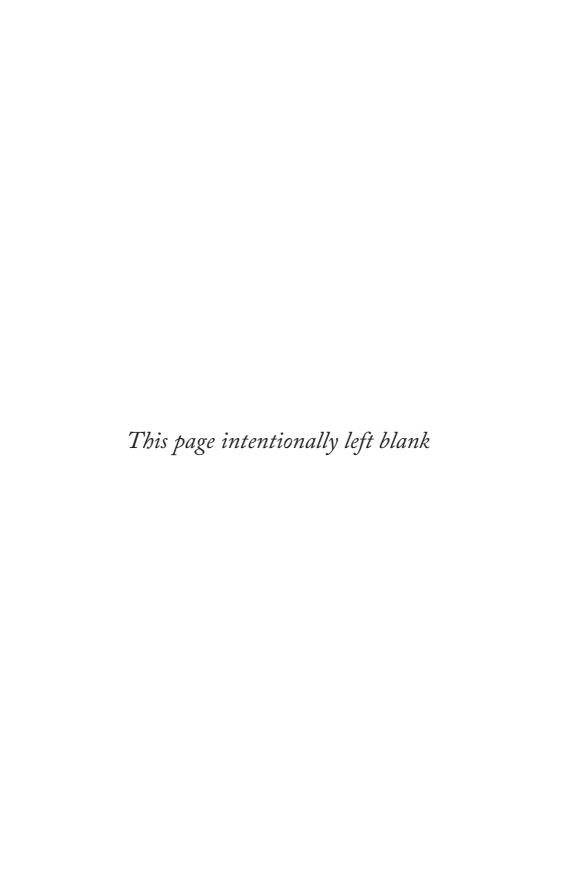# CONSIDERING
PRAGMA-DIALECTICS

Edited by

Peter Houtlosser • Agnès van Rees

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A Festschrift for Frans H. van Eemeren
on the Occasion of his 60th Birthday

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CONSIDERING PRAGMA-DIALECTICS

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Edited by

Peter Houtlosser
University of Amsterdam

Agnès van Rees
University of Amsterdam

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Preface

In March of 1982, Frans van Eemeren, together with Rob Grootendorst, defended the doctoral dissertation they jointly wrote, *Regels voor redelijke discussies. Een bijdrage tot de theoretische analyse van argumentatie ter oplossing van geschillen*, which was published two years later in English as *Speech Acts in Argumentative Discussions. A Theoretical Model for the Analysis of Discussions Directed Towards Solving Conflicts of Opinion*. In this comprehensive and profound inquiry, the pragma-dialectic theory of argumentation was first delineated and defended.

As we now all know, this study turned out to be a landmark in the study of argumentation. As of today, no argumentation scholar who wants to make a serious contribution to the field can afford to ignore to position himself with regard to the insights offered by Pragma-Dialectics.

Ever since that important first publication, Frans, usually in collaboration, not only with other members of what became to be known as The Amsterdam School, but also with leading scholars from other regions of the world, has expanded and elaborated the scope and the depth of Pragma-Dialectics and has reflected on its position with regard to other approaches in the field of argumentation. To mention just a few milestones that stand out on the list of Frans' publications—we cannot begin to give a complete list of all the more than 350 publications that his name is linked up with: In 1987, with Rob Grootendorst and Tjark Kruiger, *Handbook of Argumentation Theory. A Critical Survey of Classical Backgrounds and Modern Studies* appeared; in 1992, with Rob Grootendorst, *Argumentation, Communication, and Fallacies*; in 1993, with Rob Grootendorst, Sally Jackson, and Scott Jacobs, *Reconstructing Argumentative Discourse*; in 1996, with Rob Grootendorst, Francisca Snoeck Henkemans, Tony Blair, Ralph Johnson, Erik Krabbe, Christian Plantin, Douglas Walton, Charles Willard, John Woods, and David Zarefsky,

Fundamentals of Argumentation Theory; and finally, in 2004, with Rob Grootendorst, *A Systematic Theory of Argumentation*. In 1997, in collaboration with Peter Houtlosser, Frans initiated a major new development, by introducing the notion of strategic maneuvring, incorporating rhetorical insights into Pragma-Dialectics. This new development so far has resulted in a great number of articles and a book is about to appear.

Frans' work has received numerous awards and has been translated in many languages (Chinese, Japanese, Spanish, Russian, French, among others). His contribution to the field, however, does not stop here. In 1986, together with Rob Grootendorst, Tony Blair, and Charles Willard, he organized the first of a series of fourth-yearly international conferences on argumentation in Amsterdam. The sixth of these conferences, in the year in which Frans celebrates his 60th birthday, is the happy occasion for the presentation of this book. These conferences have brought together an ever-growing number of scholars in argumentation from all over the world, and are known, thanks to Frans' unending solicitude, for the high standard of their scholarship, as well as for their outstanding provisions, consumed in unusual and interesting surroundings. Frans has founded and presides the International Society for the Study of Argumentation. He is editor and member of editorial boards of a large number of international scientific journals. He has founded and is editor of the journal *Argumentation*, the primary journal in the field. He has initiated and is on the editorial board of *Kluwer's Academic Argumentation Library*, and so on and so forth.

Not only as a scholar and an organizer has Frans earned his marks, also as an educator he has made a major contribution. He has supervised a great many dissertations, has seen a solid number of his former pupils become researchers with an excellent record in their own right, and has fathered two growing international MA programs, the MA in Discourse and Argumentation Studies, and the Research MA in Rhetoric, Argumentation Theory, and Philosophy.

It is not accidental that Frans has consistently collaborated with other scholars in many of his enterprises. All of us who are fortunate enough to have been able to work with him and profit from his astute scholarship, his keen wit, and his humane wisdom, know him to be extremely amiable, a bridge-builder *par excellence*, most hospitable, and, above all, a friend in the fullest sense of the word.

Through his inspiring work and his generous friendship Frans has created a worldwide web of friends among his colleagues in the field. Now, by way of a somewhat belated present for his 60th birthday, these friends want to give something back to him, who has given all of them so much. We have compiled a small volume, in which a number of international colleagues present a piece of their research and indicate how it relates to the pragma-dialectical theory of argumentation with which Frans' name is so intimately connected. It has, due to fairly obvious limitations of space, been impossible to bring together all Frans' many associates in this volume. We have tried to achieve some spread among contributors from different places in the world and from different approaches to the study of argumentation. We gratefully offer this volume to Frans, and hope that he will continue to guide and inspire all of us for many, many years to come.

Peter Houtlosser and Agnès van Rees

Pragma-Dialectic Versus Epistemic Theories of Arguing and Arguments: Rivals or Partners?

John Biro
University of Florida

Harvey Siegel
University of Miami

In this chapter we advance what we take to be the right way to conceive of the relation between what has come to be known as the theory of argumentation and certain traditional philosophical questions about arguments. According to two of the most prominent authors in the field of argumentation studies, argumentation means the "verbal, social, and rational activity aimed at convincing a reasonable critic of the acceptability of a standpoint by putting forward a constellation of propositions justifying or refuting the proposition expressed in the standpoint" (van Eemeren & Grootendorst, 2004, p. 1).[1] Thus a theory of argumentation is a theory of this activity, and its aim must be, as with any theory of anything, to tell us how best to think about what it is a theory of.

Frans H. van Eemeren and Rob Grootendorst's pragma-dialectical theory is the best-developed and most influential theory of this kind.[2] According to van Eemeren and Grootendorst (2004), "argumentation theorists are interested in the . . . analysis and the evaluation of argumentative discourse" (p. 2). Central to the pragma-dialectical theory is the idea that argumentative discourse (i.e., argumentation in the activity sense) aims "to

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[1]   Although van Eemeren and Grootendorst claim that this definition "is certainly in line with the way in which the word argumentation is used in ordinary usage" (van Eemeren & Grootendorst, 2004, p.1), we are not so sure. When, for example, we say of a paper that the style is good but the argumentation leaves something to be desired, we do not seem to be referring to an activity. Nor are we saying exactly what we would be saying if we said that the argument(s) were bad, in the usual ways in which arguments, taken as abstract objects, can be: by being unsound, invalid, fallacious, irrelevant, etc. We are saying something about the way the author argues for his claims, his choice of arguments and their probative force. (If the arguments are irrelevant, the argumentation is poor but not irrelevant). The definition seems to us to be one of *arguing*. But we will not make an issue of this and will, in what follows, conform to van Eemeren and Grootendorst's usage.

[2]   Indeed, the very notion of a theory of argumentation in the sense just specified is so closely bound up with this particular example of it that it is not clear that there are any other theories of precisely the same thing.

resolve a difference of opinion in accordance with critical norms of reasonableness" (p. 53).

The analysis and evaluation of arguments has, of course, always been a central interest of philosophers, in two different ways. One of these is just that that is what philosophers *do* with particular arguments, both others' and the ones they themselves devise. At least in the mainstream Western tradition, doing philosophy is doing this and nothing else, and doing anything else is not doing philosophy. The other way in which the analysis and evaluation of arguments is important in philosophy is as something that itself stands in need of analysis and standards of evaluation. Such analysis and the development of such standards is the task of logic, understood in a suitably broad sense, including not just formal logic, deductive and inductive, but parts of epistemology and the philosophy of science, as well. In fact, the task is clearly an epistemological one, if one thinks of an argument, as we believe the tradition just alluded to does, as a route to knowledge or, at least, to reasonable belief. (Other such routes treated in the tradition include perception, memory, introspection, and testimony.) From this perspective, we can think of an argument as *epistemically serious* if it can serve as a tool for the acquisition of knowledge or reasonable belief. It is for this reason that in previous papers we dubbed the theory of fallacies we advocate, and the broader approach to the study of arguments and argumentation we endorse, an *epistemic* theory: An argument is fallacious if it masquerades as being able to yield knowledge or reasonable belief but cannot in fact do so.

Our main interest here is the relation between a pragma-dialectical theory of argumentation[3] and an epistemic approach to argument (of which an epistemic theory of fallacies is a part). It is our contention that while they can appear to be in conflict, they are in fact complementary, and should be thought of as good companions, rather than rivals. They focus on different things, but these different things are both parts, or aspects, of the complex phenomenon that we (should) want to understand. Another way of putting things is that to understand an activity, one needs to understand the objects—however abstract these may be—with which the activity concerns itself and, conversely, to understand the properties of those objects, one needs to understand the activities in which they play a role and the nature of the role they play. The two are, in fact, inseparable and equally necessary for a proper theoretical understanding of the activity of argumentation, the objects with which that activity concerns itself (i.e., arguments), and of the interrelations between the two.

It is not part of our claim that there cannot be genuine, as opposed to merely apparent, conflict between the two approaches. Indeed, on one interpretation of the pragma-dialectical approach, it and the epistemic approach yield not just a different analysis of what a fallacy is but, not surprisingly, a different extension for 'fallacy'.[4] For the former

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[3]   We say 'a' rather than 'the' to allow for different versions of what we think van Eemeren and Grootendorst regard as a schema for theories, rather than a theory complete in every detail. They often speak of it as a 'research program.' In any case, whether their theory should be regarded as a theory or a theory schema, our remarks apply to a broad range of possible theories of which theirs is by far the most important example.
[4]   For an explanation and defense of the absence of so-called mention-quotes (in the text and in this footnote), see Biro, "'Quotation' and quotation," mss.

(at least in van Eemeren & Grootendorst's (2004) version of it), "Every violation of any of the rules of the discussion procedure for conducting a critical discussion . . . is a fallacy" (p. 175); "fallacies are . . . moves in an argumentative discourse or text that can be characterized as less than constructive, or even destructive, because they are violations of a well-defined system of rules for the resolution of differences of opinion . . ." (p. 175). On this view, if I fail to allow my opponent to challenge the thesis (van Eemeren and Grootendorst's 'standpoint') I have advanced, or fail to defend it when challenged—Rule 2 of their rules for a critical discussion (2004, p. 137)—I have committed a fallacy. This seems wrong to us, as does their claim that "(a)ll violations of the rules in a critical discussion are incorrect discussion moves that roughly correspond to the argumentative flaws traditionally known as 'fallacies'"(p. 22). Shutting up one's opponent or refusing to argue for one's claim is not to commit a fallacy: to do *that*, one has, surely, to be arguing!

However, we will discuss fallacies further here.[5] Instead, we try next to show that if we unpack van Eemeren and Grootendorst's notion of a 'critical discussion' in a certain way, their theory can be seen as implying the correctness of the epistemic approach. On the other hand, we argue, if we do not unpack that notion (and associated notions such as that of reasonableness) in that way, the theory collapses into a rhetorical one, one in which talk of critical discussion and of reasonableness does no work.[6]

The notion of a *critical discussion* is central to van Eemeren and Grootendorst's (2004) account of argumentation. On that account, a critical discussion is "an exchange of views in which the parties involved in a difference of opinion systematically try to determine whether the standpoint or standpoints at issue are defensible in the light of critical doubt or objections" (p. 52). Critical discussions aim at resolving differences of opinion, and attempts to resolve such differences in such discussions are understood to take place "in accordance with critical norms of reasonableness" (p. 53). Resolution is achieved only "when the parties involved in the difference have reached agreement on the question of whether the standpoints at issue are acceptable or not" (pp. 57-58). This is only the beginning of an adequate account of van Eemeren and Grootendorst's model of a critical discussion, which they elaborate in considerable detail (pp. 42-68 and *passim*). But it is enough, we think, to allow us to indicate the two different ways in which it can be interpreted or understood.

The first interpretation centers on *agreement* and *resolution*: A dispute is successfully resolved when the parties to it agree on the acceptability or otherwise of the standpoint(s) at issue. On this understanding, a critical discussion's ending in a resolution (or not) depends on nothing more than the parties' coming to agreement. The grounds for the agreement are irrelevant, since the parties can agree that a particular standpoint is (or is not) acceptable either for different reasons, for the same reasons differently understood, or for the same

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reasons understood in the same way but nevertheless misevaluated. Such agreement can, moreover, fail to be based on reasons at all; it may be caused in a myriad of other ways. On this interpretation, van Eemeren and Grootendorst's (2004) account collapses into a rhetorical one; rhetoric—that is, persuasion aiming at agreement—is all there is to dispute resolution, and since dispute resolution is the aim of argumentation, such rhetorical or persuasive effectiveness is all there is to argumentation.

Many of their remarks can be read in this way, that is, as indicating that agreement is sufficient for dispute resolution, and that such resolution is the aim of argumentation: "The model [of a critical discussion] is based on the premise that a difference of opinion is only resolved when the parties involved in the difference have reached agreement on the question of whether the standpoints at issue are acceptable or not. This means that one party has to be convinced by the argumentation of the other party of the admissibility of that party's standpoint, or that the other party retracts his standpoint because he realizes that his argument cannot stand up to the criticism" (pp. 57-58); "The difference of opinion is resolved when the arguments advanced lead the antagonist to accept the standpoint defended, or when the protagonist retracts his standpoint as a consequence of the critical reactions of the antagonist" (p. 133); "The rules of the pragma-dialectical discussion procedure pertain to the behavior of people who want to resolve their differences of opinion by means of a critical discussion" (p. 135); "The pragma-dialectical rules for a critical discussion . . . combine to form a discussion procedure that indicates which norms the speech acts performed by either of the parties in a difference of opinion must satisfy in order to contribute to the resolution of the difference of opinion" (p. 187); "We present an ideal model in which the rules for reasonable argumentative discourse are specified as rules for the performance of speech acts in a critical discussion aimed at resolving a dispute . . . [Participants] must observe all the rules that are instrumental to resolving the dispute . . . In our approach, committing a fallacy is not automatically considered to be tantamount to unethical conduct: It is wrong in the sense that it frustrates efforts to arrive at the resolution of a dispute. The very fact that they all represent indispensable components of a code of conduct for resolving differences of opinion is the rationale for the 10 discussion rules we present . . ." (van Eemeren & Grootendorst, 1992, pp. 104-105); "The pragma-dialectical ideal model specifies the rules for reasonable argumentative discourse as rules for the performance of speech acts in a critical discussion aimed at resolving a dispute" (p. 217).

Despite these passages, which suggest that this rhetorical interpretation of their account is the one they favor, in other places van Eemeren and Grootendorst are at pains to distance themselves from it. They insist that their account is 'pragma-dialectical' rather than rhetorical, and they criticize merely rhetorical accounts of argumentation and/or dispute-resolution (van Eemeren & Grootendorst, 2004, pp. 123-132). They also criticize Toulmin's and Perelman and Olbrechts-Tyteca's accounts of argumentation for being excessively rhetorical (pp. 47-48). Despite the many passages in their writings which suggest a rhetorical interpretation of their view, then, let us for the moment set that interpretation aside.

The second interpretation centers on van Eemeren and Grootendorst's consistent emphasis on the *normative* dimension of the resolution of a difference of opinion in a critical discussion. Such resolution, they insist, must be 'reasonable' or 'rational,' and must be achieved "in accordance with critical norms of reasonableness" (van Eemeren & Grootendorst, 2004, p. 52).[7] If such reasonableness is understood as we are inclined to understand it, in terms of the degree of warrant or justification afforded the conclusion/ standpoint by the considerations advanced in its favor by one or both of the parties, then van Eemeren and Grootendorst's account is in fact an epistemic one and coincides with our own: good arguments advance knowledge or reasonable belief, and disputes are *rationally* or *reasonably* resolved only when they result in such advance.

Is this the interpretation we should, or van Eemeren and Grootendorst (2004) would, favor? Regrettably, it seems not, because in their discussions of 'rational,' 'critical rationality,' 'reasonable,' and 'normative' they seem to construe these crucial notions in a rather different way. True, they insist that normativity is an essential dimension of argumentation, one that a good theory must capture and explain, and they criticize the (in their view) overly rhetorical accounts of Toulmin and Olbrechts-Tyteca for failing to do this: "What this set of theoretical instruments lacks is a normative dimension that does justice to dialectical considerations. A difference of opinion can only be resolved in accordance with a critical philosophy of reasonableness . . . if a systematic discussion takes place between two parties who reasonably weigh up the arguments for and against the standpoints at issue" (p. 50). We agree that normativity and reasonableness are central to the theoretical understanding of argumentation. But what is a "critical philosophy of reasonableness"? What is it for the parties to "reasonably weigh up the arguments for and against the standpoints at issue"? What counts as a *reasonable* 'weighing up' of those arguments? As noted, if by this they mean something like 'determining whether the arguments result in gains in knowledge or justified belief,' then their account is, in the end, epistemic. But the reference to "dialectical considerations" in the first sentence of the just-cited passage suggests that they do not mean this, and indeed they do not: 'Reasonableness' is understood by them to be dialectical, to be a matter of admissible moves, rather than of epistemically evaluable content. As they continue the just-cited passage, "This means that the set of theoretical instruments that we need has to contain rules and procedures that indicate which moves are admissible in a critical discussion" (p. 50). And, as they put it a few pages later: "The model [of a critical discussion] provides a series of norms by which it can be determined in what respects an argumentative exchange of ideas diverges from the procedure that is the most conducive to the resolution of a difference of opinion" (p. 59). Here, too, norms and normativity concern not matters of epistemological status, that is, the relations obtaining between propositions/conclusions/standpoints and the reasons offered in their support, but are concerned solely with dialectical and procedural matters

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[7]   In Siegel and Biro (1997, p. 290, note 6), we list many passages in van Eemeren and Grootendorst (1992) in which they explicitly reject the idea that dispute resolution is all there is to argumentative quality, and in which they seem inclined to endorse something like an epistemic account.

and with whether they conduce to the resolution of a difference of opinion. So, on the pragma-dialectical view, my intervention in a critical discussion is 'reasonable' just insofar as it conforms to the procedure most conducive to the resolution of a difference of opinion; and my embrace of a standpoint is reasonable just in case it results from a series of exchanges which so conforms.

This reading of van Eemeren and Grootendorst's (2004) 'dialectical' account of reasonableness is confirmed, and that account further developed, in their highly interesting discussion of these matters in the opening sections of chapter 6, "Rules for a Critical Discussion" (pp. 123-134).[8] Here they distinguish 'rational' and 'reasonable' as follows: ". . . we shall use the term *rational* for the use of the faculty of reasoning and the term *reasonable* for the sound use of the faculty of reasoning" (p. 124). They articulate their preferred, dialectical view of the 'sound use of the faculty of reasoning' (i.e., reasonable-ness) in the following way:

> In our view, it is necessary to depart radically from the justificationism of the geometrical and anthropological approaches to reasonableness and to replace these conceptions of reasonableness with a different one. We do so by adopting the view of a critical rationalist who proceeds on the basis of the fundamental fallibility of all human thought. To critical rationalists, the idea of a systematic critical scrutiny of all fields of human thought and activity is the principle that serves as the starting point for the resolution of problems. In this approach, conducting a critical discussion is made the point of departure for the conception of reasonableness—which implies the adoption of a dialectical approach. As we have indicated, argumentation in a dialectical approach is regarded as part of a procedure for resolving a difference of opinion on the acceptability of one or more standpoints by means of a critical discussion. In this procedure, a certain role is played by critical insights from dialectics, by geometrical insights from logic, and by anthropological insights from rhetoric. The reasonableness of the procedure is derived from the possibility it creates to resolve differences of opinion (its *problem validity*) in combination with its acceptability to the discussants (its *conventional validity*). In this connection, the rules of discussion and argumentation developed in a dialectical theory of argumentation must be scrutinized in terms of both their problem-solving effectiveness and their intersubjective acceptability. (pp. 131-132)

So, a move in a critical discussion is reasonable if it comports with the rules governing critical discussions; those rules are reasonable if they are both 'problem-valid' (i.e., tend to produce a resolution of the difference of opinion in question), and 'conventional-valid' (i.e., are acceptable to the discussants). What of the resolution itself? If the parties resolve their difference of opinion by coming to believe that *p*, the standpoint that was the object of the discussion, is this new belief on the part of one of the discussants reasonable? Van

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Eemeren and Grootendorst seem committed to an affirmative answer to this question, independently of consideration of the probative strength of the reasons offered in support of p. This is manifestly not the way that 'reasonableness,' and normativity more generally, are understood on the epistemic approach or, we think, in either philosophical discourse or every-day talk. Nor should it be, since it is clear that disputes resolved in accordance with the pragma-dialectical rules can result in new beliefs which are not reasonable in the straightforward sense that the reasons offered in their support establish their truth or enhance their justificatory status. If you and I are White racists and are engaged in a critical discussion about the wisdom of voting for a Black candidate—I plan on voting for him because, despite his skin color, he reminds me of my father, say—your reminding me of my general attitude concerning the abilities of Blacks, in moves that comport perfectly well with the pragma-dialectical rules, might well resolve our difference of opinion in accordance with rules we both accept, but my new belief that I should not vote for this candidate is still not justified by my racist prejudices, despite our agreement on the matter.[9]

The general conclusions to be drawn here are two. First, 'dialectical reasonableness' as articulated by van Eemeren and Grootendorst fails to capture epistemic normativity as conceived by the epistemic approach, since it is not linked in the right way to truth and justification. It also fails to establish particular resolutions as reasonable in any serious sense, since a 'dialectically reasonable' resolution may nevertheless be completely irrational insofar as there is no good reason for either discussant to accept or believe it. Second, the dialectical view of reasonableness does not escape the collapse into mere rhetoric: the moves conduce to dispute-resolution, and the parties to the dispute accept the rules, but the resolutions reflect merely the parties' having become persuaded of a particular standpoint. There is nothing in dialectical reasonableness to suggest that the agreed standpoints in such resolutions are worthy of belief or to prevent resolutions which end in agreements that do not result in gains in knowledge or justified belief.[10]

The situation can, we think, be summed up as follows. Van Eemeren and Grootendorst face a dilemma. If the goal of arguing is dispute resolution and nothing else, it does not matter how such resolutions are accomplished, and all the talk about critical rationality and reasonableness is idle. By contrast, if we are to take that talk seriously, we must spell out what it comes to. What the epistemic approach offers is a way of doing that, in terms of epistemic seriousness and the ability of an argument to yield knowledge or justified belief. On this approach, it does not matter whether the dispute is resolved or not, as long as one of the parties can be seen to have the better argument as judged by relevant

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[9]   Further such examples which demonstrate how the pragma-dialectical rules and 'dialectical reasonableness' fail to track the relevant sort of normativity (i.e., epistemic normativity) are given in Biro and Siegel (1992, pp. 89-91).
[10]   In a particularly revealing passage suggestive of this collapse into rhetoric, van Eemeren and Grootendorst (1992) write: "There is no serious attempt to rationally justify or refute the disputed proposition. In other words, there is no genuine attempt to convince" (p. 132). Here 'rationally justify' seems to mean simply 'convince.'

epistemic criteria. (We have not discussed such criteria here; they are the stock in trade of epistemology and, whatever they turn out to be, cannot be understood as rules governing argumentative moves but must be understood as relations among premises/reasons and conclusions/standpoints such that when they obtain, gains in knowledge/justified belief result.) One cannot say simply that the goal of arguing is to resolve disputes *and* to do so in a rational way. For 'arguing in a rational way' can and must be spelled out independently of considerations about who ends up with what beliefs. (Once it is, it is easy to see that whether a dispute is actually resolved depends on psychological facts about the party with the weaker case—a matter that is interesting but of no interest in the present context.)

Of course, it is a truism that disputes *should* be resolved in favor of the better argument. So, aiming to show that one has the better argument is, necessarily, aiming to resolve the dispute. On the other hand, aiming to resolve a dispute, even aiming to do so in one's favor, is not necessarily aiming to show that one has the better argument. One could have the former aim without having the latter. This asymmetry shows that the aim of arguing is, at a minimum, not just a matter of dispute resolution. More substantively, the asymmetry shows that the aim of arguing is to effect a gain in knowledge or justified belief, either in oneself or in one's interlocutors.

It is clear than van Eemeren and Grootendorst want to avoid the first horn of the dilemma, which turns their account into a merely rhetorical one. This is the role played in their discussion by their many remarks concerning 'reasonableness', 'critical rationality', and the like. But they must either accept our way of spelling out that talk, in epistemic terms—in which case, their approach collapses into ours—or offer a superior alternative. Perhaps they can do the latter. But the pragma-dialectical rules they do offer cannot be that alternative, tied as they are solely to the aim of dispute-resolution.

The central difference, as we see it, between the pragma-dialectical and the epistemic approaches lies in the different ways they conceive of the role in argumentation and in argumentation theory of dispute-resolution and epistemic seriousness, respectively. The former approach sees the concept of dispute-resolution as tied directly to that of argumentation and as expressing the latter's intrinsic goal. The latter does not, even while recognizing that an argument can be made that it is, and perhaps must be, its proximate goal, instrumental to the intrinsic epistemic one. Such an argument would maintain that the best, and perhaps the only, criterion of epistemic success is agreement among reasonable debaters. This is not the place to discuss whether such an argument is itself a good one. But we suggest that van Eemeren and Grotendorst's theory may be seen, at least in part, as developing an argument of this sort, in which case they mis-state their position and make it look as if they held that dispute-resolution is the intrinsic goal.

Van Eemeren and Grootendorst (2004) criticize Barth and Krabbe's 'formal dialectical theory' (pp. 132-133) for (a) focusing too much on the notion of inconsistency (and thus of truth and falsity) and (b) failing to reflect (in pretending that the parties are engaged in a joint investigation of the logical properties of the argument) the adversarial dynamics of "ordinary argumentative exchanges." They describe the latter in the following way:

> Because a theory of argumentation must, in our view, deal in the first place with ordinary argumentative exchanges in ordinary language, in pragma-dialectics the general starting point is a different one: A speaker or writer advances a standpoint and acts as protagonist, and a listener or writer expresses doubt with regard to the standpoint and acts as antagonist . . . After the antagonist has expressed doubt or criticism, the protagonist puts forward argumentation in defense of the standpoint. If a positive standpoint is defended, the protagonist attempts to justify the proposition(s) expressed in the standpoint; if a negative standpoint is defended, the protagonist attempts to refute this proposition (or these propositions). If there is reason to do so, in both cases the antagonist reacts critically to the protagonist's argumentation . . . (pp. 133-134)

Talk of truth has, indeed, dropped out of this characterization of 'ordinary argumentative exchanges,' but only to be replaced by talk of justifying and refuting propositions. But how else can we understand expressions such as 'justifying/refuting a proposition' other than as elliptical for longer ones in which truth and falsity *is* mentioned: 'showing that *p* is true/false'? Likewise with 'accepting or doubting that *p*,' surely equivalent to the (pleonastic) 'accepting or doubting that *p* is true.' Correspondingly, the target of criticism must, in this context, be the epistemic merit of the argument being put forward.

Why is this important? Because it shows that the activity of argumentation itself consists of taking up various epistemic attitudes to propositions and the arguments they comprise. Not only that, but the only *reason* one could be given in a discussion for accepting (i.e., *coming* to believe) a proposition one did not before is that there are some other propositions one already accepts (i.e., believes) that entail, or in some weaker way make more likely to be true, the first. But, then, the aim of argumentation—that is, arguing—must be to adduce such propositions and to show their probative force with respect to the proposition (standpoint) in question. And that is, surely, just another way of saying that that aim is to construct arguments (abstract objects) which lead to knowledge or reasonable belief. The pragma-dialectical approach may be right in saying that a good (perhaps, the best) *method* we have for testing how well particular arguments fulfill that function is the kind of critical discussion of which they give us a schematic description, and that the best *criterion* for deciding whether a particular argument does so is whether it leads to the resolution of a dispute between reasonable discussants.[11] But it does not follow from this that dispute resolution—even rational dispute resolution—is the intrinsic goal of *arguing*, understood as the production of arguments designed to give others a reason for coming to endorse a proposition they do not yet endorse.

Try to think of it the other way around. It cannot be done. One *could* think of dispute resolution *simpliciter* as the intrinsic goal of arguing and imagine some group of single-minded consensus-builders who do not so much as raise questions of truth, knowledge, or reasonable belief. We can think of such a group adopting the rules for critical discussion that van Eemeren and Grootendorst propose. But can we think of the members of such a

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[11] Note that 'reasonable' here must itself be understood epistemically, on pain of vacuity.

group as either rational or reasonable, simply in virtue of their enthusiasm for resolving disputes?

In attempting to clarify the relation between the pragma-dialectical approach and our own epistemic one, we have had to make some critical comments about the former. We do in fact think that the pragma-dialectical approach must in the end itself embrace an epistemic account of what makes an argument good or bad and have been at pains to establish this. Yet we must also applaud the impressive achievements of van Eemeren and Grootendorst's theory. There is no denying the deep insights afforded by their model of a critical discussion and their account of the rules governing the conduct of such a discussion. Their account of the sorts of moves (speech acts) necessary for the reasonable resolution of disputes captures what is involved in engaging in the activity of arguing. And, as we say earlier, this is part of what a theory of argumentation should do: It is most important for such a theory to develop a detailed account of the *procedural* requirements for being said to be arguing reasonably. No other account does this with the depth and insight of van Eemeren and Grootendorst's. Accordingly, their account of that activity is essential for a full theoretical understanding of the phenomena that a theory of argumentation is intended to account for. We think the epistemic approach, on the other hand, illuminates the objects that activity is concerned with, namely, arguments. If we are right, the pragma-dialectical and epistemic approaches are best seen not as rivals, but as partners, each endeavoring to illuminate different, but equally important, aspects of the range of phenomena that a suitably broad, philosophically adequate theory of argumentation must address.

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2

Pragma-Dialectics and *pragma-dialectics*

J. Anthony Blair
University of Windsor

Three general approaches are possible in any reflection on the Pragma-Dialectical theory of argumentation, initially devised by Frans H. van Eemeren and his late colleague Rob Grootendorst (1984), and continuing to undergo refinement and applications by van Eemeren and his colleagues at the University of Amsterdam and elsewhere. One can develop insights based on its inspiration, one can respond to part or all of it from a *sed contra* perspective, or one can attempt a new insight inspired by the theory in response to objections to it. Each approach implies an acknowledgement of the importance of the theory and all are animated by its spirit. This chapter takes the third approach, with admiration and respect.

Pragma-Dialectics is not one theory but an amalgam of several. Together, its components constitute a detailed, multidisciplinary theoretical complex concerning the nature of argumentation (see van Eemeren & Grootendorst, 1984, 1992, 2004). The overall complex is designed to be capable of informing the analysis, reconstruction and evaluation of any sort of actual argumentation and it is identifiable by the combination of a number of specific features. The whole should be referred as the "Pragma-Dialectical" theory of argumentation, with upper-case initial letters to indicate that it is a proper name.

In this chapter I distinguish from the Pragma-Dialectical multiplex the "*pragma-dialectical* approach" to the study of argumentation—to borrow a phrase from the authors' subtitle (2004). This is an orientation that is generalizable from the particulars of the Pragma-Dialectical theory, and that should be termed the "*pragma-dialectical*" theory of argumentation, with all lower-case letters, since it is a descriptive term, *not* a proper name. (In order to keep the contrast present in readers' minds, I will in this chapter also always italicize the generic term.)

The hypothesis envisaged here is that the Pragma-Dialectical theory is one particular

version—the Amsterdam version—of the *pragma-dialectical* theory, and the two can and ought to be distinguished. The *pragma-dialectical* theory is the general theory, and the Pragma-Dialectical theory is a particular version of that general theory. An implication of this understanding is that it is possible to accept the general theory without accepting every feature of the specific instance of that theory, but not conversely. Another implication is that the general theory might have other versions that apply where the Pragma-Dialectical theory strictly-construed does not, and so, by being more general, the former is more powerful than the latter.

The Pragma-Dialectical theory's authors and promoters have argued over the years against attempts to show that there are some particular kinds or uses of argumentation to which the theory does not apply, as if the success of such claims would undermine the theory. It might be that the success of such claims would undermine the contention that the Pragma-Dialectical theory is perfectly general, but if the distinction suggested here holds, the success of such claims would not undermine the contention that the *pragma-dialectical* theory is general. My own view is that the *pragma-dialectical* approach to argumentation is the correct approach—that in some sense the *pragma-dialectical* theory is true, whereas the particular version of it called "Pragma-Dialectics" is open to serious objections to some of its elements, and if one is required to assess it as the conjunction of all its specific component subtheories, it is false.

It might be thought that the distinction I am proposing has already been made in other terms—that it is embodied in the distinction between normative pragmatics (the generic theory) and Pragma-Dialectics (a specific version of normative pragmatics). This suggestion requires a word of caution. The label "normative pragmatics" has been appropriated by different people for slightly different purposes. In *Argumentation, Communication, and Fallacies* (1992), van Eemeren and Grootendorst construe the study of argumentation to be part of normative pragmatics, "[i]f pragmatics is taken to be the study of language use" that permits the "convergence of normative idealization and empirical description" (p. 5). In his contribution to "a unified philosophy of language and mind" (1994, p. xxiii), Robert Brandom in *Making it Explicit* identifies his subject as normative pragmatics. He takes "pragmatics" to be "[t]he study of the practical significance of intentional states, attitudes, and performances (including speech acts)" (p. 133), and he takes linguistic practice to have an ineliminable normative dimension (p. xiii). Scott Jacobs (1999; see also Jacobs, 2000) sees normative pragmatics to include in particular the study of the communicative properties of messages (their expressive design) and the functional design of messages (the ways "meanings are implicated in chains of social and cognitive consequences that have a bearing on the deliberative process") (1999, p. 400). Goodwin (2001) also stresses the importance of a "design theory" approach in normative pragmatics, and contrasts design theory with Pragma-Dialectics. The accounts of van Eemeren and Grootendorst, and Brandom, while slightly different, are compatible. One might take Jacobs and Goodwin to be contrasting normative pragmatics with Pragma-Dialectics, but it would be more accurate to take them to be proposing an alternative normative pragmatic account of argumentation to the normative pragmatic account offered by Pragma-

Dialectics. Understanding normative pragmatics, then, to be the study of the norms presupposed by and operating in language use, is the distinction I am proposing the distinction between normative pragmatics, the generic field, and Pragma-Dialectics, one particular theory of the normative pragmatics of language use in argumentation?

The answer is, "No." The distinction I am proposing between Pragma-Dialectics and *pragma-dialectics* is the distinction between a particular normative pragmatic theory of argumentation, and a more general normative pragmatic theory of argumentation. To borrow terms from biological classification, "normative pragmatics" is the family of which *pragma-dialectics* is a genus, and Pragma-Dialectics is a species of the genus *pragma-dialectics*.

The hypothesis of the chapter will be supported if there are specifics of the Pragma-Dialectical theory that can be dropped or modified without the loss of the more general outlines and structure of a *pragma-dialectical* theory of argumentation. The strategy is to begin by identifying the elements, the particular features, of the Pragma-Dialectical theory. Next comes a list of possible criticisms of the theory, many of which have been proposed in the literature. These indicate possible vulnerabilities of Pragma-Dialectics. They also raise the prospect of setting aside or modifying some elements of the theory while retaining others unchanged or with only minor revisions. We are then in a position to try to distinguish between what must be retained for Pragma-Dialectics to survive, and what must be retained to maintain a *pragma-dialectical* theoretical perspective that is distinguishable from and more general than Pragma-Dialectics.

ELEMENTS OF PRAGMA-DIALECTICS

The Pragma-Dialectical theory might be regarded as a combination of propositions about argumentation and its analysis and evaluation. To be sure, it is not the mere conjunction of these components; in the Pragma-Dialectical theory they are woven together in a particular, distinctive way. Among these components are the following:

(a) There is a particular concept of argumentation captured by the definition: "Argumentation is a verbal, social, and rational activity aimed at convincing a reasonable critic of the acceptability of a standpoint by putting forward a constellation of propositions justifying or refuting the proposition expressed in the standpoint" (van Eemeren & Grootendorst, 2004, p. 1). On this view, argumentation is a communicative practice with a single particular goal. It turns out that this definition is stipulative, for if one cites instances of argumentation that do not satisfy this definition (such as interior reasoning in a single agent's mind, or collaborative investigations of a standpoint's truth), the authors take the position that such argumentation can be adequately analyzed and evaluated as if it were an instance of the practice captured by the definition.

(b) The approach to the analysis and evaluation of argumentation makes several explicit theoretical assumptions. It treats argumentation from a pragmatic and a dialectical point of view—hence its name. The perspective is pragmatic insofar as it is understands

argumentation as a use of language with a given purpose. It is dialectical insofar as it envisages two parties seeking to resolve a difference of opinion by means of a methodical exchange of moves in a well-ordered discussion (van Eemeren & Grootendorst, 1992: p.10). As such, the approach has four elements. (i) Externalization: only what is expressed or can be reconstructed as expressed is the subject of analysis. By eschewing reference to beliefs, the aim is to avoid making the theory into a psychological theory. (ii) Functionalization: expressions of argumentative discourse are to be analyzed in terms of their functions. That is, argumentation is regarded as a complex of speech acts playing various roles in the speech events in which they occur. It is not analyzed in terms of the logical relations between the propositions expressed or presupposed by the speech acts. (iii) Socialization: argumentation is taken to be an interactional process between two or more parties that always aims at bringing about the effect that differences over a standpoint will be resolved. (iv) Dialectification: argumentation is taken to be rational in the sense that it aims to convince a critical opponent by means of rules regulating a methodical discussion in which the parties attempt to overcome one another's doubt.

(c) It follows from (b) that a detailed description of argumentation will require a speech act-theoretic analysis, and a detailed prescription for argumentation will require rules about which speech acts are permissible at which points in the course of any argumentation process and interaction. Argumentation is viewed as a complex speech event in which a variety of speech acts, direct and indirect, can, according to certain principles of communication, be appropriate at its different stages.

(d) A distinctive element of the Pragma-Dialectical theory is that it assumes the correctness of a Popperian critical rationalist epistemology. It assumes a generalization of Popper's view that the closest that it is possible to arrive at scientific truth is the survival of attempts at refutation. There is no "objectively" ascertainable truth, just propositional attitudes or "standpoints" that withstand attempts to refute them by systematically following a procedure that is "rational" in the respects that it serves successfully to resolve differences of opinion and each step in doing so is acceptable to the discussants. The authors explicitly accept the "Münchhausen trilemma," according to which justification of any kind must either (1) result in an infinite regress of "justifications," or (2) end up being circular, or (3) be broken off at some point that is arbitrarily privileged (van Eemeren & Grootendorst, 2004, p. 131). The Amsterdam theory holds that a standpoint is reasonable if it can withstand the scrutiny of a Critical Discussion.

(e) A crucial feature of the Pragma-Dialectical theory is its use of the ideal model of a "Critical Discussion." (*Critical Discussion* is a term of art in the theory, and since it is also a common enough descriptive phrase outside the theory, when it is used in its privileged or technical sense it should be capitalized.) Actual argumentation is to be analyzed, reconstructed, and evaluated as if it were supposed to conform to an ideal model of argumentation. Any text of argumentation is treated as if it were an episode with four stages. These "stages" are actually different types of interaction that play different roles in the discussion contributing to the goal of rational resolution of a difference of opinion. The theory is not an "ideal observer" theory—that is, it does not presuppose or require

judgments as if these were made by an ideal (omniscient, rational, fair) arguer or critic—but rather it is an "ideal procedure" theory. It requires resolutions that are the result of a rational procedure. The theoretical assumptions are that (a) argumentation is rational in the sense that (or just insofar as) it can produce positive results (as opposed to resulting in an endless iteration of pro and con arguments, or in question-begging circularity, or in some arbitrary stopping point) that are acceptable to its participants, and that (b) such a condition is achievable if and only if a "reasonable" procedure is followed in an exchange of arguments. Such a procedure has several requirements. (i) The parties must agree about and identify clearly what is at issue between them. (ii) They must agree to the discussion rules and the discussion rules they agree to have to be in some sense rational or reasonable. To be reasonable they must include, first, orderly subprocedures for identifying commitments that may be appealed to as premises in the arguments that they use. They must include, second, reasonable inference practices to be used in deriving conclusions from such premises. (In particular, they must allow valid deductive entailments to count as determinative arguments, and in the absence of entailments they must allow instances of appropriate argument schemes appropriately used to count as determinative arguments.) (iii) The parties must agree about what counts as a resolution of their disagreement. The theory does not suppose that actual argumentative exchanges satisfy this ideal model, but it regards the model as constituting a set of norms that can be used to analyse and evaluate actual argumentation. A Critical Discussion is described by a set of constitutive prescriptive rules (15 in the latest version: van Eemeren & Grootendorst, 2004).

(f) The theory contains a theory of fallacy. By definition, any violation of the rules undermines the rational resolution of a difference of opinion, and it is a contention of the Pragma-Dialectical theory that any and all of the traditional fallacies identified in the history of the study of arguments and argumentation correspond to one or another violation of the Critical Discussion rules. Thus the theory also provides a systematic and complete account of all historical fallacies as dialectical—as violations of discussion rules for reasonable disagreement-resolution.

POSSIBLE OBJECTIONS TO PRAGMA-DIALECTICS

One motivation for the distinction between Pragma-Dialectics and *pragma-dialectics* arises from the fact that there are many possible lines of criticism against the Pragma-Dialectical theory as it stands, and many actual criticisms have been registered. Some of these criticisms seem addressed to details whose abandonment or revision would not seem to entail abandoning Pragma-Dialectics as a whole. Other criticisms seem addressed to more significant portions or aspects of the theory, so that were they to stand up, Pragma-Dialectics would be refuted.

1. Critical rationalism is rejected. The Münchhausen trilemma is rejected. One might argue that the burden of proof rests with the proponents of the Münchhausen trilemma, since contemporary epistemology carries on as if it were false. As consistency requires,

van Eemeren and Grootendorst do not try to justify this claim. One might note the paradox, which is worrisome, that if the Münchhausen trilemma is true then it cannot be shown to be true, and if can be shown to be true, then it is false. Moreover, contemporary epistemologists are not one and all Popperians. Alvin Goldman (1999), to name one of many, defends a veritistic epistemology, according to which the aim of argumentation is to arrive at truth rather than at disagreement-resolution.

2. Searlean/Austinian speech-act theory, or its application to argumentation theory, might be rejected. The formulators of Pragma-Dialectics themselves have had to modify Searle's theory so as to apply it to argumentation, which is not a single speech act, but a whole complex of speech acts (see van Eemeren & Grootendorst, 1984, pp. 32-35). Moreover, it is not so clear that speech act theory is needed to illuminate the analysis of argumentative discourse. To take an example: Whether a grammatical interrogative utterance is meant literally or rhetorically is a matter of whether it is an "assertive" or an "interrogative." However, the decision as to which speech act analysis is correct must depend on analyzing the function of the grammatical interrogative utterance in the discourse, and once one has made that determination, the classification of the utterance as one or the other speech act seems superfluous.

The Cooperative Principle of Paul Grice (see van Eemeren & Grootendorst, 2004, pp. 75-80; see Grice, 1975/1989) might be challenged. There are rumblings of dissent from it in some quarters (see Davis, 1998, for instance). Grice's principle is not a synthetic *a priori* principle, and it has resisted confirmation as an empirical prediction.

Notice that speech act theory allows beliefs, ruled out by the externalization requirement, to enter the scene by the back door. One way to see this is to note that according to their analysis, the sincerity condition of the speech act of assertion in argumentation requires that the assertor *believe*, to some degree, that what s/he asserts is acceptable, that is, will be accepted by the other party (or parties) (van Eemeren & Grootendorst, 1992, p. 33). Moreover, there is no reason for an interlocutor in a Critical Discussion to commit to a proposition that he can foresee will result in the refutation of his standpoint or the successful defence of the opponent's standpoint unless he *believes* it and is arguing sincerely from his *beliefs*.

3. The argument reconstruction theory is rejected. As it stands, the theory employs a kind of methodological deductivism in its doctrine about how to reconstruct argumentation from discourse in which it is imbedded. The discourse is to be analyzed as if the arguments were (intended to be) deductively valid, and propositions that must be added to the discourse to produce such analyses are considered to have been unexpressed premises of the arguments. This doctrine has been questioned by some theorists (such as Govier, 1987 and Johnson, 2000), who contend that, absent contextual clues indicating deductive intent on the author's part, it will be an uncharitable interpretation to render the argument deductively valid if the requisite premise is implausible.

4. The theory of fallacy is rejected. John Woods (1992) and Douglas Walton (1992) separately propose conceptions of fallacy that are at odds with the Pragma-Dialectic theory. There are (at least) three lines of argument against the theory of fallacy. One

grants the insight that some fallacies are dialectical, but rejects the claim that all are (holding that some are logical or epistemological). Another contends that the theory stretches the concept of fallacy out of shape by counting any dialectical misbehavior as a fallacy. A third holds that what makes for (some) fallacies is not a violation of the Critical Discussion rules but instead illegitimate dialogue-type shifts.

5. The four stages might be wrong, or apply only to one type of argumentation. One might accept a stage theory, but distinguish different stages. For instance, in such fields as philosophy, much of the argumentation that is carried on is about how precisely to identify the question at issue, so the confrontation stage might be divided to allow for a meta-level argumentation stage. Or again, the argumentation stage seems to bundle together arguments for and against the standpoint, on the one hand, and arguments for and against aspects of the arguments for and against the standpoint at issue (another kind of meta-argument), on the other. Both frequently occur in argumentation. If meta-arguments are conceived as new arguments, the door is opened to an infinite regress. So perhaps the argumentation stage needs to be subdivided. Alternatively, as seems implied by van Laar's defense of the theory against my criticism that it doesn't apply to complex solo arguments (Blair, 1998; see van Laar, 2005), it might be desirable to distinguish layers or levels of dialogue at the argumentation stage. Thus van Laar conceives a protagonist and an antagonist, each of whom can be conceived as playing the roles of both proponent and opponent at a different level.

6. The Critical Discussion rules might be changed in some respects. To take just one rule, Rule 7 (van Eemeren & Grootendorst, 2004, pp. 147-150), which calls for the appropriate use of appropriate argument schemes, it might be argued that the Pragma-Dialectical classification of argument schemes into symptomatic, analogous and instrumental (pp. 96-97) is open to challenge as not being exhaustive (for example), or it might be held that argument scheme theory is in general problematic. A more general point is that the theory as it stands contains no argument that each of the listed Critical Discussion rules is necessary and all are jointly sufficient (see Johnson, 1995). Hans Vilhelm Hansen (2003), for instance has argued that some entail others, from which it would follow that some are basic and others derivative.

7. Either not all argumentation can be modeled as an attempt to resolve a difference of opinion, or else it is not economical or fruitful to try to assimilate all argumentation to that model. Jean Goodwin (1999) has argued that argument can have other goals than the resolution of disagreements. I think that individual or collective argumentation used for inquiry or deliberation is not best modelled as if it were argumentation aimed at disagreement resolution (see Blair, 2004).

8. Ideal model theorizing is rejected. It is possible to take the position that norms and ideals can be pursued without presupposing an ideal model, and much normative theorizing about argumentation is carried out without embracing an ideal model. Whether or not they are right, there is no necessary requirement that one must be assuming an ideal model in regarding argumentation as a practice (and hence as normatively guided) and in holding it up to standards of logical, epistemic, or dialectical rigor.

9. The primacy of the dialectical is rejected. A case in point are rhetoricians such as Christopher Tindale (2004), who argues that a rhetorical perspective, not a dialectical one, is in some sense basic.

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Several possibilities are raised by the prospect of these lines of possible criticism, or others like them. One possibility is that what is telling in the lines of criticism at most calls for some revisions of the Pragma-Dialectical theory. This would be this case, for instance, if the threefold classification of basic argumentation schemes were to be replaced by some other classification, or if the rules constitutive of Critical Discussions were added to or modified without changing the basic character of a Critical Discussion. For instance, a revised conception of the nature of logic could be dropped into the theory, calling for a replacement of "Commandment" 7 (the validity rule) and "Commandment" 8 (the argument scheme rule) of the latest version of the theory (van Eemeren & Grootendorst, 2004, pp. 193-195) without changing the essential nature of the theory. Even if the precise characterization of the four "stages" of an idealized argumentative interchange were modified, I think the revised theory would still be recognizable as a modified version of the Pragma-Dialectical theory. In this regard, notice how van Eemeren and Houtlosser's (2002, 2003) recent renovation to allow for a rhetorical component does not invite the judgment that the theory has been abandoned or replaced. The theory would be Pragma-Dialectics revised.

A second possibility is that the scope of the Pragma-Dialectical theory has to be restricted. If it should turn out, for instance, that the rational resolution of a disagreement is not the only purpose of argumentation—or, to put the point somewhat differently, if it should turn out that using the Critical Discussion ideal to model argumentation with other objectives than the rational resolution of a disagreement is not the most perspicuous way to model them—then the Pragma-Dialectical theory would not have been shown to be false or unacceptable, but it would have been established that there is a need for a parallel theory or model that is more perspicuous for these other purposes of argumentation. Since the model of a Critical Discussion is a central tenet of the Pragma-Dialectical theory, the parallel theory would not be a version of Pragma-Dialectics, but it might still be a *pragma-dialectical* theory in that it might share enough of the features of its opposite number to be classified as belonging to the same genus. Such a theory would be a complement to Pragma-Dialectics.

A third possibility is that so many of the elements of the Pragma-Dialectical theory are replaced by alternative accounts that the resultant theory bears only a family resemblance to the Pragma-Dialectical theory. For instance, if critical rationalist epistemology were replaced by a veritistic epistemology, and the fallacy theory were replaced by Walton's theory, and some of the precise features of the theory's approach to the analysis of discourse were rejected (say, due to a rejection of Grice's Cooperative Principle), then

even though the resultant theory retained many Pragma-Dialectical features (for instance, it might remain an ideal-model theory, it might retain the speech-act analysis, it might have discussion rules), it could not be advertised using the Pragma-Dialectical trademark. However, it might remain pragmatic and dialectical in inspiration, and look in many respects like its Pragma-Dialectical cousin. It might be most accurate to identify it as a *pragma-dialectical* theory, though not Pragma-Dialectics. Such a theory would be a competitor. This might be the place to locate Walton's ever-developing conception of argumentation (see, e.g., 1998) or that of Jacobs (see 1999, 2000).

The fourth possibility is that so much of the theoretical apparatus of Pragma-Dialectics is rejected that no theory of argumentation consistent with that rejection has any generic resemblance to the original theory and so none could be termed *"pragma-dialectical"* in any accurate sense.

What properties would a theory of argumentation have to have in order to qualify minimally as a *pragma-dialectical* theory? I suggest that it would have to have as a minimum the following three properties.

(1) It would be a pragmatic theory in the following respect. Argumentation would be analyzed and assessed not just in terms of the probative relations among propositions, but also in interactional and functional terms, and hence as well in terms of the particular contexts in which it occurs. Argumentation would be taken to be a kind of communication practice.

(2) It would be a dialectical theory in the following respect. Argumentation would be analyzed as in some essential respect involving shifts from pro to con points of view, from challenges to responses, examining an issue or responding to a proposal both from the perspective of what can be said positively in its favor and also from the perspective of a critical assessment of it.

(3) It would be a normative, or a descriptive and normative theory. It would have a normative element that plays a central role. Argumentation would be taken to be, or to be parasitic upon, a rational activity in some sense and to some degree. By this test, Willard's theory of argument is not *pragma-dialectical* (Willard, 1989), but, perhaps surprisingly, Johnson's is (Johnson, 2000).

A *pragma-dialectical* theory would not be a version of Pragma-Dialectics unless it were beefed up with additional properties. It seems that at least the adoption of the critical rationalist epistemology, an ideal model approach, and in particular the ideal model of a Critical Discussion, which also implies the adoption of some sort of speech act theory, would have to be included.

What would a theory of argumentation that was not *pragma-dialectical* look like? There are several possibilities. One would be a theory that focused exclusively on the logical or epistemic properties of the sentences or propositions (informal logic?). Another would be a purely empirical theory that classified argumentation exclusively in terms of such categories as persuasive effectiveness and sought explanations of variations in those properties in terms of variations in social or psychological properties of arguers, audiences or variations in rhetorical strategies or figures (the "new rhetoric"?). A third would be a

theory that focused microscopically on the linguistics of argumentation, such as the theory of *argumentation dans la langue* of Anscombre and Ducrot (1983).

Readers might hope for a systematic basis for the inclusions and exclusions of these classifications, but I am afraid the effort to supply one will have to be the subject of another paper. At this point, the grouping is based on features that seem salient to this writer. I invite others to take on this task of the distinctions proposed here seem worth maintaining.

CONCLUSION

It is both liberating and empowering to distinguish *pragma-dialectics* from Pragma-Dialectics. It is liberating, because it releases the theorist who is critical of some parts of the Pragma-Dialectical theory yet convinced of the merits of others of its features from having to take an all-or-nothing stand with respect to the theory. It is a Hobson's choice for such a theorist to be confronted with the two options of accepting the theory in its entirety or giving it up in its entirety. Moreover, as we have seen, recognizing that one can embrace a *pragma-dialectical* approach without having to sign up for every detail of Pragma-Dialectics also opens up the possibility of a third option, namely a version of Pragma-Dialectics that differs from the original theory by virtue of containing corrections or modifications that improve it. The distinction is also empowering, because it enables the application of insights that are generalized from the Pragma-Dialectical theory to be applied to uses of arguments that are not Critical Discussions and are not perspicuously modeled as if they were. Even if a theorist cannot subscribe to certain essential features of Pragma-Dialectics, such as its critical rationalist epistemology, he or she can still be in the *pragma-dialectical* business and apply the insights of that approach to the study of argumentation.

The possibilities that the generalization of Pragma-Dialectics opens up are entirely due to the great suggestiveness and complexity of that theory. The community of argumentation scholars over the past 20 years owes much to the original insights of van Eemeren and Grootendorst and, even setting aside the continuing work of the School of Amsterdam, which shows no signs of abating, the influence of their work to date will shape the field of argumentation studies for many more years to come. It is an honor to have the opportunity to offer these reflections as a token of gratitude to Professor van Eemeren and the memory of Professor Grootendorst.

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Pragma-Dialectics and Self-Advocacy in Physician-Patient Interactions

Dale E. Brashers
University of Illinois at Urbana-Champaign
Lance S. Rintamaki
Hines VA Medical Center and Northwestern University
Elaine Hsieh
University of Oklahoma
Jennifer Peterson
University of Wisconsin at Milwaukee

PRAGMA-DIALECTICS AND THE IDEAL MODEL OF CRITICAL DISCUSSION

The pragma-dialectical theory of argumentation presents an ideal model of *critical discussion* in which a proponent advances a standpoint and defends it against the challenges of an opponent (van Eemeren & Grootendorst, 1992). Van Eemeren, Grootendorst, Jackson, and Jacobs (1993) elaborated the theory with a method for reconstructing and improving argumentative discourse. They described higher-order conditions needed to achieve a "correct, justified, and rational" (p. 25) conclusion. *First-order conditions* are the basis for resolution-oriented interactions and include rules of the discussion (e.g., "Parties must not prevent each other from advancing standpoints or casting doubt on standpoints." "A party that advances a standpoint is obliged to defend it if the other party asks him to do so." "A party may defend his standpoint only by advancing argumentation relating to the standpoint." see van Eemeren & Grootendorst, 1992, p. 208). Violations of the first-order conditions lead to fallacious moves in the argument: Shifting or evading the burden of proof is a failure to meet one's obligation to defend a standpoint that has been challenged (van Eemeren & Houtlosser, 2002). *Second-order conditions* "correspond, roughly, to the psychological makeup of the arguer" (van Eemeren et al., 1993, p. 32) and include requirements such that the participants (a) are disinterested in the outcome (i.e., willing to change positions); (b) are able to offer valid reasoning and to account for multiple lines of argument; and (c) are skilled and competent in the subject matter under

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discussion. *Third-order conditions* "stress the importance of political ideals such as non-violence, freedom of speech, and intellectual pluralism as well as practical constraints and resources for empowering critical discussion" (van Eemeren et al., 1993, p. 33). These conditions reflect the assumed "symmetry in the status of participants; neither party can be dependent, subordinate, or inferior" (p. 33).

The model of critical discussion presented by van Eemeren and colleagues, however, represents an ideal or a normative standard by which arguments can be judged—not a description of real argument practice. As Jackson (2002) noted, "highly theorized models of ideal argumentative practice such as the pragma-dialectical model of critical discussion depend on competencies and conditions that are almost never satisfied in actual inter-action" (p. 116). However, it is both interesting and important to understand how actual practice deviates from the ideal model. Interactions can be examined to determine to what degree deviations from the ideal harm disagreement resolution and how to improve practice when they do, what Jackson (2002) described as the "engineering of argument" (p. 105). Building a normative theory of practice can help us understand how communication behaviors are evaluated and how communicators can achieve desired outcomes (Goldsmith, 2001). This process includes identifying dilemmas of interaction, and options for responding to those dilemmas (Brashers, Neidig, & Goldsmith, 2004).

One case in which deliberative interactions might vary from the ideals of critical discussion is self-advocacy (Janoff-Bulman & Wade, 1996). People often face the task of persuading others for something they need or want for themselves. Self-advocacy is a unique argumentative task that is defined by self-interest in advancing a standpoint, such as writing a letter of application for employment or asking for a raise in salary. People who need to advocate for themselves may or may not be skilled in situation-specific rules of deliberation (e.g., self-represented litigants in court proceedings) and may not be recognized as experts in the subject matter being discussed (e.g., patients in healthcare settings). These deficiencies may need to be overcome or adjusted for in discussion.

Healthcare interactions are a particularly interesting context in which individuals might need to advocate for themselves. A great deal of research indicates that people managing illnesses desire more input into healthcare decision making, yet it is often difficult for them to enact (Brashers, Haas, Klingle, & Neidig, 2000). There are disparities in expertise and status that signal power differences, physicians often are trained to take control of decision making, and patients often do not assert themselves in the healthcare setting. There is evidence, however, that patients are becoming increasingly consumerist and likely to claim power for themselves (Ainsworth-Vaughn, 1998). It is important to understand more fully how and why patients promote their own interests, and what outcomes are associated with self-advocacy (Brashers, Haas, & Neidig, 1999; Brashers, Haas, Neidig, & Rintamaki, 2002). The following section describes patient self-advocacy and outlines some challenges.

PATIENT SELF-ADVOCACY

Brashers, Haas, et al. (2000) defined self-advocacy as "persuasive efforts of an individual that are in the individual's interest" (p. 396). In the context of HIV and AIDS, they related self-advocacy to social activism—that is, people living with HIV often learned self-advocacy strategies from participating in collective actions (for descriptions of AIDS activism, see Brashers, & Jackson, 1991; Epstein, 1996; Fabj & Sobnosky, 1995; Meyers & Brashers, 2002). Brashers, Haas, et al. (2000) argued that activists learn to educate themselves about the substance of their discussion, are more assertive in their inter-actions, and are willing to be "mindfully" noncompliant. Self-advocacy in this context then involves patient empowerment, health literacy, and informed decision making. These characteristics translate from social activism, such as AIDS activists' efforts to change healthcare policies, to self-advocacy, such as a patient asking for a particular medication or procedure.

Patient self-advocacy is a particularly challenging persuasive task. Brashers, Haas, and Neidig (2002) theorized that self-advocacy is a unique form of critical discussion that may violate its basic assumptions. They noted, therefore, that people engaged in self-advocacy must address two levels of argumentation. *At the first level,* a standpoint is advanced and a recognizable source of disagreement is raised (Houtlosser, 1994). Consider the following from Brashers, Haas, and Neidig (2002), in which a patient recommends a treatment option to her physician and her physician challenges the standpoint:

Patient: "I believe I should try drug X."   (1)
Physician: "Drug X is unproven for your condition and therefore
              I will not prescribe it."

A number of factors recently have increased the likelihood that patients see healthcare encounters such as this one as opportunities or venues for self-advocacy. Medicines and medical procedures are advertised directly to consumers on television (Brownfield, Bernhardt, Phan, Williams, & Parker, 2004), in newspapers (Illes et al., 2004), and on the internet (Huh & Cude, 2004; Macias & Lewis, 2003) and physicians sometimes agree to requests for advertised medications (Kravitz et al., 2003). In addition, patients now use the internet to locate information about their illnesses and possible treatments, which they subsequently take to their medical appointments (Broom, 2005). Finally, govern-mental and healthcare industry policy debates in some countries are seen to encourage patient empowerment (e.g., the discussion of the "Patients' Bill of Rights" in the United States, see McLellan, 2001).

Healthcare providers, however, can challenge the persuasive efforts of patients; there-fore, a discussion may be required to resolve the issue. When doubt is cast on a standpoint, as in Example 1, movement toward resolution requires that the facts of the case be established (e.g., "Is the medication safe and effective?" "Are there side effects that could make taking the medication difficult or impossible?" "Can the patient make the lifestyle

changes needed to take the medication?"). These are the normal expectations of pro-argumentation: The protagonist must establish the grounds for accepting a standpoint. In the ideal model of critical discussion, advancing and casting doubt on a standpoint represent the *confrontation stage*, clarifying common ground and resolution mindedness occurs in the *opening stage*, advancing and reacting to arguments is the *argumentation stage*, and resolving the disagreement (accepting or rejecting the standpoint) is the *concluding stage* (van Eemeren & Grootendorst, 1992).

According to Brashers, Haas, and Neidig (2002), the patient also may need to address the circumstances of the argument *at a second level* (e.g., "Is the patient competent to make a decision about treatments?" "Do political concerns prevent a fair and accurate representation of the data?"). These second-level requirements of self-advocacy are derived from the idealization of discussion procedures; that is, the higher-order conditions described by van Eemeren et al. (1993). Realizing these higher-order conditions in practice can be difficult (Jacobs, 1999, 2000). In physician-patient interactions, social and personal barriers to normative discussion exist. Self-advocacy reveals a rhetorical dimension to argumentation: "people who take part in argumentative discourse try to resolve the difference of opinion *in their own favor*, and their use of language and other aspects of their behavior are designed to achieve precisely this effect" (van Eemeren & Houtlosser, 1997, p. 52). Patients who want to persuade their physicians to prescribe a treatment are not likely to be "disinterested" in the outcome, particularly if they come to the interaction with a personal decision preference. Moreover, physicians and patients may have motivations other than resolution seeking (e.g., maintaining or challenging existing power structures, managing identity, or maintaining relationships). Patients may lack appropriate expertise, or they may be perceived to lack appropriate expertise, in the subject matter (i.e., medicine, virology, and so on) needed to debate issues. Patients may feel pressured to reach a decision quickly due to the severity of the consequences of not finding an effective treatment. Physician-patient relationships often are asymmetrical in power, time constraints of the medical interview can decrease the patient's ability to develop arguments, and patients may choose to discontinue relationships with their physicians rather than continue debate.

Deviations from the ideal provide a starting point for examining the unique argumentative requirements of patient self-advocacy. If there are real or imagined violations of the ideal model, discussants may need to deal with them explicitly. For example, self-advocating patients must establish self-interest without appearing selfish. By this, we mean that the patient needs to be willing to develop arguments that advance a position other than "desire" (i.e., "I want this medication" is insufficient argumentation). Although some claim that all behavior is self-interested (Elster, 1990), some interests obviously are more self-serving than others. Self-advocacy also requires establishing sufficient competence to advance a position. Competence includes expertise in the subject matter, ability to argue effectively, and mental competence and freedom from emotional duress. Finally, self-advocacy may require impartiality. Evidence may need to be externally verifiable to prevent the patient from serving as his or her own witness.