

May 18th, 9:00 AM - May 21st, 5:00 PM

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van Laar, Jan; Krabbe, Erik C.W.; and Dascal, Marcelo, "The burden of criticism" (2011). *OSSA Conference Archive*. 68.
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The burden of criticism

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ABSTRACT: Some critical reactions hardly give clues to the arguer as to how to respond to them convincingly. Other critical reactions convey some or even all of the considerations that make the critic critical of the arguer's position and direct the arguer to defuse or to at least contend with them. First, an explication of the notion of a critical reaction will be provided, zooming in on the degree of 'directiveness' that a critical reaction displays. Second, it will be examined whether and to what extent there is a normative requirement to strive after criticism that is more than minimally directive. In this paper, it is hypothesized that the competitiveness inherent in critical discussion must be mitigated by making the opponent responsible for providing her counterconsiderations, if available, thus assisting the proponent in developing an argumentative strategy that defuses them.

KEYWORDS: argued challenge, burden of criticism, counterargumentation, counterconsideration, critical reaction, directiveness, explanation, Fallacy of Thwarting, presumption.

1. INTRODUCTION

Within the sphere of argument it is customary to stress the obligations of the proponent (or arguer) rather than those of the opponent (or critic). Proponents are to present arguments for their assertions on request and to answer criticisms of their arguments, whereas opponents are free to, and are even encouraged to, express all kinds of criticism (Johnson 2000; van Eemeren & Grootendorst 2004). This is the rough picture, for it has been pointed out that proponents must be free to express their standpoints and arguments, whereas an opponent's criticisms should conform to conditions of clarity and relevance (for instance, they should avoid the Fallacy of Straw Man). Yet, more attention has been paid to the dialectical obligations of the proponent (burden of proof) than to those of the opponent (burden of criticism). It is time to restore the balance, and therefore this paper will be devoted to dialectical obligations of the opponent.

In one kind of case, the dialectical obligations of the opponent are quite obvious; that is when the criticism is expressed in terms of counter-standpoints or counterarguments. For in that case the opponent, who acts as a second proponent, will be accountable like any other proponent and will have the same kinds of dialectical obligations. The difference of opinion having become mixed, both parties will have a burden of proof. Without disregarding such cases, we want in this paper, to pay special attention to those cases in which the opponent, without acting as a second proponent, calls into doubt the standpoint of the other and to study the dialectical obligations, if any, that typically ensue for the opponent.

Just as for a proponent putting forward a standpoint, the dialectical obligations for an opponent putting forward a criticism are conditional upon the reactions of the oth-

er. Therefore, we must investigate the various ways in which the proponent may react to criticism. More specifically, we are interested in critical reactions of the proponent. Criticisms are not exempt from ‘countercriticism’ and even a simple expression of doubt can be criticized as unclear, as puzzling, or as inappropriate. In such a case, does the opponent have a dialectical obligation to provide clarifications, explanations, or even arguments? And if so, to what extent? The burden of criticism then, amounts in such cases to the dialectical obligation of an opponent to adequately react to criticisms of her criticism.

It should be noted that the term ‘burden of criticism’, as we use it, does not denote an obligation to present criticisms. Its meaning is, therefore, not to be construed parallel to that of ‘burden of proof’, which denotes an obligation, or a conditional obligation, to present a proof (or argument). We are not concerned with the obligation to criticize, but with obligations that ensue from having criticized the other. The former topic is of interest on its own account and was denoted by Walton as the “burden of questioning” (2003).

An example of a simple countercriticism in the form of a question can be found in the following dialogue:

Bruce: There is no living organism in this test-tube.
 Wilma: Why not?
 Bruce: There is no phosphorus in it.
 Wilma: Are you sure?
 Bruce: Why do you doubt our investigations?

When Wilma doubts (challenges) Bruce’s statement about the phosphorus, Bruce incurs an obligation to argue for it. But Bruce appears puzzled by Wilma’s doubt and does not immediately offer an argument. He may do so later, but first he asks Wilma to disclose her motivation for doubting that there is no phosphorus in the test-tube. Doing so he criticizes Wilma’s critical question (“Are you sure?”) as standing in need of explanation. Does Bruce commit here a Fallacy of Evading the Burden of Proof? We do not think so. The burden of proof is of course not discharged either: it is still there. But we do think that normally there would be a burden of criticism for Wilma here: if possible she should answer Bruce’s question. Since an answer could very well pinpoint the issues that need to be resolved first in order to resolve the original difference of opinion (about whether there is a living organism in the tube), we think that Bruce’s move would generally be a good one from a dialectical point of view.

This paper is a sequel to an earlier paper we wrote about criticism and we shall summarize some points from that paper below (Section 2).¹ Next we shall survey the ways an opponent can critically react to the standpoints and arguments put forward by the proponent and see how these reactions can be to a lesser or greater degree ‘directive’, i.e. providing the proponent with hints as to how to go about discharging the burden of proof (Section 3). We shall propose a normative model for a kind of interaction between proponent and opponent that allows the proponent to negotiate for hints and to offer countercriticism of various kinds depending on the prior status of the statement challenged by the opponent (Section 4). After having dealt with various fallacies that may accompany these exchanges (Section 5), we present some conclusions (Section 6).

¹ Krabbe & Van Laar, “The Ways of Criticism” (2011b); Prepublications of parts of this paper are (2010) and (2011a).

2. WAYS OF CRITICISM

The notion of criticism that underlies the present investigations is a rather broad one. In “The Ways of Criticism”² we characterized the different kinds of critical reactions in terms of four parameters or factors: the *focus* of a critical reaction, the *norm* appealed to in a critical reaction, the *level* at which a critical reaction is put forward, and the illocutionary *force* of a critical reaction.

A critical reaction can *focus* not only on standpoints or arguments but on any contribution or part of a contribution in an argumentative exchange, critical reactions themselves not excluded. Besides being aimed at a particular kind of speech act (or combination of speech acts), a critical reaction can focus on different aspects of the speech act. It can focus either on the propositional content of the speech act, or on its formulation, or on the person performing the speech act, or on the circumstances in which the speech act occurs. Consequently, a focus can be *propositional*, *locutional*, *personal* or *situational* in character.

The *norm* appealed to in a criticism could be a rule of critical discussion that the critic claims to have been violated. But a norm may also be appealed to merely because the criticism puts one’s interlocutor under some kind of obligation, as for instance when a critic expresses critical doubt vis-à-vis a standpoint taken by his interlocutor making the latter incur an unconditional burden of proof. The norms appealed to can not only be rules for critical discussion, which determine whether or not a fallacy has been committed, but also norms of optimality, which distinguish reasonable moves of better quality from those that, though not fallacious, are in some respect of lesser quality, or the norms appealed to can be institutional norms, which distinguish appropriate moves from those inappropriate within the institutional setting of the discussion.

As to *level*, critical reactions can be situated either at the ground level of discussion – when the reaction is directly relevant for the construction or destruction of the proponent’s argumentation – or at a meta-level (containing discussion about the ground level discussion), for instance if the critical reaction aims at influencing the strategies followed in the ground level discussion and does only in an indirect manner contribute to the construction or destruction of the proponent’s argumentation.

As to its (*illocutionary*) *force*, the speech act used in a critical reaction could be a directive, for instance a request or a challenge, but it could also be an assertive expressing an opposite standpoint, or pointing out a flaw in an argument, or charging the other with having committed a fallacy; or it could consist of an argument (say to sustain an opposite standpoint or a fallacy charge). Requests can aim at obtaining clarification about the meaning of an utterance (both its propositional content and its illocutionary force) or at obtaining some elucidation or explanation of why the speech act was performed.³ Of the assertions used in criticisms, some are denials of what the other has said, and of these some are strong denials (“That’s not the case”) that count as opposite standpoints, but others are weak denials (“I don’t think so”) that carry merely the message that the other will probably not succeed to convince the critic of the truth of the weakly denied proposition.

Moreover, critical reactions can be accompanied by *counterconsiderations* that the other party had better take into account when determining his argumentative strategy.

² See preceding note.

³ The latter possibility was not discussed in our earlier paper, but will be discussed below.

These counterconsiderations function as directives conveying *strategic advice* to the other.⁴ For instance, a challenge can be accompanied by a consideration that explains to the proponent why the opponent is critically disposed to the standpoint. In the example of Section 1, Wilma could, instead of merely asking “Are you sure?,” have pointed to some additional way of testing for phosphorus. The advice for Bruce then is that – unless he accepts the criticism and withdraws his standpoint until further testing has taken place – he must show this additional testing to be unnecessary in order to defuse Wilma’s doubts. Similarly, counterconsiderations that accompany one’s weak denial explain why one is critically disposed and thus yield strategic advice for the other about how to overcome one’s critical disposition. Strategic advice for the other is also given if one produces a counterargument to support an opposite standpoint, for such an argument will provide the other party with considerations that he must refute in order to succeed.

3. DEGREES OF DIRECTIVENESS

To some extent each critical reaction seems to have a directive function. The proponent is somehow urged to react. But there are degrees to which ‘directiveness’ is exhibited in criticism. The opponent may enhance the degree of directiveness by adding some reasons for doubt, thus giving hints and information that serve to instruct the proponent (strategic advice). What are the options for the opponent? Below we shall deal with this issue, as we review a number of critical reactions in which the proponent is challenged.

Note that our use of the term ‘directive’ differs from Searle’s (1979: 13-14) in one respect. As we use it, ‘being (more or less) directive’ is a comparative notion that characterizes not only argumentative moves that are directives in Searle’s sense, but also more complex argumentative contributions that contain, in addition to directives in Searle’s sense, assertive speech acts.

First, an opponent can raise a ‘pure challenge’ (Krabbe 2007: 56), typically by saying something of the form “Why T?,”⁵ for instance: “Why is there not a living organism in this test-tube?” Such a simple challenge is: (1) focused on an assertion or part of an assertion by the proponent; (2) appealing to a norm according to which the proponent’s assertion must either correspond to one of the opponent’s concessions or be justifiable on the basis of these concessions; (3) taking place at the ground level of dialogue; and (4) having the force of a request for argumentation. Of course, being a directive, in Searle’s sense, a pure challenge exhibits some degree of directiveness, but, from our comparative perspective, only a low degree. It directs the proponent to offer argumentation, without providing any clues as to the nature of that argumentation.

Second, an opponent can raise a ‘bound challenge’ (also labeled “mild objection,” Krabbe 2007: 56), by providing a counterconsideration S that, with more or less precision, specifies a potential circumstance that might call T into question. A typical, but loose, way of introducing a bound challenge would be by saying something of the form “Why T?; What about S?,” for example: “Are you sure about there being no living organ-

⁴ This kind of strategic advice is critical. In addition, there is also strategic advice that is not critical. In that case, the opponent does not hint at a counterconsideration, but at a consideration that would support the proponent’s position: “Why T? Is it because of S (which might be a reason for T)?” In this paper, the term ‘strategic advice’ refers to the critical kind.

⁵ Here the why-question has to be understood as a challenge, i.e. a request for argumentation.

ism in this tube? What about the possibility that arsenic is doing the work of phosphorus?” Providing a counterconsideration increases the degree of directiveness.

Third, an opponent can critically react to a standpoint T by denying T: either by strongly denying (rejecting) T (Krabbe 2007: 57), for instance: “You’re wrong: There is life in this tube,” or by weakly denying T, for instance: “As far as you’ve shown or are likely to be able to show: There may still be life in this tube.” These moves imply a challenge for the proponent to defend T. But in addition, the opponent adopts as an opposite standpoint not-T (in the case of a strong denial) or conveys the message that he deems it unlikely that T will be successfully defended (in the case of a weak denial). By themselves strong and weak denials of T must be considered as no more directive than merely doubting T. In case of a strong denial, the opponent can, however, choose to add counterargumentation, that is argumentation in favor of not-T, for example: “There is life in this tube, for I put in some microbes that can live by using arsenic instead of phosphorus.” As we have seen at the end of Section 2, such an argumentation also provides the proponent with the strategic advice to defuse the counterconsiderations it puts forward. Hence counterargumentation increases the degree of directiveness. The same holds for counterconsiderations accompanying a weak denial.

In a fourth type of critical reaction (not discussed in Krabbe’s paper), an opponent would challenge a common presumption T, and add an argument for the appropriateness for doing so. Let’s label such a contribution as an ‘argued challenge.’ For example, the opponent can point out that, although T is a common presumption, and could until now have been considered an unquestionable point of departure, information has surfaced that justifies the opponent’s retraction of her commitment to T, or that there are practical reasons to abandon the presumption. In the example given above, Wilma could challenge the unstated connection premise of the first argument: “If there is no Phosphorus, there is no life” (which could count as a common presumption) and start arguing against it: “In view of recent findings, the time has come to doubt the CHNOPS-assumption (according to which life is made up from carbon, hydrogen, nitrogen, oxygen, phosphorus and sulfur) and open our minds to the flexibility of life.” Such an argued challenge, being an attempt to provide a justification for challenging a presumption, would again provide strategic advice to the proponent and hence displays, just as counterargumentation, a high degree of directiveness.

Now that we have dealt with four of the ways in which a critical reaction can be directive, we shall examine the notion of a counterconsideration, and with it that of a strategic advice, in some more detail. A counterconsideration S can be approached from two perspectives. First, S can be characterized by revealing how it is instrumental for the opponent in accomplishing her individual aim, which is to show to the proponent that her position of maintaining a critical stance towards T (the main standpoint) is a tenable position, in spite of her commitments. S provides such an explanation. In our example, since arsenic might take the role of phosphorus (S), Wilma can challenge Bruce’s standpoint (T) in a tenable manner. Second, S can be characterized by revealing how it assists the proponent in realizing his individual aim, which is to show to the opponent that her concessions, and other commitments, really commit her to the standpoint as well. S provides the proponent with the message that, in order to convince the opponent of his standpoint, a successful argument in favor of the denial of S will be needed, and thus with strategic advice.

The opponent herself may stress either of these two ways of understanding her counterconsideration. For one, she may stress the first perspective, for instance when offering a bound challenge: “Why T? As far as you’ve shown, S” or “Why T?; I was thinking that possibly S, and if S then not-T.” But then, she could stress the second message: “Why T?; Have you thought about S?” or “Why T?; Can you prove that not-S?” However, from our point of view, where motivations in a psychological sense are not directly relevant, we can represent these two variants of putting forward critical considerations in the same way: in both cases the counterconsideration shows how the opponent thinks it to be possible to realize her dialectical aim, as well as how the proponent should proceed in order to stand a chance at realizing *his* dialectical aim. We label the offering of such a critical consideration S as a ‘strategic advice.’

So, the opponent’s advice is on the one hand critical and in line with the dialectical division of labor in which each party tries to realize its individual aim, but on the other hand transcending the division of labor by offering the proponent information that he needs to accomplish his aim. In the next section, we shall see that the proponent may even request the opponent to explain her position with the further aim of profiting himself. However, our view is that strategic advice is primarily a critical move. Even if the opponent complies with such a request, this will not count against the primary critical nature of the opponent’s answer (the counterconsideration). Yet, strategic advice has, much more strongly than other forms of criticism, a dual nature.

Bound challenges, counterargumentations, and argued challenges can be more or less directive, but they are always more directive than pure challenges and mere (strong or weak) denials. So, the directiveness is first of all raised by giving a counterconsideration, S, and can then be brought to even higher degrees by either adding a further counterconsideration or by informing the proponent how S might be negatively connected to the proponent’s position.

As we saw in Section 2, criticisms can be focused on distinct aspects of the proponent’s standpoint or argument (cf. Krabbe and Van Laar 2010, 2011a, 2011b). Correspondingly, there are different types of directiveness, which we here illustrate by different kinds of bound challenge. First, the opponent can *propositionally bind her challenge* by indicating what propositions must be refuted or what argumentative connections must be supported. Second, the opponent can *locutionally bind her challenge*, by indicating what kind of terminology is understandable, persuasive or otherwise acceptable to her. Third, she can *personally bind her challenge*, by indicating how the proponent should behave in order to be taken seriously as an arguer. For example, the opponent can challenge a standpoint and add that the proponent would have to live in accordance with what he is preaching in his standpoint in order to be taken seriously. Fourth, she can *situationally bind her challenge*, by indicating how the situation would have to change for her to be willing to ever accept or even hear through the proponent’s standpoint or argument: “Why would our economy be in danger? Your even considering this proposition will make matters worse.” In this paper, however, we restrict attention to propositional directiveness.

As a standard way of formulating challenges with full-fledged strategic advices, we propose: “Why T? Counter (*S and **S is a good reason against T),” where * and ** stand each either for the illocutionary force that Rescher labeled as ‘cautious assertion’ or

for the illocutionary force of normal, Searlean, assertion.⁶ We follow Rescher's view on cautious assertion, which he indicates by †, as a way to 'assert' a proposition without becoming committed to the proposition. †P stands for: "P is the case for all that you (the adversary) have shown" or "P's being the case is compatible with everything you've said (i.e., have maintained or conceded)" (Rescher 1977: 6). So, the opponent can offer a strategic advice without becoming committed to defend any proposition, but she can also choose to strongly assert either her counterconsideration, or the negative connection between the counterconsideration and the proponent's standpoint, or both. In these latter cases the difference of opinion becomes mixed. For the purpose of informing the proponent about whether and how to proceed, each of these kinds of advice, however, is equally directive by carrying the same message: either convince the opponent that not-S or convince the opponent that S would not be a good reason for not-T.

In this section we have seen that the directiveness of the opponent's critical reactions can diverge. Let us now turn to the proponent, and inquire into the normative issue whether the proponent has a right to urge for and obtain highly directive criticism from the opponent.

4. URGING FOR MORE DIRECTIVENESS

4.1 Modes of the opponent's prior commitment to a challenged statement

After the opponent has finished her move in which she provides the proponent with her criticism of his standpoint or of part of his argument, the proponent could be satisfied with the directiveness of that criticism. When he has a clear enough impression of the opponent's position so as to decide whether to proceed and, if so, how to proceed, the proponent may continue the discussion, for example by giving an argument and discharging his burden of proof in that way. In other cases, he may not be satisfied and be disposed to raise counter criticism. Before deciding about whether and how to discharge his burden of proof, he may want the opponent to give reasons for her criticism, by providing him with (further) counter considerations that could assist him in making strategic choices. We shall here discuss the situation in which the opponent has challenged or even rejected a standpoint or an explicit reason (premise) of some argument.⁷ What should be the proponent's options, here? In what senses of 'providing reasons' can the proponent request the opponent to provide reasons? After examining three options, we shall discuss the norms that should govern these options, and assemble a number of reasonable exchanges in a profile of dialogue (Krabbe 2002). Before listing the options we investigate the ways in which the challenged proposition T relates to the opponent's set of concessions.

First, T could be a 'fixed concession,' such that the parties have decided in the opening stage of the discussion that the commitment to it is irrevocable throughout the discussion at hand (Krabbe 2001: 152). A reason for agreeing upon a fixed concession could be that this point of departure is considered to be inherent in the kind of discussion they intend to have. Take, for example, the acceptance of particular axioms in a specific

⁶ We shall use "Counter S" as shorthand for "Counter (*S and **S is a good reason against T)," leaving elements other than S implicit.

⁷ Counter criticisms that focus on the opponent's challenging of connection premises will be dealt with in Van Laar (2012).

mathematical conversation, or the acceptance of evolutionary principles in a biological one. A further remark on the act of challenging, and thereby effectively retracting, a fixed concession can be deferred to our Section 5 on faults and fallacies. In the present section we shall further disregard challenges of fixed concessions.

Second, T could be a ‘presumption.’ Presumptions are concessions that are retractable in principle, be it that their retraction involves a dialectical obligation to account for the retraction if asked to do so (Krabbe 2001: 151). Challenging and thereby retracting commitment to a presumption counts as a substantial change of the nature of the dialogue. Therefore, withdrawing such commitments should not be so easy, considering that the proponent’s decision to enter the discussion could have been (partly) based on the presence of these commitments. But neither are these commitments considered as completely fixed: sometimes their retraction must be allowed in order to attain a level of flexibility that is needed for making progress in a discussion. Among the presumptions one finds (a) those initial concessions, agreed upon in the opening stage of the discussion that do not count as fixed. Among the presumptions one further finds (b) propositions that count either as common knowledge within the institutional setting in which the discussion takes place or as accepted within the institutional setting for practical purposes. In these cases, the commitment to the presumption T has been incurred by entering that institutional setting. Think of a vicar who, by climbing the pulpit, can be presumed to accept the existence of God. Or of a biologist who is presumed to have accepted the CHNOPS presumption. And even a philosophical skeptic who starts chitchatting becomes, for the duration of that kind of conversation, committed to everyday presumptions. Thus, propositions that are binding to participants that engage in a particular type of activity can be treated as equal to explicit initial non-fixed concessions. Among the presumptions one also finds (c) the (non-fixed) concessions that have been conceded in the dialogue as a result of an argument based exclusively on other presumptions (or fixed concessions) as premises.

Third, T could be a ‘free concession’ (Krabbe 2001: 153-157), for the reason that the opponent has admitted the proposition at hand as acceptable to be used at a certain point, but not necessarily for the duration of the entire discussion. For example, she might be committed to a proposition T, merely by having refrained from criticizing T, leaving the option open to challenge T at a later stage and thereby to retract her commitment to T. But as we shall see (in Section 5), also in the case of free concessions, there are additional requirements for proper retractions.

Fourth, T might not be a concession at all, for example because T has never been explicitly or implicitly conceded, or because the commitment to T has clearly been retracted at some earlier turn in the discussion.

4.2 The proponent’s counter criticisms

In response to a challenge (or rejection), the proponent may make moves such as: withdrawing from the discussion; requesting for a clarification of the opponent’s critical reaction; presenting an argument in favor of the proposition under attack; requesting the opponent to seriously reconsider whether, as a matter of fact, she is willing to abandon this commitment (cf. Krabbe 2001: 153); or charging the opponent with having committed a fallacy by challenging T. The critical moves of the proponent that we want to examine in further detail are, however, different: they are all aimed at getting the opponent to provide

reasons (in one sense or another) for her critical reaction by way of some sort of counterconsideration. We distinguish between three such counter criticisms.

A first option is to request the opponent to explain her motivation for the challenge. Note that this option is also available in response to a rejection, because a rejection implies a challenge. What kind of explanation could the proponent ask for? In order to make opportune decisions about the strategy to follow, the proponent can attempt to obtain from the opponent an explanation (of her motivation for the challenge) that would provide some helpful information.⁸ The two perspectives which an opponent may stress when offering counterconsiderations can also be used by the proponent when formulating a request for more information. From the perspective of obtaining strategic advice, a natural way to phrase the request is: “What kind of argument for T would convince you?,” “What should I refute in order to make you retract your critical doubts towards T?” From the perspective of getting the opponent to articulate a tenable critical position by way of (further) counterconsiderations, the proponent may phrase his request in ways such as: “What makes you doubt T?,” or “What motivates you to be critical of T?” Again, we understand these formulations as giving the same message to the opponent, and capture this ‘request for explanation’ by the move “Explain (Why T?),” for example: “Explain your reluctance to accept that there is no phosphorus in the test-tube.” In this way, the proponent attempts to let the opponent transform her pure challenge into a bound challenge.

A special case of a request for explanation occurs when the opponent has already offered a counterconsideration S, and the proponent wants her, in addition, to explain how S is negatively relevant to his criticized assertion T: “Explain (Why T?; given S).” In this way, the proponent attempts to let the opponent transform her bound challenge into a more elaborate bound challenge.

Note that this counter criticism is not really a counter challenge, that is, it is not aimed at letting the opponent provide a persuasive argument. Instead, the opponent is requested to provide a consideration that (further) explains to the proponent why she considers her critical position a tenable position, despite her commitments. Admittedly, the explanation can be seen as having a persuasive function on a different level, in so far as the opponent convinces the proponent to provide argumentation that defuses S as a reason for withholding consent to the proponent’s main standpoint. The primary function of the Explain (Why T?) move, however, is to request for explanation that functions as a strategic advice.

A second option is to challenge the opponent to defend the denial of what she had challenged, by way of a ‘request for counterargumentation’: “Why not-T?”; “Why would there be any phosphorus in this tube?”⁹ In that case, there is a shift taking place, as the proponent imposes on the opponent a burden of proof. In this way, the proponent attempts to let the opponent provide counterargumentation. As shall become clear, this option is often not admissible.

A third option is to challenge the opponent’s challenge by way of a ‘request for validation,’ “Why (Why T?)?” (Krabbe 2001: 151), for example: “Why challenge my argument?” or “Show me the legitimacy, or appropriateness, of your challenging my statement that there is no phosphorus in this tube.” Again, the proponent imposes a bur-

⁸ This kind of explanation is distinct both from clarification of meaning (a move we do not here discuss) and from argumentation.

⁹ Here T is the proposition that there is no phosphorus in the test-tube and not-T is the proposition that that is not the case, i.e. that there is some phosphorus in the tube.

den of proof on the opponent. (And again we shall see that this is not always admissible.) However, the standpoint that the opponent is asked to defend is not so much that not-T, but rather that the norms allow the opponent to challenge T in the circumstances at hand. The proponent may leave his counterchallenge quite unspecified, or he may specify his counterchallenge by either appealing to the rules for critical discussion, or alternatively, to institutional rules. For example, if the opponent challenges the CHNOPS-presumption, and the proponent surmises that doing molecular biology precludes the opponent from retracting her commitment to this presumption, he can challenge the opponent to defend, not that the presumption is false, but that the circumstances in the discipline have been changed in such a way that its retraction has become methodologically fruitful. The proponent urges the opponent to account for her speech act of challenging T by offering an argument (cf. Krabbe 2001: 151). In this way, the proponent attempts to let the opponent transform her challenge into what we referred to earlier as an argued challenge.

4.3 Norms

Is each of these three ways of asking the opponent for reasons legitimate? And how is the opponent to react? The answer partly depends on the prior status of the challenged proposition as either a presumption, a free concession or as a proposition that has not been conceded at all. We shall examine the requests for explanation, counterargumentation, and validation in turn (see figure 1 for a survey of the norms and figure 2 for a profile of some admissible dialogues).

A *request for explanation* aims at an explanation of the opponent's motivation for her position, or equivalently in our argumentative setting, at some strategic guidance from the opponent. Since such a request could yield information that would be profitable for the resolution of the difference of opinion, it should be a permissible move for the proponent. But is the opponent under the obligation to provide the requested strategic advice? First, we consider situations where the challenged proposition T is a free concession or not even conceded. Second, we deal with presumptions.

According to the dialectical division of tasks, it is up to the proponent to develop a convincing argumentative strategy, and to the opponent to maintain a consistent position without failing to respond to the proponent's defense. In light of this specific task of the opponent, if T is a free concession or not even conceded, the rules for critical discussion should not require the opponent to provide strategic advice, if requested. The opponent is free to express her critical stance towards the proponent's standpoint (or substandpoint) T without providing any further explanation of what underlies her criticism, and so without disclosing any considerations that are to be defused before she will accept T.

However, from a different perspective there is a kind of responsibility on the part of the opponent for providing strategic advice. Even though the rules should not strictly demand such advice, the quality of the discussion will improve and the process of working towards a resolution of the difference of opinion will be furthered if the opponent discloses her counterconsiderations. So, even though the offering of strategic advice and the refusal of it are equally licit, the former is the better move in a critical discussion. In our view, this consideration applies equally whether the opponent has challenged a proposition that has not been conceded or a free concession or a presumption. It can be expected that the proponent is more strongly motivated to request for explanation in case

a presumption has been challenged, and less so in case of a proposition that has not been conceded: Still in each case, the opponent has a kind of responsibility for disclosing her critical considerations to the extent that she is aware of them.

Let us have a closer look at the situation where the opponent has challenged a presumption T. As we saw, the ideal of optimal discussion behavior incites the opponent to provide her counterconsiderations. But should there be, in addition, rules for critical discussion that make such advice obligatory? We think there should: T may be a presumption due to an explicit agreement in the openings stage to treat T as an unproblematic point of departure, or due to a more implicit agreement to accept T resulting from entering a particular, institutionalized type of activity, or due to an accepted presumption-based argument to the effect that T. In all cases, challenging, and thereby retracting T results in a change of the nature of the discussion that the proponent might consider vital. If so, an explanation on the opponent's part may be necessary for the proponent to decide whether to continue the discussion, and if so, which proper argumentative strategy then to choose. Consequently, the resolution of the dispute requires a further explanation. For example, if Wilma were to challenge the presumption that the absence of phosphorus implies the absence of life, she must at Bruce's request disclose her stance in more detail to assist him in making decisions about how to proceed.

A *request for counterargumentation* aims at argumentation by the opponent in favor of the denial of the proposition that she had challenged. Here we must make a distinction between critical reactions that contain the opponent's rejection of T and those that merely challenge T. In the latter cases, we consider such a request as inappropriate in a critical discussion, irrespective of whether T is a proposition that has not been conceded, or a free concession, or a presumption. The reason is that a mere challenge of T does not imply a commitment to not-T.¹⁰ Of course, counterargumentation could provide the proponent with strategic advice, and for this reason the proponent may want to hear how the opponent would defend not-T. Yet, not-T not being a standpoint, the proponent should make a request for explanation if he needs hints, rather than unduly burdening the opponent with the task to offer counterargumentation. Of course, matters are different if the opponent actively rejected T. By rejecting T she incurs an obligation to defend not-T. If the proponent requests such a defense, the discussion becomes mixed, as far as the issue about T is concerned, and the party who initially was only an opponent, becomes also the proponent of not-T.

In contradistinction to our point of view, the critical rationalist David Miller seems, at first sight, to take for granted that the critical testing called for in critical rationalism implies an obligation to provide counterargumentation. Miller writes: "the critical rationalist's answer to the question 'Why do you think that *h* is true?' or 'Why do you think that action *a* should be performed?' will be 'Why not?'" (Miller 1994: 71). Miller seems to let the proponent challenge the opponent to provide counterargumentation.¹¹ However, Miller explains that he does not consider the invited answer really as a 'reason' for the falsity of *h* or for not performing *a*, as becomes clear from the way the text con-

¹⁰ Also a failed defense of not-T does not imply that T can be defended successfully (nor does a successful defense of not-T exclude a successful defense of T). The discussion about not-T, therefore, is not directly relevant for that about T.

¹¹ Similarly, Popper gives the proponent of a theory the right to await counterargumentation, especially a refutation by *modus tollens* portrayed as the "falsifying mode of inference" (Popper 1972 / 1959: 76). The proponent, however, is supposed to be his own opponent.

tinues: “But this [the move “Why not?”] is an invitation to cite some disadvantage of *h* or *a*, not to marshal reasons against it or in favour of some alternative” (pp. 71 f.). Our distinction between the move “Why (not T)?” and “Explain (why T?)” might assist in clarifying the distinction that is needed: a critical test of a standpoint (which could correspond to a scientific hypothesis or to the recommendation of an action) can be invited by the request for explanation (Miller’s “Why not?”), and need not be (and indeed: should in many cases not be) invited by the request for counterargumentation (our “Why not-T?”).

A *request for validation* aims at argumentation by the opponent in favor of the legitimacy or appropriateness of the challenge of T, and more in particular, of the legitimacy of a retraction of T as a concession, in case such a retraction is implied by this challenge. Such a request is in our view legitimate if T is a presumption – again because in that case retracting T results in a change of the nature of the discussion that the proponent might consider vital. But not so when T is merely a free concession or even not conceded at all. There is no point in getting the opponent to provide an argument for the ‘retraction’ of T if she is not committed to T, or if it is clear that T is freely retractable.

In the ensuing metadiscussion about the challenge, the opponent argues in favor of the legitimacy of her retraction. In many cases, the opponent will defend the legitimacy of the retraction by making a reference to the same considerations that she would have put forward when being confronted with a request for explanation of her original challenge. After having been presented with her response, for example by way of a counterconsideration S, the proponent should return to the ground level discussion, and proceed from where he left it, probably by offering an argument in which he defuses S as an acceptable refutatory consideration.

A position that resembles ours has been developed by Michael Rescorla in his discussion about ‘dialectical foundationalism’ (the idea that challenges sometimes incur a burden of proof) versus ‘dialectical egalitarianism’ (the denial of this thesis). Yet, there are also differences. About what we would call presumptions, Rescorla writes:

In an ordinary conversation, someone who challenges [the presumption] *I have a physical body* undertakes a conversational burden. But it is not a burden of proof. It is a burden of *explanation*. The challenger must elucidate his position, thereby helping the original speaker isolate the relevant mutually acceptable premises which *rapprochement* [i.e. agreement on propositions] requires (Rescorla 2009: 100).

In our terms, Rescorla is telling us that in this case of challenging a presumption, there is an obligation on the opponent’s part to provide some explanation, but not to offer counterargumentation. We hold that in addition the opponent must argue for the appropriateness of (provide a validation for) the challenge “I have a physical body,” if asked to do so.

We conclude this section by way of two surveys. In Figure 1, we summarize the norms (the rights and obligations) that pertain to and result from the three counter criticisms we have discussed. In the left column we list the three counter criticisms and in the other columns we show whether a counter criticism is permissible and whether or under what conditions an answer is required. The right column treats the case where the thesis is a presumption and the middle column treats the other cases.

P's move ▼	T is a <i>free concession</i> or <i>not even a concession</i>	T is a <i>presumption</i>
Explain (Why T?) <i>Request for explanation</i>	<i>Permissible move</i> An answer is not required	<i>Permissible move</i> An answer is required
Why (not-T)? <i>Request for counter-argument</i>	<i>Permissible only in response to a rejection (not-T)</i> An answer is required if the move was permissible, otherwise a fallacy charge may follow	<i>Permissible only in response to a rejection (not-T)</i> An answer is required if the move was permissible, otherwise a fallacy charge may follow
Why (WhyT?)? <i>Request for validation</i>	<i>Impermissible move</i> A fallacy charge may follow	<i>Permissible move</i> An answer is required

Fig. 1. Norms for counter criticisms and responses to counter criticisms

In Figure 2 we show a profile of dialogue consisting of a number of sequences of moves that the norms, discussed above, admit. Since we are here especially interested in counter criticisms by the proponent (P) and responses to counter criticisms by the opponent (O), we have not included all reactions that are legally possible. For instance we did not include those in which the proponent presents an argument to defend his (sub)standpoint (T). In each branch of the diagram, the arrows show a possible course of the dialogue in which the proponent and the opponent take turns.

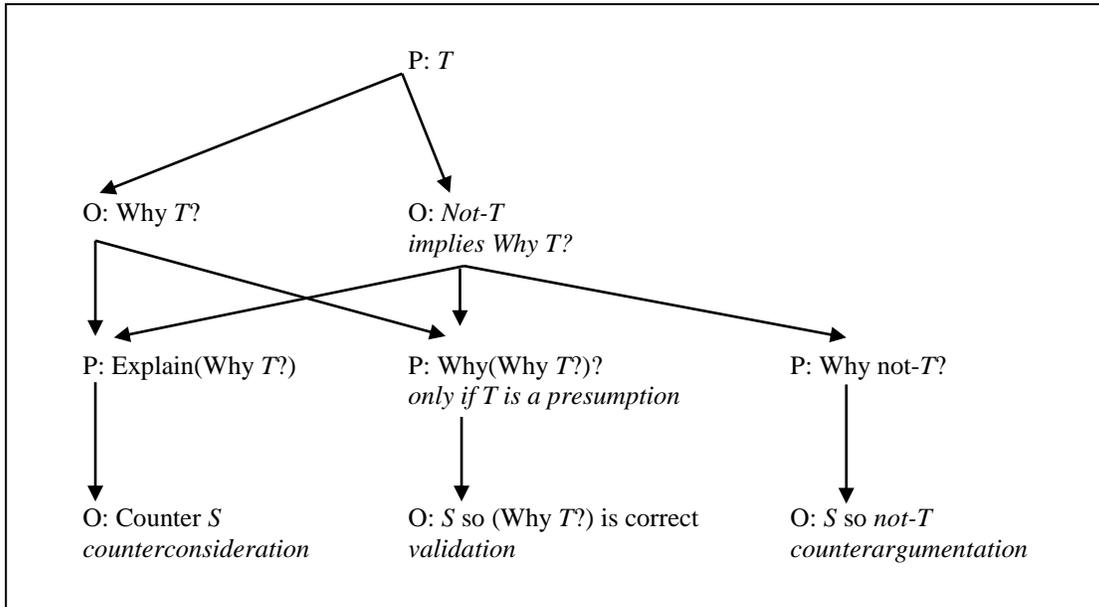


Fig. 2: A profile of dialogue

5. FALLACIES

In Section 4, we discussed norms for countercriticisms and responses to countercriticisms. It will be useful to survey the various mistakes and fallacies that constitute transgressions of these norms and of other related norms including those for the original criticism. Therefore, we shall present a brief survey of things that can go wrong when the opponent poses a critical reaction, or when the proponent requests the opponent to provide reasons for her critical reaction, or when the opponent, in turn, responds to such requests. We make a distinction between (1) violations of the rules for critical discussion, which are called *fallacies* (van Eemeren and Grootendorst 1992, 2004), (2) violations of the rules of a particular type of institutionalized activity, which we label *faults*, and (3) moves that contravene the optimality rules, which are labeled as *weak moves*, and sometimes as *blunders* (Krabbe and van Laar 2011a, 2011b). However, the survey below will be restricted to fallacies.

5.1 When the opponent puts forward a critical reaction:

- (1) When posing a critical reaction, the opponent may commit the Straw Man fallacy by focusing at a proposition that has not been put forward by the proponent, or not in that way.
- (2) Further, the opponent can challenge a fixed concession, which constitutes a fallacy.
- (3) Next, the opponent can challenge T, without making further retractions, in a situation where T has been defended by way of an accepted *ex concessis* argument, “Q so T,” where Q is a set of explicit premises. As Walton and Krabbe (1995: 147) have argued, in such situations, the opponent ought to adjust her set of concessions so as to restore that set’s ‘external stability,’ by also retracting either (part of) Q, or alternatively the connection premise: “The premises in Q taken together are a good reason for T,” or both. Suppose, the argument “There is no living organism in the tube (T), since there is no phosphorus in the tube (Q)” has

been accepted by Wilma. At some later point in the discussion, Wilma might have to adjust her set of concessions after challenging the conclusion of this *ex concessis* argument: “Why is there no living organism in this tube?” If Wilma failed to retract either the connection premise or Q,” she would have committed a fallacy.¹²

5.2 *When the proponent puts forward a counterargument:*

- (4) The proponent may commit the Fallacy of Shifting the Burden of Proof when requesting counterargumentation for not-T in a situation where the opponent has not rejected T, but merely challenged it. Note that in our view, this fallacy also takes place when T is among the presumptions of the discussion.
- (5) Next, the proponent may wrongly request for the validation of the opponent’s challenge of a proposition T that is not a presumption. A validation of a challenge of a proposition that is not a presumption is never required. Requesting for a validation when T is not a presumption of the discussion can be seen as a fallacy that resembles or constitutes a special type of the Fallacy of Shifting the Burden of Proof.
- (6) Fallacies of other types occur when the proponent falsely acts as if the opponent challenged a fixed concession (pretending that it is now possible for him to withdraw from the discussion without losing the discussion).¹³

5.3 *When the opponent responds to a counterargument:*

- (7) The opponent may make the mistake of failing to provide an explanation of her critical reaction, as requested, after having challenged a presumption. In addition to violating the optimality norms (a weak move), such a failure actively hinders the resolution process by taking away an agreed upon point of departure of the discussion without paying for it by way of informing the proponent about her new position. We could name this the *Fallacy of Thwarting*.¹⁴
- (8) Next, the opponent may fail to provide counterargumentation when, in fact, the proponent requests her to do so in response to her rejection. This fallacy constitutes a type of the Fallacy of Evading the Burden of Proof.
- (9) Further, the opponent may make the mistake of failing to provide a validation of her critical reaction, as requested, after having challenged a presumption. This resembles the Thwarting fallacy, but diverges from it by being a kind of *Fallacy of Evading the Burden of Proof* because a burden of proof has been incurred through the proponent’s request to provide a validation. In the case of the Thwarting fallacy, there is no such request, and hence no burden of proof.

¹² An alternative analysis would consist in labeling the conclusions of such *ex concessis* arguments as ‘presumptions’ as well, and requiring the opponent to explain the challenge of such presumptions by informing the proponent about her external stability adjustments (informing him about the additional retractions). In this paper, however, we have chosen to qualify the challenge of such conclusions as fallacious.

¹³ If the opponent had challenged, and thereby tried to retract, a fixed concession, the proponent should be able to withdraw from the discussion without losing the discussion (cf. Barth and Krabbe 1982: 63, Rule FD E5)

¹⁴ Thwarting may be compared to the peevish behaviour of an answerer who obstinately refuses to grant the proper concessions (*duskolos*), described in Topics VIII.1, 156b33-36, VIII.8, 160b2-13, VIII.11, 161a23-24 and 161b9-10 (Aristotle 1976).

6. CONCLUSION

The procedure of critical discussion, as a method for the resolution of differences of opinion, has both competitive and cooperative features. On the one hand proponent and opponent each have their role to play and their aims in the discussion are opposed. But on the other hand, as we have seen, the quality of the discussion can be enhanced if the discussants are prepared to invest more in their ‘common task’ than is required by just following the rules of critical discussion.¹⁵ This cooperative attitude is exemplified by an opponent who provides hints for the proponent in the form of counterconsiderations that constitute strategic advice for the latter about what needs to be done in order to convince the former. We saw that though a positive and helpful response to the proponent’s criticism of the opponent’s criticism is in most cases not a necessary condition for reaching a resolution of the difference of opinion on the merit, such a response will nevertheless generally be conducive to reaching a solution.

Therefore, the competitiveness inherent in critical discussion must be mitigated: Upon the proponent’s request, it is the opponent’s responsibility to guard the quality of the discussion and to provide her counterconsiderations (strategic advice), if available, thus assisting the proponent in developing an argumentative strategy that defuses these counterconsiderations.

We hope that it will be obvious that we do not plead for the abolishment of all competitiveness. On the contrary, we see roles and competition as essential for a critical discussion. Within this competitive context, however, both parties have a responsibility for the quality of the discussion, which complements the obligation to play the competitive game according to the rules, and thus goes beyond the minimal requirement that there should be no fallacies.

ACKNOWLEDGMENT

We thank Maurice Finocchiaro for his very helpful comments on a previous version of this paper.

¹⁵ Cf. Aristotle’s notion of a common task (*koinon ergon*), *Topics* VIII.11, 161a19-21 and 161a37-39 (Aristotle, 1976). On cooperativeness and competitiveness, see also Krabbe (2009).

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Commentary on “THE BURDEN OF CRITICISM”
by Jan Albert van Laar and Erik C. W. Krabbe

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*The critical movement, which seems to be nearing the end of its course today,
was perhaps the most fruitful effort ever sustained by the human mind.¹*

When invited by the Organizing Committee of the OSSA Conference to comment a paper on criticism by the well-known argumentation researchers J.A. van Laar and E.C.W. Krabbe, I accepted with pleasure and interest this task. Criticism and particularly the role and duties of the critic in performing it have been a major concern of my own research on controversies.² Criticism, I believe, is the single most important factor in bringing to fruition what Rousseau considered the distinctive characteristic of humans—perfectibility. Thanks to criticism, prejudice and dogmatism of all sorts and in all domains can be challenged and overcome. Under the pressure of criticism, inadequate theories are rejected and replaced by better ones, new patterns of behavior supersede entrenched habits, institutions evolve, and powerful but unsatisfactory regimes are likely to fall. Yet, in spite of the central position the concept of critique has acquired in modern thought in the wake of Kant and his followers, one can hardly say that it has received the attention it deserves. Bringing it back to the forefront, as it deserves, might be the beginning of its renewal—not only as a more reasonable and reliable practice of criticism, but also as a reflection on its philosophical foundations, ethical grounding, aims, need, efficacy, and achievements.

Even in theories of argumentation, where criticizing a position is considered as essential as defending it, van Laar and Krabbe rightly point out that “it is customary to stress the obligations of the proponent (or arguer) rather than those of the opponent (or critic)”. Being appointed as the commentator of this paper is for me, therefore, an occasion to learn how leading argumentation theorists undertake to restore the balance between the two tasks, as well as to perform my critical duty according to my own conception of the task. I am grateful for this.

The authors and the audience, as well as the commentator, are no doubt aware of the fact that, within the framework of a Conference on Argumentation, the “critical reactions” of the commentator must fit the situation: his task is that of an *opponent*, his duty is detecting problems in the analysis of this very task as understood by the authors, who are the *proponents*. In such an environment, a debate is in fact designed as a confronta-

¹ Michael Polanyi, *Personal Knowledge: Towards a Post-Critical Philosophy*. London: Routledge and Kegan Paul, 1958.

² See Marcelo Dascal, “Critique without critics?” *Science in Context* 10, 1997.

tion whose nature is essentially agonistic. To be sure, politeness notwithstanding, to highlight—and perhaps to accept—the qualities and merits of the proponents’ positions and arguments is no less a duty of a critic than to point out the deficiencies he perceives in them. Nevertheless, while without the latter one can hardly describe the encounter between proponent and opponent as a genuine debate, the absence of the former would not necessarily detract from such a description.

Significantly, van Laar and Krabbe undertake to show that, in addition to the agonistic component based on the competitive element of dialectical confrontations, which characterizes the critic’s task, there is room to acknowledge that there is also a cooperative element which, although generally overlooked, is also an obligatory part of the critic’s task. This element, as they point out, consists in ‘assisting’ the proponent, i.e., somehow helping the proponent to respond appropriately to the opponent’s critique by facilitating the latter’s defense of his/her challenged position. This assistance may amount, for example, to the fact that, instead of cryptically denying or rejecting the proponent’s standpoint, the critic renders her or his arguments explicit, and sometimes even suggests what kind of response might overcome them. Since such a ‘strategic advice’ improves the ‘quality of the discussion’, they argue, it leads to a better chance of achieving the goal of a ‘critical discussion’, namely the resolution of a difference of opinion. They conclude that this beneficial service of cooperative critics justifies viewing the execution of ‘strategic advice’ or similar moves as part of the ‘burden of criticism’. In other words, as a norm to be followed, a real obligation of the conscientious critic who strives to perform his task.

Although I am favorable to van Laar and Krabbe’s concern to stress the presence of a cooperative component at least in some kinds of debates—and I will soon give a remarkable example of a dialectician that attributes to this component a basic status—it seems to me that it cannot be generalized as an ‘burden’ attributed to the critic in all kinds of debates. Consider for example the kind of debate for which I reserve the label ‘dispute’ in my typology of debates.³ Since in these debates the goal of a contender is victory over the adversary, any ‘strategic advice’ used by the former that helps the latter runs against his/her goal and cannot therefore be considered a ‘burden’ he/she has to fulfill. In this kind of debate, not even the hypothesis put forward by van Laar and Krabbe that “the competitiveness inherent in critical discussion must be mitigated by making the opponent responsible for providing her counter-considerations, if available, thus assisting the proponent in developing an argumentative strategy that defuses them” can be accepted, for it would be self-defeating with respect to the goal of a ‘dispute’. Only if ‘critical discussion’ is not employed—as it often is in argumentation theory—as a general term encompassing a broad variety of types of debates, but rather as restricted to a limited scope defined by a set of rules, can the ‘mitigation hypothesis’ become a ‘must’, hence a norm and a burden of the criticism exercised within that scope. It seems to me, however, that van Laar and Krabbe’s concern with the duties of a critic goes beyond their formalization within the scope of a narrow theory of argumentation. For—as they are aware of—criticism in dialectical encounters, be it cooperative or competitive, is inseparable from ethical considerations and values, as well as from their epistemological counterparts.

An example may help to clarify this point. Leibniz, the great logician, mathematician, philosopher, and what not, is also a great dialectician and theoretician of argumen-

³ See, e.g., Marcelo Dascal, “The study of controversies and the theory and history of science”. *Science in Context* 11, 1998.

tation and controversies.⁴ Here is a quotation from a letter he writes to his good friend, Placcius, in 17 April 1695, replying to a letter from Placcius who sent to him a package containing a recent work of his, which he asks Leibniz to criticize:

I hope that, among what you offered to send me, the *Ethics* is yours—which entitles us to expect from it much good produce, like from everything you publish, and even more from the recent second edition of your *The Perfect Jurist*. In any case, I highly appreciate our Mr. Thomasius’s intelligence; in general, however, I approve him more readily when he expounds his own views than when he rejects those of others. My long experience has taught me not to disdain anything easily. There are profound reflections in every kind of doctrines, each with its own usefulness, even though they are not so obvious. Therefore, what has been reflected upon in various kinds of interpretations I usually consider to deserve applause for its precision [ακριβεια], rather than contempt; in this way I stimulate the learned to explore those deeper notions rather than being deterred by them. Hence, you should not doubt that I will be an eager and, as far as possible, a studious reader of whatever emanates from you. Nevertheless, to exercise criticism requires more work, and it should not be expected from me, for by nature and education I am prepared to look for, in the writings of others, [what contributes to] my own improvement rather than to the others’ failure. If it seems necessary to call attention to this, I will not hide my own candor. Be well!

The epistemic reason for Leibniz’s stressing the careful, cooperative attitude he suggests vis-à-vis a proponent’s position instead of its quick rejection, lies in what one can learn from that position, provided one makes the necessary effort to unveil the “profound reflections” that underlie it. This, in turn, corresponds to the ethical principle of respect for the other, according to which in order to judge the other’s beliefs or actions one must put oneself in the other’s place.⁵ The opponent, therefore, should not be eager, first and foremost, to attack what he perceives as faults of the proponent; his first task qua critic is to do his best in order to identify what is valuable in the latter’s position. This includes, in addition to examining it in the light of “various interpretations”, to raise questions or challenges capable of revealing the “profound reflections” that conducted the proponent from his “place” to that position. Obviously, in this Leibnizian sense “the exercise of criticism requires more work”.

In sharp contrast to Leibniz’s approach to criticism, which provides epistemic and ethical grounds for the cooperative ‘dialectical obligation’ of the sort van Laar and Krabbe undertake to account for in terms of purely argumentative goals, it is worth recalling Popper’s approach, in which what must prevail in the critic’s strategy is the uncompromising knockout of the proponent’s standpoint. For Popper, “logic may be regarded as the *organon of criticism*”,⁶ and logic’s fundamental principle is absolute obedience to the law of contradiction. Criticism consists simply in the exploitation of this law for intellectual progress:

⁴ See G. W. Leibniz— *The Art of Controversies*. Translated and Edited, with an Introductory Essay and Notes, by Marcelo Dascal, with Quintín Racionero and Adelino Cardoso. Dordrecht: Springer, 2006. The passage quoted below is in page 297.

⁵ See “The other’s place”, in G. W. Leibniz, op. cit., pages 163-166.

⁶ Karl R. Popper, “Epistemology without a knowing subject”. In his *Objective Knowledge: An Evolutionary Approach*. Oxford: Clarendon Press, 1972.

Criticism can never do anything except either point out some such contradiction, or, perhaps, simply contradict the theory [...]. But criticism is, in a very important sense, the main motive force of any intellectual development. Without contradictions, without criticism there would be no rational motive for changing our theories: there would be no intellectual progress.⁷

Criticism's effectiveness lies in compelling rational arguers to abandon any theory that leads to a false conclusion, a move Popper calls "retransmission of falsity from conclusions to premises" or, plainly, "refutation". This essential critical move "makes formal logic the *Organon of rational criticism*".⁸ The decisive character of the formal move of refutation excludes any possibility of embedding in it collaborative hints, advices, suggestions, or interpretations that might avoid the proponent's theory's defeat. Popper is therefore describing—to be sure, for the goals of science rather than of sheer victory—yet another kind of dialectic exchange wherein the cooperative 'burden of criticism' suggested by van Laar and Krabbe would be self-defeating.⁹

It seems to me that a way of drawing much benefit from van Laar and Krabbe's timely calling attention to the importance of the cooperative aspect of criticism is to give up the dichotomy cooperation vs. competition and its cognates. No doubt both have a role in dialectical exchanges and complement each other. But only certain types of debate are such that the difference of opinions to be resolved consists in logical contradictions of the 'either p or not- p ' kind, so that the contenders—if they are consistent—*must* argue in favor of one or the other option. The majority of debates are non-dichotomous or, if they bear a dichotomous appearance, they can be relatively easily de-dichotomized, thus allowing for alternatives other than the choice of one of the opposite poles.¹⁰ If viewed not exclusively as contributions to such a polar choice, within the standard framework of pragma-dialectics, nor as a formal burden of criticism, the cooperative moves highlighted by van Laar and Krabbe can be seen as an important factor in other forms of resolution of differences of opinion, as well as in the analysis and handling of controversies. Among other things, such cooperative moves are necessary for the 'reframing' of the contenders' positions and attitudes in a debate—a strategy widely used in mediation, psychotherapy, and other conflict resolution processes;¹¹ they pave the way for the generation of hybrid alternatives wherein the original position of the proponent is modified thanks to the opponent's critical moves; they play a significant role in the fact that 'controversies', in the sense I reserve for this term in my typology of debates (see, e.g., note 10), although rarely 'solved' or 'resolved' in the standard sense, contribute essential 'cognitive gains' for the advancement of knowledge, such as the clarification of the issues at stake and innovation.

⁷ Karl R. Popper, "What is dialectic?". In his *Conjectures and Refutations: The Growth of Scientific Knowledge*, 3rd edition. London: Routledge and Kegan Paul, 1969.

⁸ Karl R. Popper, "Science: conjectures and refutations". In his op. cit. 1969.

⁹ It is interesting to note that the debate between Popper and the Positivists on refutation vs. confirmation amounts in fact to a debate about whether the epistemologically significant criterion of theory acceptability relies on the 'burden of criticism' or on the 'burden of proof'.

¹⁰ See Marcelo Dascal, "Dichotomies and types of debate". In Frans van Eemeren and Bart Garssen (eds.), *Controversy and Confrontation: Relating Controversy Analysis with Argumentation Theory*. Amsterdam: John Benjamins, 2008.

¹¹ See Varda Dascal, "Body, style, and psychotherapy". In Sharon Chaiklin and Hilda Wengrover (eds.), *The Art and Science of Dance/Movement Therapy: Life is Dance*. Hove, East Sussex: Routledge, 2009.

They are also part and parcel of the extensive and invaluable use we make of defeasibility—such as when we rely on presumptions—in our dialectical practice.

Again, we can resort to Leibniz. He recognized the importance of defeasibility for the resolution of daily life problems as well as for legal practice, religious and political conflicts, and science. Consequently he often employed successful ‘conciliation’ or ‘hybridization’ procedures, as well as defeasible arguments in dialectical exchanges, thereby showing that many differences of opinion usually perceived as based on ‘dichotomies’, far from being cases of insurmountable logical contradictions, can be overcome if only the contenders are ready to admit a non-dichotomous, cooperative and respectful attitude towards the value of each other’s standpoints.¹² We should be grateful to van Laar and Krabbe for reminding us that criticism cannot be alien to this attitude.

¹² See Marcelo Dascal and Erez Firt, “Leibniz’s conciliatory approaches in scientific controversies”. In Marcelo Dascal (ed.), *The Practice of Reason: Leibniz and his Controversies*. Amsterdam: John Benjamins, 2010.