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# Commentary on Erik C.W. Krabbe: “Predicaments of the Concluding Stage”

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## INTRODUCTION

Having addressed in a previous paper (Krabbe, 2006) some of the predicaments that can arise in the first, opening stage of a pragma-dialectical critical discussion, in this paper Professor Krabbe turns his attention to problems associated with the final, concluding stage. Roughly, Krabbe identifies three main problem areas for the concluding stage of a critical discussion, which I will call: (i) getting in, (ii) getting on, and (iii) getting out.

In the pragma-dialectical system, the concluding stage seems to be a relatively uncomplicated affair in which only one type of move – retraction – occurs, and which is (uniquely) governed by only one rule (van Eemeren and Houtlosser, p. 154):

*Rules of the concluding stage: Rule 14*

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

If Krabbe’s argument is correct then, on the assumptions that (i) every discussant has had his or her say, and that (ii) conclusiveness is understood not in an absolute sense but relative to the intersubjective standards of the particular argumentative discussion,<sup>1</sup> condition 14(c) ought never to apply. Thus, the pragma-dialectical system would provide a procedural method by which every externalized difference of opinion may be conclusively resolved – though may always be reopened if, for example, new occasions<sup>2</sup> to doubt the standpoint at issue come to light.

I now turn to each of the three problems areas that Krabbe addresses, and provide some comments on the solutions Krabbe offers in each of these areas.

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<sup>1</sup> On this point, I agree with Krabbe (p. 4) that the right way to understand conclusive attacks and defenses is not in an absolute sense, “but in a sense relative to a particular discussion with particular discussion rules, adopted procedures and agreed common starting points.”

<sup>2</sup> The term “occasion” here is used in quite a loose sense, and is meant to include not only situations where relevant information comes to light (or to mind), but also situations where new participants take up a position on the standpoint.

## GETTING IN

The problem of getting in to the concluding stage involves determining when, or under what conditions it is proper to enter the concluding stage. According to Krabbe:

The task for the theoretician, then, is to find a set of dialectic rules that prevent indefinite and senseless dilation of the argumentation stage, without giving either discussant the power to curb the other's fundamental rights to bring forward arguments or criticisms.

I agree with Krabbe that ending the process of argumentation and entering the concluding phase cannot be accomplished by a speech act. Just as settling who is to be the protagonist – and therefore who will bear the burden of proof in the argumentative process – cannot be settled by a “Tag; you're it.” manoeuvre – at least not in any rationally or argumentatively satisfying way – nor can a similar move bring argumentation to a close, even if it is followed up with, or made more sophisticated by, a “No touchbacks! No backsies!” move. Rather, the settling of these kinds of issues should be determined by the rules governing the argumentative process, or by principles of rationality, logic or evidence which may ultimately form the theoretical bases of the procedural rules.<sup>3</sup>

Initially, Krabbe suggests a solution where “each discussant may open a concluding stage, but will have to pay a fine if the concluding stage does not lead to a resolution of the difference of opinion.” Yet, if Krabbe is correct, the only way that a difference of opinion could fail to be resolved through a critical discussion would be if either party has not yet fully had his say. So, in the end, Krabbe proposes a solution where participants decide themselves, through mutual agreement, to enter the concluding stage. Proposals to enter the concluding stage can be made by either party at any point in the discussion, but if the offer is declined then the proposer must pay a small fine.

A problem with this solution seems to be this: It will generally be in the interest of a discussant who thinks that she has lost a critical discussion (by failing to produce a conclusive attack or defense), to forestall any movement into the concluding stage. Thus, given the option to decline going to the concluding stage, the prospective ‘loser’ could simply filibuster the argumentative process by continually declining any proposal to enter. This motivation might lead to a type of strategic manoeuvring by which the ‘loser’ attempts to filibuster the argumentative process by continually refusing to move to the concluding stage. Clearly, such a discussion move threatens the resolution of a critical discussion – and is thereby fallacious (van Eemeren and Grootendorst 1987) – but so far it is not clear that it violates any of the rules of a critical discussion.

At the very least, then, it would seem that discussants who decline a proposal to move to the concluding stage must ‘move towards having the rest of their say’ in subsequent discussion moves.<sup>4</sup> This might involve expressing new or unresolved doubts,

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<sup>3</sup> For example, consider the old adage “He who asserts must prove,” which acts as a principle in determining which party will bear the burden of proof. In this case, it looks like the problem is adequately settled by Rule 3 – the obligation to defend – of the Pragma-Dialectical code of conduct for a critical discussion (van Eemeren and Grootendorst 2004, p. 139).

<sup>4</sup> Here it might be noted that arguers proposing to move to the concluding stage are, on Krabbe's account, implicitly committed to the claim that each participant has fully had her say. Thus, by moving towards

bringing new information to bear on the existing argumentation or standpoint at issue, or observing (at least one of) those points of the argumentation which have already occurred but which have not been properly settled according to one of the available intersubjective procedures (e.g., identification, inference or testing).<sup>5</sup> Failing this, perhaps arguers refusing to move to the concluding stage ought to (i) have to pay a small fine, and perhaps even (ii) be compelled to move to the concluding stage on the grounds that they have had every fair chance to have their say.

Yet in regard to (ii) I would like to express some further concerns. An arguer's reluctance to move to the concluding stage even though she cannot move the argumentative discussion forward in any substantive way (i.e., even though it appears that she has had every opportunity to 'have her say') need not be the result of a fallacious attempt to filibuster the argumentative process. An arguer may (even justifiably) feel that a standpoint has not been conclusively defended *even though* she cannot launch a conclusive attack against it. For example, she may believe that *someone else* – perhaps someone who is either more knowledgeable about the topics under discussion or a better arguer than she, *would* be able to provide a conclusive attack of the standpoint even though she cannot. Here it seems to me that an arguer's reluctance to move to the concluding stage, thereby conceding a standpoint about which she still harbors doubts, is justifiable even though she may have nothing more to say in the argumentative discussion given her present knowledge state.

To me this presents an additional problem for getting into the concluding stage of argumentation which needs to be resolved.

## GETTING ON

The problem of getting on is, roughly, what to do once one is in the concluding stage: what occurs there and how is it to be conducted? Krabbe writes that:

The predicament here is that, in order to establish the yield of their discussion, they must either take the results of the argumentation stage for granted or make an assessment of the results of the argumentation stage. In the first case, the whole concluding stage would be nugatory, since everything has been established in the argumentation stage, whereas in the second case the attempt to assess the results of the argumentation will involve the use of arguments and hence catapult the discussants back into the same or another argumentation stage.

Krabbe's (p.3) 4-step procedure for conducting the concluding stage seems to indicate that he takes the concluding stage to involve making an assessment of the results of the argumentation stage using the intersubjective evaluation procedures agreed to in the opening stage.<sup>6</sup>

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having the rest of her say in subsequent discussion moves, an arguer shows this commitment to be false, and the proposal to be premature.

<sup>5</sup> In this commentary, I will refer to the entire collection of such procedures as "intersubjective evaluation procedures."

<sup>6</sup> The following concern really constitutes an extended digression, not directly related to Krabbe's main point. Yet, to my mind it also presents an important problem affecting the ideal outcomes of argumentation and the overall acceptability of an arguer's position considered in its entirety. I include it therefore as an extended footnote.

*The problem of retracting starting points, fixed points and intersubjective evaluation procedures:*

I agree with Krabbe's initial view that including assessment in the concluding stage involves a return to argumentation proper – even if this assessment is conceived of as a meta-dialogue.

As I understand it, the purpose of the concluding stage seems to be quite singular: the evocation of a speech act of retraction either on the part of the proponent (retracting her initial standpoint) or on the part of the respondent (retracting his initially expressed doubt about the standpoint). This speech act of retraction brings about a state of agreement between the parties to the argumentation (characterized by a consistency of their mutual commitments) with respect to the standpoint at issue.

Further, the initial difference of opinion is said to be *resolved* because these speech acts of retraction occur in accordance with – indeed result from – the parties following the rules of the critical discussion. Speech acts evoked in the concluding stage are the direct result of obligations participants incur in the argumentation stage. It is because of this that differences of opinion are actually *resolved* (in accordance with rules normatively sanctioning the result) rather than just settled by agreement or on some other basis.

Further still, it is because the rule(s) governing the concluding stage, and creating the obligations to retract, are directly linked to rules governing speech acts in argumentation stage that the results of argumentation (e.g., the retraction and subsequent state of agreement) can be said to be *based on* the argumentative process itself.

Finally, it is because the speech acts evoked in the concluding stage are the direct results of obligations that participants incur in the argumentative stage that the *resolution* of the difference of opinion actually is achieved (or occurs) in the argumentation stage.

What happens in the concluding stage, it seems to me, is that this resolution is externalized – it is explicitly recognized, or *ratified*, by the participants to the argumentative process.

So, on my reading, the concluding stage is short and sweet. It does not involve either an evaluation of arguments put forward in the argumentation stage, nor does it revisit the evaluations of argumentation put forward in the argumentation stage. Yet, nor is it nugatory. Rather it externalizes the results of argumentation (i.e., the resolution of a difference of opinion) which has been achieved in the process of argumentation.

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Krabbe notes that, in a critical discussion, the acceptability of a standpoint will ultimately be determined according to the shared commitments and intersubjective evaluation procedures agreed to in the opening stage of argumentation. As I understand the pragma-dialectical system, commitment to things agreed to in the opening stage of argumentation is not retractable over the course of a critical discussion. I think that this restriction is mistaken. Previously (Godden 2008), I have argued that the acceptability of a claim is determined by how well it survives the process of argumentation, not where it stands at the beginning. Our fallible nature as rational and epistemic agents would seem to indicate that starting points which lead to unexpected or undesired results should be re-examined and perhaps abandoned. This applies not only to claims in an initial commitment set which subsequently seem to contradict new information, but also evaluation procedures endorsed in an opening stage which later seem to produce unreliable results. For example, suppose that a source initially endorsed as reliable and authoritative is either (a) subsequently shown to be unreliable or (b) begins reporting information that is either (bi) inconsistent with information reported by other presumptively reliable and authoritative sources, or (bii) is inconsistent with some of our other, well-entrenched commitments. Failure to permit retraction to these initial commitments could jeopardize the results of argumentation, if participants feel that the evaluation procedures they initially endorsed are beginning to produce unacceptable results to which they nevertheless remain bound by the rules of the argumentative process.

## COMMENTARY ON ERIK C.W. KRABBE

Thus, while Krabbe portrays the concluding stage as the ‘drinks and tidbits’ stage of argumentation, I think that the ‘drinks and tidbits’ are properly reserved for the subsequent gathering on the backyard patio. The concluding stage, I think, is more correctly understood as the ‘signing-of-the-paperwork’ phase of a critical discussion, where the results of the argumentative process are ratified by the participants.<sup>7</sup>

### GETTING OUT

If I am correct in my view that the concluding stage is a ‘signing-of-the-paperwork’ phase of argumentation whereby the results of the argumentative process are ratified by its participants, then getting out of the concluding phase seems to be a relatively simple process. Once the paperwork is signed, participants are free to move on to the drinks and refreshments. Any reluctance to sign the paperwork properly belongs to the argumentation stage.

From my point of view, though, the more interesting question here is not how one gets out of the concluding stage, but rather what one’s obligations are *having left* the concluding stage. Are the commitments that one undertakes in the argumentative process, and ratifies in the concluding stage, binding on the participant after the critical discussion is concluded? After all, the *source* of the commitments and obligations incurred in the process of argumentation are the rules constituting and governing the argumentative discussion itself. Yet, if these rules only apply to (i.e., during) the critical discussion itself, then it is not at all apparent – at least not to me – that they are binding on arguers *beyond* the critical discussion. Yet if arguers are not somehow bound by the results of argumentation beyond the argumentative process itself, then what is the *social value* of argumentation as a process for managing disagreement? On the other hand, if arguers should remain bound by the commitments and obligations which they undertake in the process of argumentation, then what *additional* standing or justification (if any) do the rules of a critical discussion require in order to properly apply beyond the conclusion of the argumentative process itself?

[link to response](#)

[link to paper](#)

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<sup>7</sup> This makes the getting out phase even more important, because, of course, we would all like to move on to the drinks and refreshments. Indeed, perhaps explicitly adding a drinks and refreshments stage might help to expedite the argumentative process and to bring about the resolution of a critical discussion, by giving participants an added incentive to finish.