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Commentary on Hayes

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COMMENTS ON "POPPER'S CRITICAL RATIONALISM AND THE RATIONALE FOR PRAGMA-DIALECTICS"

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In his interesting paper, Calvin Hayes addresses a number of fundamental issues concerning the rationality conception underlying the pragma-dialectical approach to argumentation. His main claim is that the rationale offered by van Eemeren and Grootendorst for their pragma-dialectical theory is 'unconvincing'. In his opinion, their approach is not capable of resolving the Münchhausen-trilemma: that is, the problem that every justificationist is ultimately faced with a choice between (1) an infinite regression, (2) a logical circle or (3) breaking down the attempt at justification at an arbitrary point. Van Eemeren and Grootendorst's solution is to adopt a Popperian critical-rationalist standpoint, assuming the inherent fallibility of human reason and elevating the notion of critical testing to a guiding principle for the solution of problems. Hayes thinks this is no real solution. In the end, he argues, pragma-dialectics too will have to resort to breaking off the justification process at an arbitrary point. Just as any justificationist, the Popperian critic must terminate his or her argument somewhere, and the termination point may vary from person to person. Unlike what Popper claims, simply using certain conventions as starting points in the testing process is, according to Hayes, not unproblematic: how can we decide in a non-arbitrary way which conventions to use? Should we, for instance, make use of the pragma-dialectical rules or are we to use some other system of rules? Hayes claims that the problem of establishing a non-arbitrary starting point can be solved by supplementing pragma-dialectics with a set of default principles.

A different kind of objection to van Eemeren and Grootendorst's views raised by Hayes is that they do not provide the right kind of support for their claim that it is possible to have a rational discussion about values and norms. In his view, such support can only be given by showing that value statements have existential implications that make them criticizable.

In my comments, I shall first attempt to show that pragma-dialectics *can* escape the Münchausen-trilemma; second, that supplementing pragma-dialectics with default principles is unnecessary; and third, that a better argument can be given in support of the position that it is possible to discuss values than the argument provided by Hayes.

Let us start with the first point. When one is not aiming for justification or proof, and tries instead to develop a procedure for putting standpoints to the test, the criticism becomes irrelevant that there are still first principles used without foundation or justification. Critical rationalists do not claim to be able to give a final justification of their theories: in their view every theoretical claim is always provisional and open to discussion.

That the outcome of the discussion does not only depend on the procedural rules, but also on the criticisms put forward by a particular antagonist is acknowledged by van Eemeren and Grootendorst. According to them, a successful defense of a standpoint can only be achieved against a particular antagonist in a particular communicative situation where the protagonist can refer to a particular set of common starting points (1992: 186).

For this reason, such a defense is generally speaking relative to the critical stance of the antagonist concerned. This does not mean, however, that the rules of discussion by which the antagonist regulates his behaviour are arbitrary. The pragma-dialectical discussion rules are designed to constitute a valid procedure for resolving differences of opinion. The validity of such a discussion procedure is dependent on its efficiency and efficacy, in the eyes of the participants, in furthering the resolution and excluding fallacious moves. The parties involved have to agree upon the fact that a particular system of rules is best suited for solving the problem they want to resolve.

The rules of discussion must be regarded as proposals that only come into force as rules when they have been accepted by both the antagonist and the protagonist. After the discussion they can, of course, be discussed again. They certainly do not have the status of first principles, let alone axioms.

Let me now turn to Hayes' proposal to supplement pragma-dialectics with default principles that are not [quote] 'indubitable, but fallible starting points that can be challenged and corrected'. I think that this proposal is superfluous, since pragma-dialectics already makes use of a similar notion, the notion of 'starting point', that has a similar function. Let me quote from van Eemeren and Grootendorst's book *Argumentation, Communication and Fallacies*:

> To be able to resolve a dispute, the protagonist and antagonist must be able to call on at least a minimum number of common starting points. Otherwise, there would be no point in the discussion at all, because it would be clear from the start that the protagonist had no chance of ever convincing the antagonist. [...] The joint point of departure for the argumentative discourse is made up by the starting points that the protagonist and the anatagonist have in common at the opening stage of the discussion. These starting points may include facts, suppositions, and truths as well as values, norms and value hierarchies (1992: 149).

Just like default principles, starting points can be called into question. If that happens, they at once lose their status of common starting point. For a meaningful discussion, however, it is best to postpone the questioning of starting points until after the discussion. The protagonist and the antagonist are free in their choice of starting points: they are not obliged to believe that their starting points are true or acceptable in a universal sense. It is very well possible that they are not quite sure about the precise status of their starting points; they may even assume that a certain starting point is *not* true.

Finally, a short remark concerning Hayes' point that values can only be the subject of rational discussion if they have existential implications. This position gives the impression that he is a logical positivist who believes that the only valid way of criticizing a proposition is to show that the proposition conflicts with certain facts. This is by no means the position of van Eemeren and Grootendorst. In their view, resolving a dispute about any subject whatsoever, including a dispute about values or norms, does, in principle only require that the parties agree on a number of starting points and on particular procedures for evaluating those propositions that they do not accept in advance. As long as the parties agree on a number of relevant norms, values or criteria, a normative issue can be rationally discussed.