

# Chapter 4: “Elements of Argumentation”

*Cooperative Argumentation: A Model for  
Deliberative Community*

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# The Nature and Role of Reasonableness

- Logic is an important aspect of reasonableness—logic connects an argument’s various parts.
- Arguments are made up of sequences of conclusions and supporting reasons, intermediate conclusions, supported with reasons, form an argumentative web leading to the central argument’s conclusion.
- The conclusion of one argument can serve as the primary supporting reason for another.

# The Nature and Role of Reasonableness

- Connections and arguments are known as inferences.
- Accepting an inference means accepting one statement because you believe at least one other statement provides adequate support for it.
- Every argument involves at least one, and usually many, inferences.
- Good argumentation involves a balance between sound logic and critical emotions.

# Claims

- Claim is commonly used to refer to the conclusion of an argument
- The authors use the term to mean any statement, either implied or openly stated, within an argument.
- The authors refer to the concluding claim of an argument as the conclusion. I call it the *über* claim.
- There are three types of claims. What are they?

# Issues

- Defined as a clash between two or more claims.
- There can be issues regarding facts, issues of value, and issues of policy.
- Arguers need to assess the importance of the different issues within their discussion, deciding if they are essential or not.
- *Can you think of any examples?*

# Commonplaces

- Defined as points of agreement.
- The more commonplaces arguer's are able to find, the more likely they'll be able to discover and address issues that are central to the topic.
- Commonplaces can be as simple as a shared definition.
- *Can you think of any examples?*

# Definitions

- Definitions of key terms serve important functions that make possible the discovery of issues and commonplaces, presumptions, and burdens of proof.
- Some of the most useful definitions come from common usage because it takes advantage of the audience's common understanding of the term.
- Terms can be defined operationally, and by comparison, contrast, and negation—what they are not.
- Arguably the most effective way to achieve common understanding we need a combination of different types of definitions.

*Prima Facie,*  
Presumption,  
and  
Burden of Proof

# *Prima Facie*

- The literal translation (from Latin) would be "at first face" or "at first appearance."
- In conversational English, it's the way something looks "on its face," or "at first glance."
- Example: A man is taking his dog for a walk who stops to micturate on a neighbor's lawn. On their way back, the neighbor is outside. Seeing dog feces on his lawn, it appears to him that it was the man's dog.

# *Prima Facie*

- In legal proceedings, it signifies:
  - that upon initial examination, sufficient corroborating evidence appears to exist to support a case
  - something has been proven or assumed to be true unless there is evidence presented to the contrary.
- Example: a plaintiff in a discrimination case shows that a pre-employment test has a unfair impact on minorities (this is a *prima facie* case unless the employer can then prove that the test is legitimate for work related purposes.

# Presumption

- Is similar to *prima facie*, but is different in that it is a specific kind of common ground based on beliefs and values
- Presumption: a statement or belief that is granted without argument by decision-makers in a given context
- The importance of conventional presumptions is especially evident in group decision-making

# Presumption

- **Technical presumptions:** are imposed upon participants in an argumentation context
  - Competitive debate/forensics
  - Judicial courts
- **Conventional presumptions:** the grounding beliefs and values accepted without argument by specific groups of decision makers
  - The awareness of conventional presumptions (and being able to discern them!) is especially important in group decision-making

# Cross-Cultural Conventional Presumptions

Several cross-cultural values can be identified. Some of these are commitments to the following:

- truthfulness
- empathy
- compassion
- caring for self and others
- respect
- equity
- fairness
- solidarity with others
- attentive and realistic love
- commitment to human dignity
- loving kindness

# Cross-Cultural Conventional Presumptions

- These carry the weight of conventional presumptions across cultural and technical boundaries
- Those who's arguments appeal to hatred, prejudice, intolerance, and injustice bear a strong **burden of proof**, regardless of cultural context.

# Burden of Proof

- If someone wants to challenge a presumption they have the burden of proof
- Burden of proof: one must prove that a presumption is incorrect

# Burden of Proof

Example:

In the 1920s businesses could not be regulated by the government—the latter faced an almost impossible burden of proof to establish a need to do so.

During the Great Depression, new conventional presumptions about the government's regulatory function took hold.

This new view held that the government should intervene in the public interest whenever individual rights were actually or potentially violated by businesses.

# The Problem with Presumptions

- Cooperative argumentation is intended to help decision-makers recognize and question prevailing systems of belief.
- Philosopher Robert Pinto (2001) suggests it would be extremely beneficial if the burden of proof were *shifted* to those who hold the presumption of truth so that *they* must disprove challenges to prevailing values.

# The Problem with Presumptions

- Presumptions may be said to have a conservative bias (i.e. they favor tradition.) Why?
  - History reveals many instances when such a bias prevented a society from recognizing the wisdom of enlightened calls to change.
- Recognizing the role presumptions play in decision-making can help improve the quality of the overall process.

# The Relationship Between Presumption and Decision-Making

- Cooperative argumentation is intended to help decision-makers recognize and question prevailing systems of belief.
- It helps them continually assess the validity and wisdom of their technical and conventional presumptions.

# Types of Evidence

- Evidence is the most common source of support for controversial claims.
- In order to be effective, examples need to be both representative and sufficient in number.
- What different types of evidence are there?
  - Specific instances, such as examples and illustrations
  - Hypothetical examples
  - Statistics
  - Testimony

# Inferences

- Inferences move arguer's from what is known, or believed to be true, to what is not known. or not believe to be true.
- There are two basic types of inferences:
  - Demonstrative Forms
  - Nondemonstrative Forms

# Inferences

- Demonstrative Argumentation
  - The purview of formal logicians, here an argument form is valid if and only if it is not possible for the conclusion of the argument to be false when all of the premises are true.
  - Demonstrative arguments serve the purposes of demonstration

# Inferences

- Nondemonstrative Argumentation
  - The purview of formal logicians, here an argument form is valid if and only if it is not possible for the conclusion of the argument to be false when all of the premises are true.
  - Practical arguments serve the purposes of deliberation and justification.

# Inferences

- Nondemonstrative Argumentation
  - Adapted to the demands of rhetorical probability rather than mathematical probability.
  - Rhetorical probability is measured by the degree to which reasonable people capable of following an extended argument accept the inference.
  - It goes into the realm of human emotion.

# Inductive and Deductive Nondemonstrative Forms

- Inductive Reasoning: “bottom up” or *informative*
  - Inferences that follow a pattern from the particular to the general
  - Inductive argument asserts that the conclusion follows, not necessarily, but only probably from the truth of the premises.

Example:

1) This marble from the bag is black. That marble from the bag is black. A third marble from the bag is black. Therefore all the marbles in the bag black.

2) Most universities and colleges in Utah ban alcohol from campus. Therefore, most universities and colleges in the U.S. ban alcohol from campus.

# Inductive and Deductive Nondemonstrative Forms

- Deductive Reasoning: “top down” or *reductive*
  - Arguments that move from the general to the particular
  - The conclusion follows necessarily from the truth of the premises

## Examples:

1) Bachelors are unmarried men. Bill is unmarried. Bill is a man. Therefore, Bill is a bachelor.

2) To get a Bachelor's degree at Utah State University, a student must have 120 credits. Sally has more than 130 credits. Therefore, Sally has a bachelor's degree.

# Inductive and Deductive Nondemonstrative Forms



: Deductive arguments attempt to conclude with necessity



: Inductive arguments attempt to conclude with probability

Examples of both from [Monty Python](#) (start at 00:57)

# Inductive and Deductive Nondemonstrative Forms

## Inductive Reasoning:

The woman has a witch's nose, she is wearing witch's clothing and a witch's hat, and she has a wart. Only witches have witches' noses, clothing, hats, and warts. Therefore, she's a witch.

## Deductive Reasoning:

If she weighs the same as a duck, she'll float. She weighs the same as a duck, therefore, she'll float. If she floats, she is made of wood. She floats, so she's made of wood. If she's made of wood, she's a witch. She is made of wood. Therefore, she's a witch!

# The Inductive Form

- Argument by comparison may be the most commonly used approach to inductive reasoning
- What are some specific types of argument by comparison?
  - Argument by analogy
  - Argument by metaphor
  - Argument by simile
  - Argument by example

# Argument by Analogy

- Arguments by analogy work best when they help people relate what they know well to what they don't.
- Analogies use terms from four different spheres to develop understanding: A is to B as C is to D.

# Argument by Metaphor and Simile

- They are similar to argument by analogy, however they compare only one set of objects into different spheres: *A is B*, or *A is like B*.
- Metaphors can be both effective tools as well as being intentionally or unintentionally manipulative.
  - These influence audiences by shaping their perceptions.

# The Complexity of Metaphor

- Can you think of any commonly used metaphors?
- Let's unpack a few of them...what are their implications?

# Argument by Example

- Such arguments develop associations between terms in the same sphere: A is to B as A is to C.
  - For example, an attorney might argue that his client's situation is like another client's situation. Judicial precedent found the other client not guilty, therefore his client is not guilty.