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Predicaments of the Concluding Stage

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ABSTRACT: Argumentative discussion is successful only if, at the concluding stage, both parties can agree about the result of their enterprise. If they can not, the whole discussion threatens to start all over again. Dialectical ruling should prevent this from happening. The paper investigates whether dialectical rules may enforce a decision one way or the other; either by recognizing some arguments as conclusive or some criticisms as devastating. At the end the pragma-dialectical model appears more successful than even its protagonists have claimed.

KEYWORDS: concluding stage, conclusive argument, conclusiveness, critical discussion, devastating criticism, having had one's say, inconclusiveness, Pragma-Dialectics, proofs, recursive definition

1. INTRODUCTION

According to common wisdom, it is easier to get into an argument than to get out of it. And it is not even that easy to get an argument started; certainly not when one wants the argument to proceed along sound lines, as stipulated by the pragma-dialectical model of critical discussion (Van Eemeren and Grootendorst, 1984, 1992, 2004). As is commonly known, this model consists of four stages: the confrontation stage, the opening stage, the argumentation stage, and the concluding stage. In an earlier paper (Krabbe, 2006) I discussed some of the problems that beset the opening stage and make it hard to rationally start an argument. This time I want to concentrate on the concluding stage and the problems that threaten to frustrate the proper ending of an argumentative discussion.

The concluding stage is the one 'in which the parties establish what the result is of an attempt to resolve a difference of opinion' (Van Eemeren and Grootendorst, 2004, p. 61). Supposing the discussion to have been centered upon one initial standpoint (thesis), defended by a protagonist and challenged by an antagonist, the questions that need to be answered in this final stage of discussion are the following: Given what happened in the confrontation stage, the opening stage, and the argumentation stage, is the protagonist now obliged to retract his initial standpoint? Is the antagonist obliged to retract her calling into question of the initial standpoint? Or is neither party obliged to retract its original position? If the first question can be answered in the affirmative, the difference of opinion has been resolved in favor of the antagonist; if the second, in favor of the protagonist; otherwise, no resolution has been achieved.

Section 2 will describe some predicaments connected with the concept of a concluding stage of argumentative discussion. Section 3 will investigate whether the idea of a conclusive argument or a devastating criticism can help us to make the concept more definite. A first impression is, that this will not be the case. Section 4 and 5 continue the investigation of conclusiveness in a pragma-dialectical direction,

taking it to be a notion that is relative to the discussion at hand. In Section 6 we shall see that, ultimately, there is little about conclusiveness that is conclusive, but that nevertheless, within the model of critical discussion, but contrary to the modesty of the pragma-dialectician's claims, a concluding stage will always result in the resolution of the initial difference of opinion.¹

2. SOME PREDICAMENTS

There is a problem about getting to the concluding stage, a problem about what to do once being in the concluding stage, and also a problem of getting out of the concluding stage.

To start with getting to the concluding stage: if there is a predicament here, this can not literally be a predicament of the concluding stage, but should rather be characterized as a predicament of the argumentation stage, because it is from the argumentation stage that one must enter the concluding stage. When should this transition take place? When neither of the discussants has anything left to say? But that could take an indefinite time. Perhaps someone should, after a reasonable period, propose that the discussion be concluded. But who of the discussants can rightfully claim to be in the position to take the initiative and to say: 'Now we have had enough arguments and comments, let's conclude this session.'? And can such an announcement be proclaimed, without any constraints, at any moment of the development of the argumentation stage?

In our salad days, when my brother and I had many arguments, there were no constraints. The concluding stage was announced by a forceful statement of one's opinion and completed by a loud utterance of 'Bang!'. Whoever first remembered that this was the way to end any heated dispute between us, could avail himself of this practical method. For winning the day, just state your final opinion on the issue, followed by 'Bang!'. Later on, we felt this was too easy and one had to utter a more complicated formula: not just 'Bang!', but 'Bang! Stop it! Period!', exactly in that order. This, of course, was much harder to remember in a heated dispute. I think it was my brother who at a certain occasion, after I had performed this little ceremony, and thought my proposition to be safe, continued the argument saying 'Yes, but we must change this a bit'. This, of course, was intolerable. So, in the end, the formula was extended to "read: 'Bang! Stop it! Period! No alterations!'" it worked fine. For one thing, this rule did not spoil our arguments, for in the heat of discussion it usually lasted quite some time before anyone remembered about the way we had decided disputes could be ended.

Yet, one feels that in critical discussion one should observe some more sophisticated protocol for entering the concluding stage. 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.

Second, once the discussants have entered the concluding the concluding stage they are confronted with the problem of what to do next. 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,

¹ Another version of this paper, containing a number of additional notes, will be published in Cédric Dégremont, Laurent Keiff, and Helge Rückert (Eds.), *Essays in Honour of Shahid Rahman*, College Publications, 2007. I wish to thank the anonymous referee of this version, as well as David Godden, who was my OSSA-commentator, for their helpful suggestions.

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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.

That it is often not acceptable that people at the concluding stage revert to earlier stages is nicely illustrated by the case of Mrs. Hans, the notorious antagonist figuring in one of the exercises of a pragma-dialectical textbook (Van Eemeren et al., 2002, pp. 33-36). The exercise presents the case of a discussion at Harrods's department store about whether or not to join a program that would make ex-prisoners available as employees. Mrs. Hans is adamantly opposed to this idea: 'Well, in my view it is sheer madness to employ a bunch of prisoners, and that twenty per cent of my staff members are to be replaced by criminals.' But after some argument from the other side, she seems to be entering the concluding stage when she admits: 'Well, if that's the case, then I can't really say anything more against it.' However, she immediately returns to the confrontation stage, adding: 'But I still can't agree to it'. As the discussion moves towards a positive decision on this issue, she sticks to this attitude of reverting to the confrontation stage, yelling 'No criminals in my department!' and claiming to have insurmountable (but unexplained) objections.

Even if such extremes as those exemplified by Mrs. Hans can be avoided, it is easy to imagine that each concluding stage in which the upshot of an argumentation stage has to be summarized and evaluated, will amply occasion fresh differences of opinion, or revive old ones, leading to more confrontation stages, opening stages, and argumentation stages, that must be ended by concluding stages in which the problem recurs. This yields a third predicament, that of how to conclude the concluding stage.

3. CONCLUSIVE ARGUMENTS AND DEVASTATING CRITICISMS

The predicaments of the concluding stage would not be so threatening if only we had definite, decidable and practicable concepts of what constitutes a conclusive argument for a thesis and of what constitutes a devastating criticism of a thesis. A devastating criticism of a thesis could of course consist of a conclusive argument for the opposite thesis, but it may also amount to a conclusive argument that no conclusive argument for the thesis exists.

Once in possession of such concepts and related decision procedures, discussants could agree to use the following procedure for their concluding stage (assuming there to be just one initial thesis): (1) During the argumentation stage, 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. This fine is needed to prevent the discussants from needlessly interrupting the process of argumentation. (2) In the concluding stage the discussants establish the result of their discussion by first making an inventory of all arguments for the thesis that were, during the argumentation stage, presented by the protagonist. They then apply their decision procedure for conclusiveness to each argument. As soon as it has been found that one of the arguments was conclusive, they declare the protagonist to have won the discussion. (3) They also make an inventory of every criticism of the thesis that was, during the argumentation stage, put forward by the antagonist. They then apply their decision procedure for conclusiveness to each criticism. As soon as it has been found that one of the criticisms was conclusive, and therefore devastating, they declare the antagonist to have won the discussion. (4) If it turns out that, during the argumentation stage, neither a conclusive argument for the thesis nor a devastating criticism of thesis was put forward, the discussion will be declared a draw.

There is one serious drawback to this procedure; that is that, according to Ralph Johnson at least, conclusive arguments do not exist (Johnson, 2000, pp. 228-236). According to Johnson, in order 'to be conclusive, an argument would have to display four properties' (p. 232):

- (C1) Its premises would have to be unimpeachable or uncriticizable. (p. 233.)
- (C2) The connection between premises and the conclusion would have to be unimpeachable—the strongest possible. (p. 233.)
- (C3) A conclusive argument is one that can successfully (and rationally) resist every attempt at legitimate criticism. (p. 233.)
- (C4) The argument would be *regarded* as a conclusive argument. (p. 234; stress added)

Johnson argues that no argument 'has satisfied all these conditions' (p. 234).

But are not mathematical proofs the paradigm examples of conclusive arguments? Johnson holds that 'though mathematical proofs are conclusive, they are not arguments and so are not conclusive arguments' (p. 232). But here, to see whether proofs are arguments, we must distinguish between formal and informal proofs (Krabbe, 1997). Formal proofs, being purely formal objects or syntactic structures, are indeed not by themselves arguments, though they can be used to express arguments, but then these arguments they express (through some process of interpretation) are themselves at most informal proofs. Informal proofs I hold to be arguments, but then, I must admit, these proofs are seldom if ever conclusive (cf. Lakatos, 1976). Even the (informal) proof showing that there is no greatest prime number, may be less conclusive than Johnson seems to assume (2000, p. 232), since one could question the underlying logic or deny the possibility of multiplying arbitrarily big numbers. For Johnson, Euclid's proof is conclusive but not an argument, whereas I would hold that it is an argument, and a very strong one, but not in all respects conclusive. A formalization of Euclid's proof may be called conclusive for the system in which it is formalized, but would not be an argument. Neither Johnson nor I have found a conclusive argument in this case.

Again, are there any conclusive arguments? Of course, Johnson will not hold his argument that there are no conclusive arguments to be a conclusive argument. Neither do I. Nevertheless, Johnson's analysis of what it would mean for an argument to be conclusive convincingly shows that conclusive arguments will be extremely rare in argumentative practice and that, consequently, the notion of conclusiveness is otiose; it can certainly not serve as a foundation for the regimentation of the concluding stage. As long as conclusiveness remains a necessary condition for either the protagonist or the antagonist to be declared winner of the discussion (as is the case in the procedures mentioned above), hardly any interesting discussion will ever be won or lost. This means that discussions will generally fail to resolve differences of opinion.

4. CONCLUSIVE DEFENSE

Given that the notion of conclusiveness does not work, it may seem surprising that the notions of conclusive defense and conclusive attack nevertheless function prominently in the pragma-dialectic model of critical discussion (Van Eemeren and Grootendorst, 2004, Ch. 6, esp. Rule 9 and Rule 14). But here those notions are not used in the absolute sense of defenses or attacks that would settle matters to all eternity, but in a sense relative to a particular discussion with particular discussion rules, adopted

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procedures, and agreed common starting points. The claim is that relative to all these matters (to be settled in the opening stage) defenses and attacks can be conclusive. What constitutes a conclusive defense is given by Rule 9a:

The protagonist has conclusively defended an initial standpoint or sub-standpoint by means of a complex speech act of argumentation if he has successfully defended both the propositional content called into question by the antagonist and its force of justification or refutation called into question by the antagonist. (Van Eemeren and Grootendorst, 2004, p. 151.)

This rule should be understood bearing the following things in mind. Before the start of the argumentation stage, the initial standpoint has been challenged (called into question) by the antagonist. It is now up to the protagonist to defend his initial standpoint by means of a complex speech act of argumentation, which counts as a provisional defense of the standpoint (Rule 6a, p. 144). There are two ways for the antagonist to react: she may call into question either the ‘propositional content’ of the argumentation (here to be called: its *premises*) or (in the case of a positive standpoint) its justificatory force (here to be called: its *link*).² Both links and premises will be called *inputs* of the arguments in which they figure. Rule 9a is obviously not intended to declare argumentative defenses conclusive when the antagonist has not yet had the opportunity to call into question certain inputs. Rather it presupposes that the antagonist *had her say*, that is, that she had the opportunity to call into question each and every input she wishes (in the spirit of Rule 10, p. 152). The gist of Rule 9a (in the case of a positive standpoint) can now be formulated as follows: If and only if every input of a protagonist’s argument that was called into question by the antagonist (where the antagonist had every opportunity to do so) has been successfully defended by the protagonist, has the protagonist conclusively defended his positive standpoint by means of the argument.

To understand what it means to conclusively defend a standpoint, we are thus referred to the notion of a successful defense of the inputs of arguments. For this we must turn to Rules 7a (p. 147) and 8a (p. 150). These rules refer to certain procedures, or tests, that the discussants are supposed to have agreed upon in the opening stage. The *intersubjective identification procedure* can be applied to premises and will check whether a premise is identical to one of the propositions that was, at the opening stage, accepted by both discussants (pp. 145-147).³ The *intersubjective inference procedure* can be applied to links (in cases where the reasoning has been completely expressed) and tests for deductive validity (p. 148). The *intersubjective testing procedure* can also be applied to links, and checks whether the argumentation scheme that was employed is admissible (according to agreements at the opening stage) and whether it was applied correctly (pp. 149-150).⁴ When an input has been tested by some procedure that applies to it, and with positive result, it will be called a *fixed input*. Rule 7a and 8a stipulate that when an input has become fixed it counts as having been successfully defended by the protagonist. For links, this is the whole

² This, of course, corresponds to Arne Næss’s dichotomy of tenability and relevance (Næss, 1966, p. 108ff; cf. Krabbe, 1987). I shall not discuss negative standpoints.

³ This procedure is supposed to have been extended (through agreements in the opening stage) by methods that allow for the introduction of fresh information, such as procedures for consulting authoritative sources or for observing the phenomenal world (pp. 146-147). Barth and Krabbe (1982, p. 104) mention also computation as one kind of what they call ‘material procedures’.

⁴ For simplicity, I do not describe the role of the *intersubjective explicitization procedure* as a separate component (p. 148-149).

story, they can only be successfully defended by becoming fixed; that is, by passing either of the two tests for links. But for premises Rule 7a opens up another way: a premise will also count as having been successfully defended if it has been ‘accepted by both parties as a result of a sub-discussion in which the protagonist has successfully defended a positive sub-standpoint with regard to this propositional content’ (p. 147). This means that the argument may become complex, for premises may be defended by further arguments with links and premises, and these premises again by further argument, and so on. An argument that is not complex will be called *elementary*.

If we want to use Rule 7a as a definition of ‘successfully defended’, there is a slight difficulty with it in as far as a notion of successful defense occurs also in the definiens. Not that the definition is circular. It is not circular because in the definiens ‘successfully defended’ is applied to standpoints, whereas the definiendum is applied to premises. The problem is that we are not told what it means for a standpoint to have been successfully defended. Nevertheless, it seems clear that a standpoint has been defended successfully if and only if the protagonist won the critical discussion in which it was defended, that is to say if and only if the antagonist was obliged to retract the calling into question of the standpoint, something that can be the case if and only if the standpoint was defended conclusively (Rule 14, p. 154). Thus, for ‘successfully defended’ in the definiens, we may read ‘conclusively defended’. If this is correct, Rule 7a, in its turn, refers to Rule 9a. Yet, again there is no circularity. Rather Rules 7a, 8a, and 9a together constitute a recursive definition in which the two notions, ‘conclusively defended’ and ‘successfully defended’ are simultaneously defined. This definition can, with respect to a possibly complex argument, be formulated as follows:

- (1) (basic clause) Any input⁵ that has been fixed counts as having been *successfully defended* (Rules 7a and 8a).
- (2) (first inductive clause) Any positive standpoint⁶ defended by an elementary argument all of whose inputs were either not called into question (the antagonist having had every opportunity to do so) or *successfully defended* counts as having been *conclusively defended* (Rule 9a).
- (3) (second inductive clause) Any premise⁷ that is the propositional content of a positive standpoint that has been *conclusively defended* counts as *successfully defended* (Rule 7a).
- (4) (extremal clause) No positive standpoint shall count as *conclusively defended* and no input shall count as *successfully defended*, unless this follows from clauses (1) through (3).

The theory can be somewhat simplified if we permit (against Rule 6c, p. 144) a limiting case of critical discussion, where the initial (positive) standpoint is not defended by argument but by an application of the intersubjective identification procedure. That means that the propositional content of the initial standpoint (which content will henceforth be called the *conclusion*) might be fixed, and thus might be successfully defended. It is harmless to count the conclusion as successfully defended also whenever the initial standpoint has been conclusively defended by argument. Let

⁵ That is, any input (premise or link) of any of the elementary arguments out of which the (possibly) complex argument consists.

⁶ That is, the initial standpoint or any sub-standpoint.

⁷ That is, any premise of any of the elementary arguments out of which the (possibly) complex argument consists.

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us call each input and also the conclusion an *element* of the possibly complex argument. In what follows, a defense of an element (not a link) is to be understood as a defense of a positive standpoint with regard to that element. It is now possible to unravel the duplex definition given above by first giving a separate recursive definition for ‘successfully defended’:

- a) (basic clause) Any element that has been fixed counts as having been *successfully defended*.
- b) (inductive clause) Any element defended by an elementary argument all of whose inputs were either not called into question (the antagonist having had every opportunity to do so) or *successfully defended* counts as having been *successfully defended*.
- c) (extremal clause) No element shall count as *successfully defended*, unless this follows from clauses (a) and (b).

In a second step, it may be stipulated that a positive standpoint counts as having been *conclusively defended* if and only if its propositional content counts as having been successfully defended.

The present notion of conclusive defense is very different from Johnson’s notion of conclusive argument. None of the necessary conditions discussed by Johnson (2000, p. 232-234), which he plausibly argued never to have been satisfied, applies to the present notion. The premises and the connection between premises and conclusion need not be unimpeachable, rather they must have been either fixed by agreed procedures or settled by further discussion. A conclusive argumentative defense in the present sense need not be immune for legitimate criticism; it is only the present antagonist who sees no further ways of calling inputs of the argument into question. Nor need a conclusive argumentative defense in the present sense be generally regarded as a conclusive argument in Johnson’s sense; for its conclusiveness will remain restricted to a specific dialectical situation. The present notion is of course theoretical and idealized, but one can imagine something like it to be exemplified in argumentative practice. Perhaps this notion can support a feasible concluding stage.

5. CONCLUSIVE ATTACK

For the most simple type of critical discussion, with only one initial standpoint, one protagonist, and one antagonist, the achievement closest to that of producing a devastating criticism would be that of carrying out a conclusive attack. This notion is defined in Rule 9b:

The antagonist has conclusively attacked the [complex speech act of argumentation⁸] of the protagonist if he has successfully attacked either the propositional content or the force of justification or refutation of the complex speech act of argumentation. (Van Eemeren and Grootendorst, 2004, p. 151.)

The gist of Rule 9b (in the case of a positive standpoint) can be formulated as follows: If and only if at least one input of a protagonist’s argument has been successfully attacked by the antagonist, has the antagonist conclusively attacked the argument presented by the protagonist. To see what it means to successfully attack some input

⁸ The phrase ‘complex speech act of argumentation’ here replaces the original ‘standpoint’, which seems inappropriate.

we must turn to Rules 7b (p. 147) and 8b (p. 150). There we learn that, in order to count as successfully attacked, an input should upon attack (calling into question) by the antagonist have failed all tests that were applied to it⁹ and, moreover, not have been successfully defended by the protagonist in a sub-discussion. Moreover, it seems reasonable to stipulate that the protagonist must have *had his say*, that is, that he must have had every opportunity to apply tests and to put forward an argumentative defense. But also the antagonist must have had her say about the arguments put forward by the protagonist to defend the attacked input. Otherwise, this input might not have been successfully defended by an argument merely because the antagonist lacked the opportunity to challenge some element (see clause (b) in the definition of ‘successfully defended’). In this case it would be premature to say that the attacked input has been attacked conclusively (even if it has failed its tests).

As in the preceding section, when discussing successful defense, we may expand also the notion of successful attack so as to apply not only to inputs but also to the conclusion. Further, we may count a (positive) standpoint as conclusively attacked if and only if its propositional content was successfully attacked (which implies that each complex speech act of argumentation put forward as a defense of the standpoint was conclusively attacked in the sense of Rule 9b).

Now it may be shown that, assuming that both parties had their say, that is, that they had every opportunity to put forward their defenses and attacks (including applications of tests), each contested (attacked) element of an argument counts as successfully attacked if and only if it does not count as successfully defended. For, given this assumption, a contested element counts as successfully attacked if and only if (1) it failed all its tests, and (2) no argument for it was presented in which all the contested inputs were successfully defended (which is what successful defense in a sub-discussion amounts to). The conjunction of (1) and (2) is again equivalent to the element’s not counting as successfully defended.

The upshot of this exercise is that, as long as it is assumed that both parties had their say, successful attack is not an independent notion but, in the domain of contested elements, just the complement of successful defense. Consequently, the conclusion, being contested, will either count as successfully defended or as successfully attacked and the (positive) initial standpoint will either count as conclusively defended or as conclusively attacked. Does this mean that, once the discussants enter the concluding stage, the resolution of their difference of opinion is guaranteed?

6. THE INCONCLUSIVENESS OF CONCLUSIVENESS

One of the predicaments of the concluding stage was whether to take the results of the argumentation stage for granted, or first to assess them, with the risk of starting the argument all over again. The pragma-dialecticians take the first option: in critical discussion the concluding stage is a rather modest affair. On the basis of what happened in the earlier stages, either the protagonist must retract his initial standpoint, or the antagonist must retract her calling into question of the initial standpoint, or no retractions need to be performed. According to Rule 14, the first speech act is obligatory if and only if the argumentation stage yielded a conclusive attack on the initial standpoint, whereas the second speech act is obligatory if and only if the argumentation stage yielded a conclusive defense of the initial standpoint (Van Eemeren and Grootendorst, 2004, p. 154).

⁹ In Rule 8b line 3 I read ‘and’ instead of ‘or’. The rules presuppose that the tests were applied.

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Only if one of these retractions is performed, does the critical discussion succeed in achieving a resolution of the difference of opinion. From the preceding section it is obvious that this will always be the case when each discussant did have his or her say, that is, if the protagonist had every opportunity to advance arguments and to apply procedures, and the antagonist had every opportunity to call elements into question.

The problem then is how to determine when each discussant has had his or her say. An argument may seem conclusive, but then the antagonist may come up with new doubt and call into question an element that was previously thought to be uncontested. Similarly, a seemingly conclusive attack may be undercut when the protagonist suddenly sees a new possibility for argumentative defense. Thus there is not much conclusiveness about attacks and defenses being or not being conclusive as long as some party can still add some contribution. Since the protagonist can always try a new argumentative defense there is no such thing as an absolutely conclusive attack, the conclusiveness of an attack always depends on the protagonist's having had his say. On the other hand, there can be an absolutely conclusive defense, namely one in which all the links and all the basic premises (premises that are not argumentatively defended) are fixed. For in that case new attacks can nowhere be aimed. But even in that case the conclusiveness need not be everlasting, since the protagonist could still retract some part of the argument (Rule 12, p. 153).

Perhaps the only way, in critical discussion, to determine the moment for both discussants to admit to have had their say and to enter the concluding stage is to let the discussants themselves make the decision. The protocol, which may be started at any moment during the argumentation stage would run as follows:

X: Let us go to the concluding stage!

Y: OK. (If Y refuses X will have to pay a small fine.)

In the concluding stage it is then simply assumed that each discussant has had his or her say.

Moreover, it may be stipulated that the discussants move to the concluding stage, and are supposed to have had their say, as soon as in two consecutive turns both discussants pass.

The effect of these rulings is that (contrary to what is suggested by Rule 14c, p. 154) whenever there is a concluding stage the difference of opinion will always be resolved. This does not mean that critical discussion will always be successful in resolving the difference of opinion, for there is no guarantee that a concluding stage will ever be reached. Moreover, the resolution of a difference of opinion is not itself conclusive, since a discussion may be reopened: 'an argumentative dispute can in principle never be settled once and for all' (p. 138).

To sum up, the pragma-dialectical notion of conclusiveness supports a feasible, but modest, concluding stage, but will, happily, not prevent discussions from being reopened and certainly not put issues beyond debate.

[link to commentary](#)

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