilian municipalities of Cambuquira and Caxambu. The analysis will focus on arguments included in two texts from different genres, both capable of supporting deliberations. One of them is a news report (“Exploração de água mineral vira polêmica em cidades do Sul de MG” [Mineral water exploration becomes controversial in cities in southern Minas Gerais]; accessed on: <http://g1.globo.com/mg/sul-de-minas/noticia/2017/03/exploracao-de-agua-mineral-vira-polemica-em-cidades-do-sul-de-mg.html> (G1, 2017), and the other is a lawsuit (Justiça Federal, 2017) filed by one of the parties with the aim of prompting an injunction to prevent action defended by the other party.

The genre news report was chosen for analysis because the media plays a role in publicising the arguments necessary for coming to an understanding and in making them accessible to citizens. For Habermas (2006), the

media plays a key role in social dynamics by absorbing the demands expressed by actors at the centre of the political system (such as politicians) and by actors at the base (social movements, among others), transforming them into “news, news report[s] and commentary [...]” (Habermas, 2006, p. 415). Media texts are also important objects of study for Fairclough and Fairclough (2012).

Although there are other news reports on the case, the text of 22/03/2017 was chosen because it was a wide-ranging TV news report, was cited in the lawsuit (Justiça Federal, 2017) filed against Codemig at the end of that year, and remains available for consultation on a news website that is relatively well-known to the general public (g1.globo). It being a special news report, lasting 14 minutes, which is longer than normal in television news reports, was also relevant because this longer duration offers a higher likelihood of diversity and amount of information used.

Conversely, the other genre chosen was the legal text of the lawsuit (Justiça Federal, 2017) filed by civil society organisations against Codemig after the state-owned enterprise opened the call for bids. The lawsuit (Justiça Federal, 2017) was authored by the NGO Nova Cambuquira, the Associação Caxambu Mais and the Sociedade Amigos do Parque das Águas, and the defendant was Codemig. These actors used the legal sphere as a resource to continue the debate because the state government had decided to open a call for bids before coming to an understanding with all stakeholders. The texts analyzed cover two different genres. Figure 3 shows the timeline of the corpus of analysis in relation to other events.

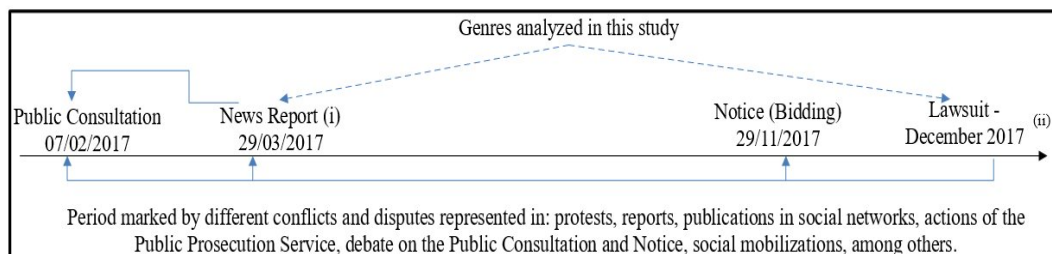


Figure 3. Collection of texts

As shown in Figure 3, the choice of material was timely because the news report (i) directly addressed the public consultation, and the lawsuit (Justiça Federal, 2017) (ii) directly and indirectly mentioned the entire period marked by protests and conflicts around the exploitation of mineral waters. We have used the analysis structure proposed by Fairclough and Fairclough (2012).

After transcribing the audio of the news report, both texts were carefully read several times to identify and highlight all excerpts that could be considered as claims for action (arguments and counterarguments) and those that could be considered as premises (goals, values, and circumstances, as well as the predicted consequences for each action).

4. Results and Discussion

4.1 Contextualization

The field of bottled mineral water in Brazil is configured as a complex scenario, marked by an interaction of material and symbolic systems in constant contention, as discussed by Queiroz (2011). According to Gesicki and Sindico (2013, p. 70), “in countries such as the United States and the United Kingdom, there is a controversial discussion between the bottled beverage industry and civil entities advocating for the consumption of tap water provided by public supply”. In the Brazilian context, specifically in the local region of the Circuit of Waters in Minas Gerais, where this study is situated, the most evident disputes unfold between the Economic Development Company of Minas Gerais (CODEMIG) and the entity known as “Guardians of the Waters” (Valadão, Alcântara & Cordeiro Neto, 2018). The guardians primarily involve actors from civil society, local residents, members of the scientific community, and some representatives of the local government. This confrontation reflects the complexity of relationships involving the management and preservation of water, highlighting the diversity of interests and perspectives at play.

Regarding the disputes, Queiroz (2011) points out that within the business class, there is a notable accumulation of capital, demonstrating an active pursuit of both public support and societal adherence to economic exploitation practices of mineral waters. This dynamic reveals a strategic quest for institutional and social support to achieve economic activities related to water. On the other hand, non-governmental organizations,

social movements, and specific sectors of the scientific community mobilize their networks in an attempt to exert influence on policies and practices related to mineral waters. All this scenario unfolds within the scope of the Circuit of Waters, which encompasses municipalities such as São Lourenço, Caxambu, Lambari, and Cambuquira (Queiroz, 2011). In general, the actors involved in these conflicts are presented in Figure 4.

Group	Description
Business class	"[...] encompasses agents representing all types of bottling industries, as well as transnational corporations, distributors, and retailers, in addition to entities that represent them. A class that does not always prioritize the sanitary safety of products and often neglects concerns related to waste, rejects, and emissions generated, as well as overexploiting aquifers";
Public authorities	"[...] agents who have the role of regulating, standardizing, and overseeing the actions of other agents in the field with powers conferred by legislation. They are agents of the mediation system";
Non-governmental groups, social movements, and segments of the scientific community	"[...] primarily represented by agents of social mobilizations that work alongside society. These groups also seek to advocate for actions aimed at prioritizing health, water quality, the environment, preservation of public heritage, and the identities of local communities. Their actions include monitoring the attitudes of other agents in the field";
Consumers and the general society	"[...] represented by consumers and potential consumers of bottled water".

Figure 4. Groups in disputes over mineral waters

Source: Queiroz (2011, p. 35-36).

Queiroz (2011, p. 42) interprets that "social movements and their actions and mobilizations within the field of bottled waters are examples of resistance against dominant agents". As an example, Lobato, Mafra, and Fontoura (2015, p. 06) analyzed that in São Lourenço, "the mobilization of the local society against the exploitation of mineral waters by the transnational Nestlé has been taking place for seventeen years through the Amar'Água association". In the municipalities of Caxambu and Cambuquira, the research by Valadão, Alcântara, and Cordeiro Neto (2018) highlighted the central role of civil society organizations, Nova Cambuquira and Associação Amigos do Parque (Ampara), in taking a leading role in resistance to exploitation. These entities have emerged as influential forces opposing water exploitation practices.

The Circuit of Waters in Southern Minas Gerais is not the only one that has its water commodified, as there is a growing proliferation of water exploiters, a business trend that is expanding, turning any water source into "the best water in the universe". The recognition of the Circuit of Waters, as suggested by Ninis (2006), as a heritage of humanity, due to the importance of its waters and the worldwide uniqueness of the locality possessing distinct sources, would lead to a preservation process. And this recognition is one of the meanings that agents of social mobilizations defend in the dispute against the commodification of water. In a field game, particularly in the case of the Circuit, as mineral water is for tourism, for the locality, for the uniqueness of the place, for health, or is it for industrialization, for export? These are meanings that are in dispute among field agents. (Queiroz, 2011, p. 144).

Finally, in research conducted in the region, Cruz (2017) highlights, in discursive terms, the presence of conflicting representations surrounding mineral water. These representations include mineral water being conceived as a public good, commodity, ore, health resource, tourist attraction, commercial product, and identity-forming component, among others. These representations underscore the complexity and diversity of perspectives that permeate narratives surrounding mineral waters.

4.2 News report

The news text analysed gives voice to several actors. In addition to the perspective of the journalists from the media outlet, the text expresses the viewpoints of NGOs (Nova Cambuquira, Casa da Colina), the public (Caxambu mayor, Caxambu city councillors, the Public Prosecutor's Office (Ministério Público), the São Lourenço tourism secretary, and Codemig), private (Nestlé) and international (such as the Canadian author and activist Maude Barlow) stakeholders, and citizens in general. Sometimes, the opinions of specific actors are expressed by the journalists themselves. Such is the case with Codemig, whose positions are pronounced through press releases, which may indicate some reluctance to maintain a direct dialogue. In a press release, Codemig states that responses to the protests are available on their website, thereby indicating both willingness to answer questions and a certain unwillingness to maintain conversations in the public sphere.

The structure of the arguments was then identified, one of which (A1') is the position of Codemig that a

public-private partnership should exploit the mineral waters (conclusion), supported by the premises of:

- a) ensuring an economically viable situation for the State (goal);
- b) which in turn is based on a commitment to the proper financial management of the State and supported by legislation allowing the exploitation (values);
- c) all in a context without financial conditions to do otherwise and with an example from another location (São Lourenço) with supposed benefits to the municipality (circumstances).

Here, it should be noted that not all premises listed above are propositions directly assumed by Codemig because the state-owned enterprise chose not to participate directly in the special news report. Some of them strengthen its argument, although they were extracted from constructions of other actors, notably the media outlet itself, and even by actors who oppose the argument. For example, in the premise of circumstances, the media outlet itself chooses to present the case of São Lourenço, where there is private exploitation of mineral waters, and to show the conservation of the park and the financial return to the municipality. This circumstance, i.e., that private exploitation may not be as negative as presumed, is strengthened by the voice of the tourism secretary, who highlights benefits from the presence of the private company (a well-maintained park and successful tourism). However, in a press release, Codemig did state that the call for bids in question did not foresee exploitation similar to that of São Lourenço, although the difference was not explicated.

In summary, the action of the state in favour of private exploitation is based on economic-financial premises (values). The weakness of this argument in the news report mainly lies in the absence of the proponent (Codemig) from the debate; the proponent's presence could have better justified, for example, the financial circumstances leading to the means-goal reasoning, which suggests that a favourable economic situation can only be achieved by granting the mineral water concession to a private company.

When analysing the claim for counteraction (A2'), we observe that the actors aim to cancel the bidding, which entails "leaving everything as it is" or broadening the debate and collectively devising another solution for bottling. The following premises support the counterclaim:

- a) water ought to remain available and preserved for access by all, while maintaining its medicinal characteristics; the municipalities should be internationally recognised for preserving their waters (goals);
- b) the goals are set primarily in line with cultural, identity, social, and sustainability aspects (values); and
- c) damage to the springs of São Lourenço has allegedly been caused by predatory private commercial exploitation; in Cambuquira, some people are engaged in the topic and aware of the facts, with a strong local feeling of protection and appreciation; maintaining the blue community certificate in Cambuquira implies meeting standards; international actors support the counterclaim, and the call for bids is flawed in failing to ensure sustainable exploitation and in lacking technical studies (circumstances).

Importantly, the premise of values (Fairclough & Fairclough, 2012) here is supported by both internal motivations, such as compliance with sustainability, commitment to the common good, and cultural relations with water, and external motivations, such as meeting standards (certificate of origin). In the counterclaim A2', the consequences from action A1' are thoroughly explored. The following negative consequences from A1' are indicated by A2' in the news report:

- a) in terms of sustainability, overexploitation and depletion may occur (A2' advocates believe that the taste and the medicinal potential of the water may change and that the spontaneous flow rate may decrease);
- b) in terms of cultural aspects, exploitation harms or jeopardises world heritage; and
- c) in terms of social issues, the values of water as a right of all, a common good, and a public good are also threatened, as seen from a perspective according to which the population will be harmed. Supporting item (c), citizens expressed their views on the matter using phrases such as "If they partner with a larger company, what are they going to do? [...]. And we are going to lose. And we do not want that" and even "Privatising will create many problems. Just for profit, is it not? Money, money...And what about the people?" Therefore, the consequences presented suggest that the A1' goal, while legitimate, may undermine the likelihood of achieving the A2' goal, which is also legitimate.

The counterargument A2' apparently consists of premises from a higher number of actors than those in the defence of A1'. In addition to the media outlet and its journalists, representatives of two NGOs, the mayor of Caxambu, two city councillors, the Canadian activist (Barlow), who sent an open letter to the government of Minas Gerais opposing the privatisation, the representative of the Public Prosecutor's office, and several citizens support A2'. The contribution of citizens who do not represent NGOs or other bodies was limited to the premises'

values and consequences, with vaguer (albeit explicit) statements, which can be connected to their concern over what they will lose; the exact link that the public makes between private exploitation and the threat of harm to the common good cannot be identified in the news report. The premises have some emotional content, regarding emotional ties people maintain with the waters as part of their local identity. It should be noted that Fairclough and Fairclough (2012) deem the antagonism between rational and emotional erroneous: emotion may even enhance comprehension and considerably encourage action.

The analysis of the argument and counterargument of the case, using the model proposed by Fairclough and Fairclough (2012), shows a dispute between, on the one hand, cultural, social, and sustainability values, and on the other hand, economic development and traditional business management values. In our view, the argumentative process is not exhausted in the news report because both arguments are reasonable, albeit conflicting, and lack premises capable of ending the discussion in favour of one of them. The text itself falls short of indicating the “best argument”, although the news report survey showed that 77% viewers disagreed with the private exploitation of mineral waters. In this case, the challenge for the deliberation on the exploitation of mineral waters is to find ways of addressing the numerous arguments, which are almost all reasonable but are often conflicting.

In the process of critical analysis of the claim for action by Codemig (private exploitation of mineral waters), although counterclaim A2' fails to question the essence of goal A1' (to ensure an economically viable exploitation of mineral waters), A2' aims to demonstrate that the private exploitation action may adversely affect other goals of other actors – A2' goals, for example. This debate, which seeks to support a deliberative process through critical thinking, is advocated by Fairclough and Fairclough (2012) as ideal for practical reasoning because it allows us to make a sensible decision and thereby to take sensible action – that which emerges from the systematic critical analysis of reasons and claims. Including the points of view of several different citizens increases the likelihood of making a good decision because the knowledge and forecasting skills are enhanced when several minds reflect on the action.

However, in the argumentation represented by the news report, the process remains incomplete because several issues remain unanswered. For example, is the action proposed in A1' actually the only approach able to guarantee that the goal will be achieved? How do the A1' agents address sustainability, social, and cultural values? If, according to A2', we must ensure the sustainability of the mineral waters, and private exploitation jeopardises this goal, what premises demonstrate the real negative impact of exploitation? In the news report, a representative from one of the NGOs begins the presentation of premises accordingly, mentioning situations observed in the exploitation in São Lourenço, although, at another point of the news report, it is stated that such situations are under investigation by subject matter experts. Technical and scientific studies discussing these consequences, as well as social and cultural consequences, could strengthen the logic of the counterargument through consequences. These studies were not included in the news report, which may convey an idea of weakness of the argument and counterargument to the viewers.

4.3 Lawsuit (*Ação Civil Pública*)

Argumentation is strongly embedded in a legal text such as a lawsuit (Justiça Federal, 2017), and in its legal developments, which also supports somewhat deliberative processes. Using the model proposed by Fairclough and Fairclough (2012), we identify that the claim for action of the NGO (A2'') is the suspension of bidding

- a) to avoid damaging the public heritage and to ensure the conservation of springs and water as a public good (goal).
- b) The proposition uses notions of water as a public good essential to life and as tangible and intangible cultural heritage; there is commitment to environmental conservation and to the proposal of popular participation in public policy decision-making (values).
- c) The context that justifies the proposition includes the following facts: the population and other members of the state government disagree with the private exploitation of the waters; there is evidence that unreasonable exploitation causes environmental damage; some articles of the call for bids fail to provide a full guarantee of the protection of public interests; there are signs of irregularities in the bidding process; the measure threatens the international certificate of blue community of the city; and the initiative is based on outdated laws (circumstances).
- d) The circumstances indicate a scenario of exaggerated benefits to the private partner, cultural heritage devaluation, risk of drying up the springs, and risks of water contamination (consequences).

Premises that challenge the claim of normative correction of A1'' prevail in this argument; that is, A1'' statements

are unacceptable because they break the rules, although not exactly formal and official rules (laws), in their misalignment with the values that mobilise the population of Circuito das Águas. These are values with intersubjective recognition (HABERMAS, 2012) of their merit, albeit disregarded in the law Codemig follows.

Conversely, in A1”, the proposition is that the public-private partnership is indispensable and the bidding process should continue based on the following premises:

- a) Codemig argues that the exploitation of the waters is a way to contribute to economic and social development (goals)
- b) by fostering economic welfare and by promoting an efficient allocation of resources, in strict compliance with the law in force, assuming that the company is better equipped to make the best decision (since the population lacks the necessary technical knowledge) than NGOs because their positions are usually alarmist and unfounded (values).
- c) The scenario indicated, in short, is that Codemig has all the prerogatives to follow through with the initiative (and is even obliged by law to make the exploitation), insists that the bidding process is legal, and assures the public that the current actions favour sustainable development and have never exceeded the limits set, that the new partner will also be required to comply with the law, that the equipment will not be transferred to the private partner, that the exploitation of mineral waters is important for the national development, that the questions derive from speculation due to lack of knowledge and from people with interests against Codemig other than protecting the waters. Moreover, Codemig alleges that it has no way of continuing the exploitation without a private partner because the business is failing as a result of the requirements of public service laws, which hinder the agility required by the business (circumstances).
- d) According to A1”, A2” would pose serious risks to the community and to Codemig because the plant activities will have to cease due to the failing business, bringing unemployment, devaluation of the brand, decreased tax revenue, and loss of exploitation rights by Codemig (consequences).

In its argumentation, Codemig questions the claims of validity of the premises presented by the NGO more comprehensively than in A2”. In addition to questioning claims of validity of normative correction, Codemig questions the truthfulness of A2”. From the normative correction standpoint, the contestation occurs, for example, based on the facts that

- a) the NGO wants to interfere in a statutory responsibility of Codemig (“shows a willingness to replace Codemig”), that is, the NGO does not have the legitimacy to question the decision made by Codemig;
- b) the public consultation is not binding, thereby questioning the defence of the need to follow the suggestions proposed by the population during the public consultation; and
- c) Codemig can specify the expertise of the private partner, questioning A2” statements on following procedure.

However, Codemig predominantly challenges the claims of truth of A2”, refuting statements made by the actors who filed the lawsuit. Codemig expresses those contestations by asserting that

- a) the bidding was indeed moral and legal;
- b) the concept of collective interest adopted in A2” is incorrect;
- c) water has always been (and will continue to be) exploited under the premises of sustainable development and in compliance with the regulations;
- d) the goal of the concession is exploitation and not water itself;
- e) the heritage will not be affected because the name of the municipalities will remain in the label of the water bottles; and
- f) the state-owned equipment of the plant will not be transferred to the private partner, and the water is a renewable resource.

In addition, the discourse of Codemig questions the claims of truthfulness of A2” when stating, for example, that Codemig “has been facing strong opposition from some individuals and entities who refuse to accept that the company holds the concession of the federal government to exploit the mineral waters of Caxambu and Cambuquira”. The excerpt suggests that the social movements and citizens against the bidding have ulterior motives, contesting the proposal not for the causes they claim to represent but out of mere opposition to the company. In another point, Codemig states “It was clear, even then, that the intent of the NGO Nova Cambuquira was to disrupt and prevent the economic activity of Codemig in the mineral water business”.

Reading the lawsuit (Justiça Federal, 2017) – not from a legal point of view but focusing on the arguments of a debate that ought to be public – does not suffice to conclude the dialogue because several premises listed by Codemig are susceptible to reply and re-reply. However, the debate continued to extend in the legal sphere, and much information missing from the news report appeared in the legal arguments. This fact suggests that discussions in more popular forums (such as the media) still need to be improved to reach the ideal conditions of public participation.

4.4 The Argumentative Structure of Both Texts

Figure 5 summarizes the debate based on the content extracted from both texts (journalistic and legal). The claim is Codemig's assertion that a public-private partnership (PPP) is necessary to exploit the mineral waters, and the counterclaim is the suspension of the call for PPP bids.

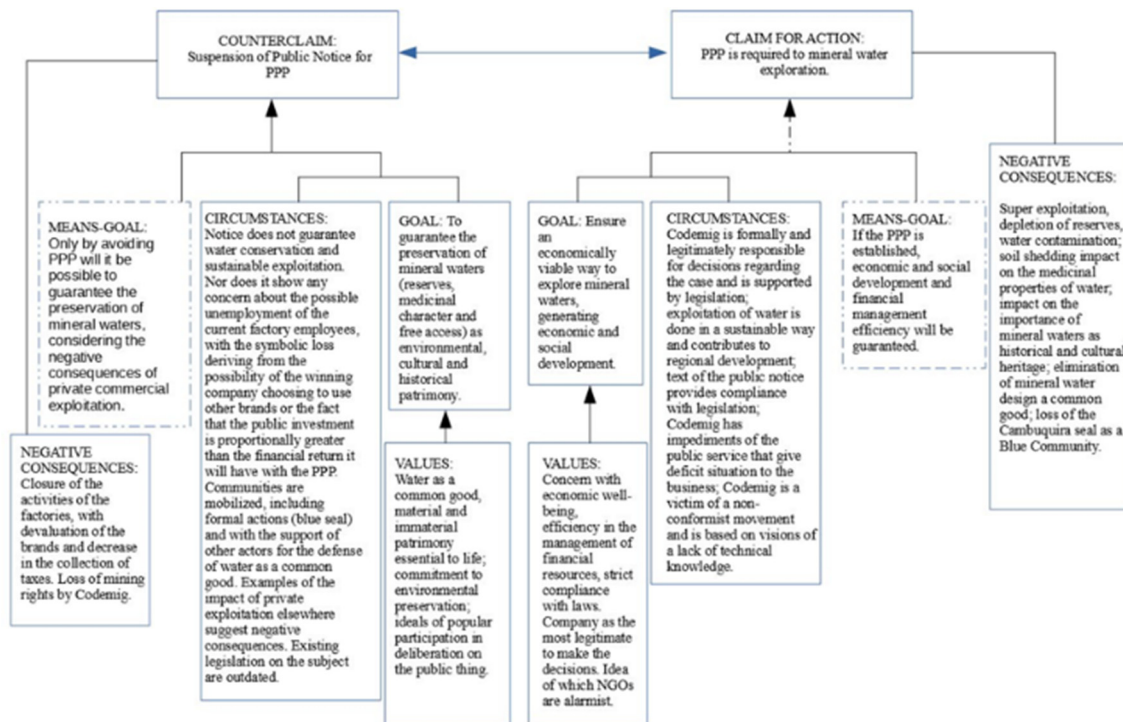


Figure 5. Summary of the argumentative process.

The integration of the arguments established in the two texts shows an argumentative structure opposing two propositions: the need for a public-private partnership (PPP) to exploit the mineral waters and the suspension of the call for bids for such partnership. The former is based on the goal of ensuring economic and social development, grounded on values of sound financial management of resources and on the idea according to which the proposal complies with the law. Numerous facts and information are presented in the circumstances to support the claim, and the consequences from not opting for private exploitation are highlighted: cessation of local activities, decreased local tax revenue, and economic and social losses. The latter does not question the legitimacy of the goal of the former, but it indicates consequences that demonstrate that the PPP may preclude another goal, also legitimate: the conservation of waters for free access and as environmental, cultural, and historical heritage. The values underlying the two goals are the main focus of the conflict: on the one hand, cultural, social, and sustainability values, and on the other hands, values of economic development and business management efficiency.

By analysing the arguments developed in the two texts, the article structures the debate from the practical reasoning standpoint, as proposed by Fairclough and Fairclough (2012). The organisation of the debate enables stakeholders to more deeply question the premises already in circulation and to add others towards finding the status of the best argument.

5. Final Considerations

We have used the structure of arguments by Fairclough and Fairclough (2012), in addition to contributions by

Habermas (2012), to analyse argumentative processes in two texts (one journalistic and the other legal) from the public debate between a governmental actor and civil society actors – recent disputes around the issue of exploitation of mineral waters in the southern region of the state of Minas Gerais, Brazil. In contrast to the demands of a topic of public interest, in the news report, a genre with a larger audience, the argumentation was shallower, with fewer premises and lacking the direct participation of one of the parties. Conversely, in the lawsuit, the debate broadens.

The application of the theoretical-methodological approach made it possible to identify the conflict of values at the root of the difference in parties' positions and showed that, even in the legal text, the current argumentation still lacks premises that strengthen the arguments in dispute, herein analysed from the perspective of public debate and political deliberation and not in regard to legal decisions. The usefulness of the study of analysis lies precisely in allowing stakeholders to reflect on points of the discursive conflict that demand more effort in the search for the best argument, in addition to presenting a model that can be used in different argumentative processes involving public and private actors and civil society. However, the political decision to open the call for bids for selecting a private partner was made without exhausting the argumentative resources.

We observe that when one considers the validity claims of normative correction, there is an impasse that begins in the premise of the circumstances and impacts on the premise of the values: from the legal point of view, the exploitation of the mineral waters is not condemnable in the Country; from the standpoint of shared precepts about sustainability and the need to preserve water as a common good, such exploitation can be a threat. In our analysis, the values and goals that guide each of the parties are seemingly irreconcilable and there will be a need to choose which values to prioritize. But for this decision it is still necessary to enrich the information on circumstances that underlie each conception, so that they collaborate for the election of a "best argument" by the public trial. This suggests that the debate should continue so that a reasonable decision can be reached.

In order to improve the arguments, we feel absent in the texts of premises based on science, whether those from the natural sciences, whose studies could indicate the existence or not of environmental risks, be those produced by the social sciences, with historical, cultural, economic analyzes and sociological factors that would reflect on the potential impact of the private exploitation of mineral waters on the livelihoods of the local population. It is true that the mere inclusion of premises of scientific knowledge would not have the potential to solve discord, since we stand against the alleged impartiality of the scientific method (Fairclough & Fairclough, 2012). As Habermas (1987) has shown, all knowledge is set in motion from interests. Therefore, science can also serve purely instrumental interests. However, if emancipatory interest is another possibility at the root of knowledge, we can not dispense with the premises that would be structured from scientific production. If critical reflection is present in the evaluation of the various studies presented, it is possible that science is important for the positioning.

The fact is that the debate in question allows to reflect on the relevance of the propositions of Fairclough and Fairclough (2012). Political decisions, to be reasonable, need to emerge from a critical examination of the reasons. If Codemig's argument goes against other objectives and other values, it is necessary for the interlocutors to be open to considering them all, including their consequences, in search of the most appropriate deliberation. If the context of political decisions is always one of uncertainty, human fallibility, limited knowledge and scarcity, it is quite possible that the chosen action is not always the right one, but it will be the most reasonable if an argumentative debate takes place, interlocutors are willing to analyze the premises of the opposite argument.

In this context, the research results have significant implications for public policy formulation. This study supports the institutional integration and public policy proposal presented by Portugal Júnior (2016) for the mineral water sector within the scope of water resources management. Thus, the article advocates for the need for new public policies focused on mineral water management in Brazil and provides a comprehensive mapping of the arguments from various actors involved in conflicts related to the topic. Furthermore, it stimulates academic debate on this issue and underscores the importance that "the management of water and mineral resources should, above all, be a matter of social justice, strongly supported by an ethical foundation" (Ninis & Drummond, 2008, p. 164). An effective approach can be achieved through effective public deliberation, in which different actors seek to reach a viable consensus, even in the face of a conflict-ridden context, as presented in this study. Amid the current ecological crisis, sustainable governance of water and mineral resources should emerge as an essential priority for public, private, and civil society actors. Commitment to participatory and ethical decision-making processes becomes crucial to address challenges and promote sustainable management of these common goods.

The article presents some limitations that deserve attention. Although Argumentation Analysis was adopted within the framework of Critical Discourse Analysis (CDA), we acknowledge that the approach did not delve into certain discursive elements, such as linguistic characteristics, rhetorical strategies, and discursive practices employed by stakeholders. A more thorough exploration of these aspects could have enriched the understanding of power dynamics, ideologies, and underlying assumptions influencing the debate. Another limitation lies in the contextual approach to public discourse, which was not comprehensively addressed. While we have mentioned some historical, social, political, and economic aspects related to the exploitation of mineral waters in Brazil, the analysis could have extended to contextual factors more broadly.

We also recognize the importance of operationalizing these limitations as a broad-reaching agenda for future research. Delving more deeply into discursive strategies, thoroughly exploring contextual elements, and analyzing discursive practices in their entirety could be fruitful directions for subsequent studies, providing a more comprehensive and detailed insight into the subject at hand.

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No additional data are available.

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