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# Commentary on Hicks

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# COMMENTS ON DARRIN HICKS', "SUBJECTIVITY AND GOVERNANCE IN PROCEDURAL THEORIES OF ARGUMENT"

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According to Hicks, a theory of argumentation committed to the principles of democratic pluralism which wants to reject epistemological and moral relativism must be founded on a set of principles that warrant the assent of any reasonable person independently of his or her moral, religious, political, and philosophical commitments. Given this starting point, a theory of argument must discover or invent a set of normative principles to evaluate argumentation while respecting the fact that people will contest the norms of political and social conduct.

In order to develop such a theory, according to Hicks, a procedural theory of argument which locates these normative principles in the rightness of the procedures regulating critical discussion is the most suitable means. He argues that pragma-dialectical theories as developed by Van Eemeren and Grootendorst can provide critical normative grounds for critiquing argumentative practices that avoid the problems of objectivism and relativism. The reasonableness of procedural designs is based on the practices that a rational person employs when they are truly oriented to resolving a difference of opinion. A procedural theory of argument, thus, allows for the background assumptions, decision-making practices and prejudices of a particular community to be the object of scrutiny.

In order to guarantee that a difference of opinion can be resolved according to a particular procedure, pragma-dialectical theory distinguishes a set of higher order conditions which specify the psychological and socio-political conditions necessary for conducting critical discussion. According to Hicks, these higher order conditions can be used as a strategy for answering the charge that procedural theories rest on an untenable conception of the person.

In his paper, Hicks develops his argument in defence of the usefulness of the ideal arguer specified in these conditions as follows. First, he reviews a particular objection to the conception of the arguer set out in procedural theories of argument, namely that this conception of the arguer is underwritten by an untenable model of the person. He then briefly tries to answer this objection by a particular reading of the second-order conditions presupposed in critical discussion, namely that procedures constitute the substantive identity of the arguer and that this 'autonomous self' described in the discussion of higher conditions is not too thin to engage in critical discussion. He concludes by saying that the task of argumentation theory is to transform individual arguers into ideal critical discussants by equipping them with skills and encouraging attitudes required for ideal participation. In this view, argumentation theory is a form of cultural policy and political education that both presupposes the existence of and provides the techniques for producing self-reflective, critically-minded citizens capable of both cooperation and dissent.

I completely agree with Hicks with respect to the view that certain higher order conditions form a necessary condition for conducting a critical discussion in accordance with a particular procedure. I also agree with him with respect to the view that argumentation theory can offer an important instrument in providing arguers with the

necessary tools for acting as a rational arguer. My comments relate mainly to the way in which Hicks uses certain terms and the way in which he relates them to the pragma-dialectical terminology.

First, I think that a further development of the conception of what he calls 'the autonomous self' or 'the autonomous agent' needs some clarification. Hicks uses various terms taken from various theories to refer to certain aspects of the ideal arguer. In his view, an essential aspect of the ideal arguer in a democratic pluralistic society is his 'autonomy' or his 'self identity'. My first question is: how would he define or describe the characteristics of an arguer who could be considered as 'autonomous'? Do these characteristics overlap with the second-order conditions described in pragma-dialectical theory, or are they a specific implementation of the second order conditions? He lends terms such as 'the formation of self identity', 'the autonomous self', the 'argumentative self' from various theories with different theoretical backgrounds. It would enhance the clarity of the discussion of his conception of the 'ideal arguer' if he could elaborate on the various dimensions and aspects of this arguer and if he could relate these dimensions and aspects to the pragma-dialectical second-order conditions.

Second, in his introduction Hicks states that a theory of argumentation must be 'committed to the principles of democratic pluralism'. I think this is an interesting point of view, and I think that a theory of argumentation could form an important tool in criticizing various discussions which are conducted in everyday life as well as in institutional settings such as politics and law, but I think that the link between a theory of argumentation with the principles of democratic pluralism needs some further clarification. In my view, argumentation theories do not claim to be committed to some specific social or political goal. They claim to embody some conception of rationality, such as a geometrical, anthropological or critical conception, but such a conception of rationality is not tantamount to some social or political stance. Of course, I agree with Hicks that democratic pluralism is an important goal and that a critical exchange of arguments plays an important role in a democratic pluralistic society. For methodological reasons, however, I think that the relation between argumentation theory and democratic pluralism should be made more clear. This could be done by specifying the prerequisites of a pluralistic democratic society and by comparing these prerequisites with the preconditions of a critical discussion as specified in certain theories of argumentation. Then it could be demonstrated how argumentation theory can offer an important tool in developing a critical and rational discussion attitude which is required in a rational critical exchange of ideas, and how argumentation theory can offer an instrument for a critical assessment of the various ideas in a pluralistic society.

To conclude, I think that Hicks's suggestions for the development of a theory in which a specific conception of a rational arguer is developed can form an interesting implementation of the conception of the rational arguer as it is used in pragma-dialectical theory. In order to be able to do this, especially the terminology with respect to concepts such as 'autonomous self' and 'autonomous agent' and the relation between a pluralistic democratic society and argumentation theory must be made more clear.

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