

## Critical Review

### *Conductive Argument, An Overlooked Type of Defeasible Reasoning*

Edited by **J. Anthony Blair and Ralph H. Johnson**

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This intriguing collective volume deals with pro and con arguments, that is, arguments in which both positive and negative considerations are taken into account, and the conclusion is supported only insofar as the former prevail (in some sense) on the latter—from now on, pro/con arguments. I have great sympathy for this topic, and I agree with the editors of the volume that this is “an overlooked type of defeasible reasoning”, as the subtitle states. But I must confess some irritation for the labels “conduction” and “conductive argument”, since in the present context they hinder rather than help a prompt understanding of what the book is about, at least for non-specialists. The justification of the term is etymological, from the Latin *conducere*, meaning “bringing together”. What is brought together in this case are independent considerations bearing on the same conclusion, and their sign (positive or negative) can either be the same or differ. Only in the latter case a conductive argument reduces to a pro/con argument.

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Yet, insofar as those who currently work on conductive arguments almost invariably restrict their attention to pro/con arguments, clarity would be better served if they used the latter, less ambiguous and more intuitive label.

Be it as it may, the editors are not to blame for their choice of title, since they inherited the term “conduction” from Carl Wellman, who was the first to theorize about this type of reasoning in relation to argumentation studies—albeit certainly not the first to theorize about it in general, as we shall see. In turn, he might have had valid reasons for coining the term, one of them being that he *did not* want to consider only pro and con arguments. However, Wellman's original notion of conduction (1971, p. 52) was defined in rather puzzling terms, and taken at face value it is highly problematic,<sup>1</sup> as discussed by J. Anthony Blair in his introduction to the volume (Chapter 1). Thus, as a matter of fact, people who work on conduction nowadays focus almost exclusively on pro/con arguments, and the contributors to this volume are no exception.

I will first summarize the rich contents of the volume, and then offer some critical remarks of my own. In Chapter 1, Blair introduces the topic, by critically reconstructing Wellman's approach to it and highlighting the need for clarity regarding, respectively, the definition and scope of the notion of conduction, how to represent and diagram this type of reasoning, and how to establish what constitutes a good (or bad) instance of it. This distinction is mirrored in the first two parts of the volume, entitled “The concept of conduction” (Chapters 2-6) and “Evaluating conductive arguments” (Chapters 7-10): the third part is instead devoted to “Case studies and special topics” (Chapters 11-15), while the volume closes with an “Afterword” by Trudy Govier (Chapter 16), whose work on conductive arguments was instrumental to inspire the symposium from which this book originated (Windsor, 30 April–1 May, 2010).

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<sup>1</sup> Harald Wohlrapp refers to Wellman's definition of conduction as “enigmatic” (Chapter 14, p. 218), but he is also right in pointing out that part of the problems related to the conductive terminology depend on its later association with other debated notions, such as “convergent argument” and “argumentative strength”.

### 1. The concept of conduction

In Chapter 2, Rongdong Jin focuses on the structure of pro/con arguments, also with the aim of devising a suitable method for diagramming them: based on a critical review of the work of Wellman, Hitchcock and Govier, he suggests that counter-considerations in pro/con arguments should be differentiated from objections, that such arguments have a complex structure, not reducible to a simple convergent pattern, and that their diagrams should highlight the fact that both pros and cons are essential to this particular type of argument structure.

In Chapter 3, Hans Hansen pursues multiple projects, all bearing on the elucidation of pro/con arguments: he discovers an illustrious precursor of Wellman's notion of conduction in the characterization of moral reasoning in George Campbell's *Philosophy of Rhetoric* (originally published in 1776), attempts to prove that all premises supporting a conclusion in a pro/con argument are negatively related to the counter-considerations for that same argument, captures the role of counter-considerations as expressing an on-balance premise to the conclusion (roughly speaking, attesting that pros outweighs cons), and thus shows that pro/con arguments are not convergent; not yet satisfied, Hansen proceeds to elucidate the meaning of the counter-consideration indicator “even though” and its relation with pro/con arguments, and then applies this insight to the analysis of the “Notwithstanding Clause” of the *Canadian Charter of Rights and Freedoms*.

In Chapter 4, Ralph Johnson draws subtle but clear distinctions between different types of “dialectical material” (his expression), focusing on those that challenge the argument, in one way or another: objections, counter-considerations, counter-arguments, and criticisms. In particular, Johnson opposes the view that objections and counter-considerations should be equated, and provides compelling reasons against conflating them (contra Govier, among others): this also implies that pro/con arguments are not synonymous of arguments with a dialectical tier, that is,

according to Johnson (2000), arguments where the arguer, besides providing positive grounds for a conclusion, also tries to anticipate and defuse potential objections.

In Chapter 5, Christian Kock makes a case (not for the first time) for distinguishing between different types of claim in the analysis of arguments: in particular, he presents several key differences between factual claims (a.k.a. alethic or theoretical), regarding what is the fact of the matter, and practical claims, concerning what course of action an individual or a collectivity should pursue, and then outlines a continuum of intermediary claim types between these two extremes. Kock convincingly argues that practical arguments cannot be reduced to factual ones, nor should they be neglected, as it is more or less customary to do in argumentation theory; hopefully, renewed attention to pro/con arguments should also help focusing more firmly on practical concerns, since argumentation on purposive choice necessarily takes into account both pros and cons.

In Chapter 6, Frank Zenker shows how deductive, inductive, and conductive structures can be distinguished on two criteria: the difference in information content between premises and conclusion, and the dynamic behavior of the support for the conclusion following premise change (addition, deletion or revision). At the same time, he also argues that, by taking seriously the idea of weighing pros and cons against each other, it is possible to provide a unified picture of these three types of argument, with the inductive and deductive structure being considered as limiting cases of conduction—respectively, induction is a form of conduction where the weight assigned to premises is constrained to a constant value, whereas in deduction also the information content is kept fixed from premises to conclusion.

## **2. Evaluating conductive arguments**

These considerations dovetail nicely with the essays in the second part of the volume, which are focused on the evaluation of pro/con

arguments. In Chapter 7, Thomas Fischer proposes that the weighing metaphor, often used for the evaluation of pro/con arguments, should be understood in terms of hefting (a simile originally introduced by Wellman himself), and thus argument weights should be treated as non-numerical, approximate, comparative, and yet objective, in the sense of intersubjectively comparable; the latter point is especially controversial, and Fischer defends it against the opposing views of other authors, such as Kock (Chapter 5), Wohlrapp (2008),<sup>2</sup> and Zenker (2007). This view of argument weights is also put into contact with the notion of exception, case-based legal reasoning, the debate on the usefulness of *ceteris paribus* conditions in conductive argumentation, and the problem of cumulating independent strands of reasons for the same conclusion.

Also Robert Pinto is interested in weighing, and in Chapter 8 he proposes an analysis of how pros and cons are to be judged against each other in conductive reasoning: his main contribution (among others) is to describe the force of a consideration as a function of the risk we take in relying on such consideration and of the weight we assign to it, which in turn is a function of the importance we assign to the features on which that consideration hinges and of the degree to which such features are present in that consideration. His analysis, albeit admittedly preliminary, is fairly nuanced, and it offers many insights on how to model a rational basis for comparative judgments between pros and cons. After all, as Pinto (following Govier 1999) reminds us, we make such judgments all the time, so the task of uncovering whether and how this practice happens to be reasonable should be of great concern for argumentation scholars, no matter how hard the challenge appears to be.

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<sup>2</sup> By my own reading of Wohlrapp's position in Chapter 14 of this volume (see below), I very much doubt he would deny that pro/con arguments are intersubjectively comparable, no matter how much he dislikes the weighing metaphor. So it seems to me that either Fischer is mistaken in enlisting Wohlrapp among the enemies of objectivity-as-intersubjective-comparability, as I suspect, or Wohlrapp must have changed his tune since his 2008.

This challenge is also taken up by James Freeman in Chapter 9, where he proposes an analysis of conductive arguments based on Toulmin's model (1958): their ground adequacy is seen as based on warrants that license the inference from pro considerations to the conclusion, whereas counter-considerations are regarded as rebuttals—here defined more broadly than in Toulmin—which in turn might or might not require proper counter-rebuttals. The upshot of his analysis is that conductive arguments are to be evaluated based on «the reliability of the properly and comprehensively framed warrant of the argument, framed with respect to conceded rebuttals, including unanticipated rebuttals, and counter-rebuttals» (p. 144). Thus, in the hands of Freeman, the problem of weighing pros and cons against each other is transformed into the problem of properly identifying the warrant of the argument, which will include both, and then judge its reliability.

In Chapter 10, Mark Battersby and Sharon Bailin endeavor to list twelve guidelines for reaching a reasoned judgment in a pro/con argument, with an emphasis on prolonged, complex debates, and then proceed to show how these guidelines may help identifying several fallacies in conductive reasoning. After such *tour de force*, the authors frankly acknowledge that the applicability of their guidelines, and in general of any evaluative criteria for pro/con arguments, rests on the possibility of comparing the relative weight of pros and cons: whereas they do not provide a full-blown model of how to accomplish this feat, they insist that there is room for an objective resolution of the problem, inasmuch as such weighing is often based on widely shared values and principles. Battersby and Bailing acknowledge that even people sharing the same values and principles might differ in how they prioritize them, and even provide examples of such disagreements; yet they treat these residual discrepancies as “differences for which one can offer justifications and about which one can reason” (p. 156). Even so, I do not think this would satisfy subjectivists like Kock (2007), to whom Batterby and Bailin explicitly refer: on the

contrary, I imagine Kock would retort that it is precisely the differential ranking of (partially or totally) shared values and principles that rationally justifies some enduring dissensus between the parties, whenever they disagree not due to some deficiency in reasoning, but because their legitimate priorities do not coincide. And I agree with Kock that differences in priorities (or preferences, if you like) is the most typical cause of disagreement, rather than an exception.

### 3. Case studies and special topics

The rest of the volume is more varied in contents, and yet manages to remain highly consistent. In Chapter 11, Fred Kauffeld briefly recapitulates his in-depth analysis of the debates over the ratification of the U.S. Constitution (2002), in order to show how considerations for and against were handled in that context. The exercise proves insightful: Kauffeld shows that, before the opposing reasons of Federalists and Anti-Federalists could be weighted against each other and thus the dispute resolved, their commensurability had to be established—in particular, the Anti-Federalist claim that dangers of abuse of power warranted rejecting the Constitution needed to be acknowledged as a paramount concern, and paired with an equally paramount consideration (in this case, the necessity of granting that particular power to the National Government, to ensure proper administration of the country). The general moral is that paramount concerns, sometimes referred to as overriding considerations, by their very nature *dominate* other reasons, thus precluding a proper weighing of pros and cons. If a dispute is to be solved through such weighing, paramount concerns need first to be addressed and countered by equally overriding considerations, hopefully of a kind that will admit of some common solution (in this case, granting all necessary powers to the National Government *and* introducing in the Constitution tight safeguards against their abuse).

Also Chapter 12 focuses on a case study: here Derek Allen

applies Toulmin's model to a legal case regarding the constitutional validity under the *Canadian Charter of Rights and Freedoms* of the prohibition of hate propaganda directed in public at certain identifiable groups, as countenanced by a provision of the *Criminal Code* of Canada. Besides offering a detailed and fascinating analysis of several complex pro/con arguments involved in the case, Allen argues that the methodology of the Supreme Court for assessing an argument on whether a law limiting some basic freedom is still (or not) constitutionally valid is markedly different from the method prescribed by Freeman (Chapter 9) to analyze conductive arguments—that is, framing generalized warrants for the arguments and consider whether proper backing is available. According to Allen, the main difference lies in the fact that the Supreme Court “requires judges to remain rooted in the particularities of the case at hand” (p. 189), rather than relying on overarching generalizations. Whether or not Freeman would accept the grounds for this difference is another matter (I suspect he would not): comparing these methods remains highly instructive, even if they should turn out to be not irreconcilable after all.

In Chapter 13, Douglas Walton applies some contemporary argumentation tools to analyze an example of pro/con ethical reasoning originally presented by Wellman: in particular, Walton uses defeasible argument schemes to model pros and cons, and reconstructs Wellman's method of challenge and response for ethical decision-making as a five-point sequence in a deliberation dialogue with three stages. This approach makes clear that, in order to solve the thorny issue of how to weigh against each other pros and cons, one has to move beyond considering over-simplified artificial examples (basically, just few lines of text without any context), and instead assess this type of reasoning as part of broader dialogues—which, according to Walton, is where ethical considerations of pros and cons typically and properly unfolds. Thus Walton's analysis acts as a valuable reminder that arguments, including conductive ones, are never evaluated in a vacuum, so that the role of dialogical contexts has to be taken into account in dealing with pros and cons.



In Chapter 14, Harald Wohlrapp provides a somewhat radically different analysis of pro/con reasoning, in open contrast with the notion that there exists some conductive argument scheme: this he judges to be “a bold but half-done idea, which is mainly misleading” (p. 210). In particular, Wohlrapp emphasizes that the standard treatment of pro/con arguments underestimates the role played by procedural dynamics and subjectivity in determining their shape and value. On the first issue, he argues for the usefulness of the notion of frame, and for the idea that a substantial portion of the argumentative work in pro/con arguments consists in reframing the reasons under consideration.<sup>3</sup> On the

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<sup>3</sup> On a personal note, I agree with Wohlrapp that frames are useful (and yet underused) for argument analysis, and that argumentation often includes a reframing process. However, I am unconvinced by his examples of frame conflicts, and by the underlying suggestion that *all* pro/con arguments involve competing frames: this is too extreme, and risks undermining the very usefulness of the frame notion. To illustrate a non-argumentative frame conflict, Wohlrapp uses Wittgenstein’s duck-hare head, which one can either see as a duck or as a hare, but not as both at the same time. Then he proposes to reconstruct the pro/con argument “Building the street will simplify the traffic, so we should do it, but it will also cause a gash in the forest, so we should not do it” as an argumentative frame conflict, as follows: “Some see the street (primarily) as a simplification for the traffic. Some see the street (primarily) as a gash in the forest” (p. 217). But why should we regard this as a frame conflict, rather than as a mere difference in preferences and/or values? On Wohlrapp’s (apt) definition of a frame, a necessary feature is that “it imposes a *restriction of the features* which are considered to be about the issue” (p. 216, his emphasis). That is precisely what happens with the duck-hare head: when you see it as a duck you cannot simultaneously perceive it as a hare, and vice versa. But why should we assume that someone who argues in favor of building the street to simplify the traffic *cannot see* the gash in the forest that this will cause? Obviously, there is no reason to make such an assumption—indeed, the defining feature of pro/con arguments is the fact that opposing reasons *are* acknowledged, that is, perceived as relevant. To this, Wohlrapp might retort that I am straw-manning him, since he never claimed that arguers cannot see the other side of the issue, only that they see *primarily* their own. Fair (and trivial) enough, but then the property of “being seen primarily as” should be considered sufficient to support a frame conflict, while it is not. One can see Wittgenstein’s figure *only* (not “primarily”) as either a duck or a hare at any given time. Sure, some see it first as a duck and later as a hare, some others do the opposite. But this is a difference in temporal

second issue, he borrows from Lorenzen (1969) the concept of transsubjectivity, to make the point that, without a commitment to acknowledge but also transcend one's subjective interests and convictions, “all arguing will be no more than sophistry” (p. 223). Wohlrapp is well aware that other argumentation scholars have championed, respectively, a stronger focus on dialogical processes (e.g., Walton & Krabbe 1995; van Eemeren & Grotendorst) and greater attention to subjectivity (Kock 2007), yet he finds the former attempts to be too timid (“they keep a static character instead of representing real argumentative exchanges”, p. 214) and the latter too bold (“his subjectivist view goes too far and risks eliminating the merits of argumentation at all”, p. 216).

Chapter 15 is the longest of this volume, and not by chance: there Maurice Finocchiaro endeavors a meta-argumentative analysis of the ongoing debate on pro/con arguments, providing a detailed and well-informed reconstruction of it, with special (but not exclusive) emphasis on the contributions of Wellman, Hitchcock, Govier, Allen, Ennis, Zenker, and Wohlrapp. This goes a long way in highlighting the state of the play on this topic, as well as pointing to several substantive conclusions and various open problems, briefly summarized at the end of the essay (for lazy

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order, not in priority or weight—while it is clearly the latter that Wohlrapp means by “primarily”. The fact that one first considers the street as an opportunity or as a liability does not necessarily influence the assessment of the argument, as long as the other side is also acknowledged. What matters is the relative strength assigned to each of these considerations, and when arguers differ on that assignment, it is because they have diverging preferences or values, not a frame conflict in any reasonable sense. This is not to say that reframing does not occur in argumentation, nor to diminish its importance: indeed, an excellent example of the crucial impact of such reframing is given by Kauffeld's analysis of the debates over the ratification of the U.S. Constitution in Chapter 11, as previously discussed. But to treat all pro/con arguments as involving a frame conflict, as Wohlrapp seems to suggest, violates his very definition of what constitutes a frame. Moreover, that definition is to be preserved, on pain of confusing frame conflicts with differences of preferences; if frames were just “a valuational perspective on a set of characterized (or recharacterized) facts”, as Fischer puts it in Chapter 7 (p. 99), then it would be better to just talk of values and preferences about values.

readers, I recommend pp. 256-258 as an excellent summary). Instead of offering a reconstruction of Finocchiaro's reconstruction, which would be but a pale shadow of the original, I would like to stress two other special merits of this chapter: the analysis of two instances of rich, long, complex pro/con argumentation (as opposed to the one-liners we too often ruminate about, as lamented also by Walton in Chapter 13), and the precious reminder that relevant research and theorizing on pro/con arguments has been often undertaken without using the “conductive” terminology,<sup>4</sup> and yet has much to offer to the studies summarized in this volume. Finocchiaro's list of these not-so-hidden treasures (if one just bothers to look) is indeed impressive, and section 10 of his essay (pp. 249-252) should be mandatory reading for all scholars interested in pro/con arguments.

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<sup>4</sup> This includes research done well before the technical term “conduction” was invented: Finocchiaro points to John Stuart Mill's considerations about liberty of thought and discussion in *On Liberty*, and I already mentioned Hansen's remarks on the notion of moral reasoning in Campbell's *Philosophy of Rhetoric* (Chapter 3). But even in ancient times, as Wohlrapp reminds us (Chapter 14, p. 210), pro/con reasoning was often discussed, mostly under the label *argumentatio in utramque partem*. With reference to this ancient sources, it is important to distinguish the practice of arguing for or against a conclusion without the aim of proving its truth or falsity, or even with the intent of demonstrating the impossibility of doing so (a typical sophistical strategy), from instances of argumentation in which considering pros and cons is instrumental to reach a conclusion or an agreement on a certain matter of fact or course of action (this is how pro/con reasoning is typically understood nowadays): Jacquette (2007) discusses this tension in ancient rhetoric and its import for contemporary argumentation theories. Even more important is the distinction between instances where pros and cons enter the reasoning process of a person or group *prior* to have reached a conclusion on the matter under consideration (pro/con reasoning), and cases when such conclusion has already been reached, and yet pros and cons figure in the arguments used to *persuade someone else* of it (pro/con arguments): in this volume, only Blair explicitly addresses this difference, while the other contributors, albeit certainly well-aware of it, fail to discuss it. Later on, I will add something of my own on the matter.

#### 4. Afterword

Finally, in Chapter 16 Trudy Govier presents an overview of the symposium from which the volume originated, and thus responds or comments on points raised by other contributors on her work about pro/con arguments. Since her views on the matter are richly articulated elsewhere (e.g., Govier 1999, 2010), I think it is best here to discuss those aspects of her theory that are either modified, elucidated or further defended in this particular essay, in reaction to other contributions: here I will focus on only six of them, among many others. First, Govier clarifies that her treatment of *ceteris paribus* clauses in pro/con arguments aims to capture the universality of reasons (that is, the fact that a proper reason has to apply also to cases that are relevantly similar to the one in question), and she argues (and I concur) that critics of the *ceteris paribus* approach should propose alternative ways to account for such universality. Second, she concedes that objections should be distinguished from counter-considerations (as she did in her 1999, but contra her 2010), and yet distances herself from Johnson's definition of objection in Chapter 4. Third, reacting to Jin's critical observations in Chapter 2, Govier refines the notion of "bearing of one premise on the conclusion" as indicating that such premise is relevant for that conclusion: this allows her definition of convergent support to accommodate the fact that dropping a counter-consideration from a conductive (and thus convergent) argument changes the probative weight of the positive considerations in that argument—but not their relevance to the conclusion. Fourth, Govier seems to accept the necessity of an on balance premise, of the kind proposed by Hansen in Chapter 3, to capture the structure of pro/con arguments: however, contra Hansen, she resists the idea that adding such premise makes pro/con arguments linked rather than convergent, and uses Lin's analysis in Chapter 2 to articulate her own view of how pro/con argumentation proceeds as convergent when assessing pros and cons as separate sets of considerations, whereas it assumes a linked structure when it comes to comparing their relative strength. Fifth,

Govier resists the suggestion, put forward by Blair in Chapter 1, that conductive reasoning be analyzed as a dialogue. Her reasons for doing so seems to me very important, in that she emphasizes an aspect of pro/con reasoning that is worth considering by all argumentation scholars. Thus I will extensively quote her on this point, without further comment:

In a dialogue, there are two or more parties. If we consider pros and cons in a dialogue context, we are very likely to suppose that “pros” are on a side identified with one participant and “cons” are on a side identified with the other. We are likely to think of dialogue as a binary matter, involving a proponent and an opponent in an actually or potentially adversarial context. The “dialogue” construction may lapse into adversariality if we construe the pros as *against* the cons, and one dialogue participant as arguing *against* the other. Something has been added in this interpretation, namely the element of adversariality suggested by ‘against.’ And something has been lost, namely the incorporation of both positively and negatively relevant factors into a single view. It is this element of balance, of fairness, of recognition that there are alternate views on behalf of which reasonable points can be made, that has for many been an especially important and intriguing aspect of pro and con conductive arguments. (p. 269, her emphasis)

Finally, Govier also acknowledges that her account of how to appraise a pro/con argument presents a striking asymmetry (explicitly noted by several contributors to this volume, and most clearly by Finocchiaro in Chapter 15), in that it requires exploring whether there are counter-considerations that have not been acknowledged, while it is not needed to look for any overlooked positive premise. Govier argues that such asymmetry is justified by her understanding of criticism, which is inspired by pedagogical considerations. She writes that her “underlying assumption was that it is the duty of the critic to find out whether there is anything wrong with an argument, while it is not his or her duty to improve an argument. (...) In teaching critical thinking, one is not trying to

teach students to improve on the arguments they study” (p. 270).

To the last sentence, I would like to reply: Why not, since learning how to sharpen the arguments they study would make their criticism all the more constructive? However, aside from any pedagogical dispute on how to teach critical thinking, I believe here Govier is confusing argument criticism with refutation. I agree with her that the critic has the duty of finding defects in the argument, but this duty is not limited to (nor should primarily focus on) refuting the conclusion of that argument, since the argument could be defective even if the conclusion is true—for instance, by providing wrong or weak reasons for the conclusion, even if better ones are available. Let us call this position the “being right for the wrong reason” stance, and let it be noted that such stance is not uncommon, but actually highly typical of academic debates. It is also clearly a *critical* stance, not a way of praising the argument. Consider the following example, adapted from Govier:

Proponent: Even though Mary speaks English with a slight accent, she should be hired as office receptionist, because she is very friendly.

Critic: Actually, you are wrong. She should be hired mostly because she is reliable and efficient. Being friendly also speaks in favor of hiring her, but it would not be enough to outweigh the fact that she speaks with a slight accent.

I see no reason why the second statement should not be regarded as pertinent criticism of the first argument, based on overlooked better pros, even if this results in strengthening the case for the conclusion. The general point is that it is precisely because the critic has the duty of looking for weaknesses in the argument that s/he has also to check that no better positive premise has been overlooked, *contra* Govier. This still leaves room for some asymmetry, since it is the critic's duty to find *any* missing counter-consideration, whereas only overlooking *better* pros constitutes a

shortcoming in the argument<sup>5</sup> But Govier's understanding of criticism, to which I concur, does not justify ignoring all overlooked positive considerations in assessing pro/con argumentation.

## 5. Critical remarks

At this point, I would like to stress that this brief summary of the volume fails to do justice to the quality and scope of its contents—nor it is intended to. Readers should be warned that much more of import is contained in each contribution, and they should look for it with well-justified expectation. However, there is also something that readers will *not* find in these pages, and yet would be very helpful in shedding further light on conductive argumentation. Two deficits are especially apparent, and related with each other: not much is said on the relative *strength of pro/con arguments in relation to their one-sided counterparts* (and so the issue of their frequent use and relative success is not addressed), and not a single chapter is devoted to the *empirical research* conducted on pro/con arguments (sadly, all outside of argumentation theories). These limitations are not cause for blaming the editors, since they reflect the state-of-the-art in argumentation studies on conductive arguments. Nonetheless, I believe a collective effort is warranted to overcome these limits, and I will try to make a case for it.

In his Introduction (Chapter 1), Blair wonders whether anything of import rests on the distinction between reasoning and argument, in relation to pros and cons. He goes on suggesting some

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<sup>5</sup> Some might insist that even overlooking a weak positive premise constitutes a shortcoming in the argument, since not doing so would have produced a stronger case. It all hinges on whether we define an “argumentative shortcoming” as “something that makes the argument fail” or as “something that makes the argument less than optimal”. I find the former position much less problematic, since defining optimality in defeasible reasoning strikes me as a tough challenge. Anyway, my point here does not change: for those who think that also omitting a weak positive premise is a mistake, then Govier is even more wrong than I take her to be, and for the same reasons.

relevant differences between conductive reasoning and conductive arguments,<sup>6</sup> but this topic is not explicitly reprised by any other contributor. Here I want to add another item to Blair's list of differences. Introducing new counter-considerations might not have the same effect on pro/con reasoning as on pro/con arguments: in the first case, each (cogent) counter-consideration is bound to weaken the presumptive case for the conclusion, that is, the fact that the reasoner will end up believing or choosing such conclusion becomes *less likely*, due to the additional weight of the new counter-consideration, all other things being equal; but in the second case, it is not obvious at all that the argument strength is reduced by acknowledging one or more counter-considerations.<sup>7</sup>

Let us first consider argument strength according to some normative standard, regardless of how that argument is perceived by its audience.<sup>8</sup> If one accepts Johnson's notion of the dialectical tier (often quoted in this volume in relation to pro/con arguments), or something analogous, then anticipating and acknowledging counter-considerations is a way of discharging part of the

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<sup>6</sup> Here by 'argument' I mean, loosely speaking, a reason-based position expressed by an individual or group for or against a certain issue (conclusion). It is the sense in which we say that "Jill defended the legitimacy of abortion with good arguments", not the sense invoked when we say that "Jill and Jack had a heated argument about climate change". That is, I am discussing pro/con arguments as (possibly complex) reason-giving statements for or against a conclusion in which both pros and cons are mentioned, and not as debates between multiple parties on pros and cons for a certain conclusion or course of action.

<sup>7</sup> Govier seems to think otherwise, when she writes (in relation to an alleged tension between convergent support and counter-considerations in conductive arguments): "to be sure, supportive premises would count more or 'weigh more heavily' if the counter-considerations are removed" (Chapter 16, p. 268). This seems to imply that the fewer counter-considerations there are, the better the argument is. In what follows, I beg to differ.

<sup>8</sup> Here I do not necessarily take "normative" to imply "objective": the fact that the relevant dialectical considerations against which the argument is normatively evaluated might be subject-dependent is a thorny issue, but also one on which nothing of import hinges, as far as my current argument is concerned. So I am satisfied to let the matter rest, since the considerations that follow do not depend on how it will be settled.



dialectical obligations for that argument, and this certainly improves rather than diminishes the argument's strength. Even if one holds that discharging such obligations is a duty and thus the arguer does not get extra points for doing so, it is still the case that an argument which does not explicitly address relevant counter-considerations cannot be better than one that does (that is, a pro/con argument with the same pros)—at best, it will be equally good, in case the arguer is capable of addressing those cons upon request.<sup>9</sup>

If we now consider the different but related issue of the *perceived* strength of pro/con arguments, the problem becomes even more intriguing. Let us start with an empirical observation, often reiterated but rarely pondered by the contributors to this volume: arguers frequently acknowledge counter-considerations in their arguments, even when they clearly intend to persuade their audience or counterpart of the conclusion of such arguments. That is, it is not exceptional to use pro/con arguments with genuine persuasive intent. If doing so had the effect of making arguments less effective, this would be a very surprising habit indeed! On the contrary, it seems plausible that speakers use pro/con arguments because they judge them to be, in certain contexts and under proper circumstances, more convincing than other forms of argument, and this practice perpetrates itself by being, on average, successful—that is, arguers are often *right* in judging pro/con arguments as effective. Otherwise, we should conclude that arguers are systematically mistaken, rhetorically speaking, whenever they use a pro/con argument, and yet for some reason they persevere in their

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<sup>9</sup> Here I do not want to imply that a dialectical obligation is met only if the arguer explicitly acknowledges a particular challenge against his/her case, since I believe that an arguer can be said to have met such obligation by merely *being equipped to answer it*, should the need arise. However, the point remains that a pro/con argument declares (convincingly or not, that is another issue) to be able to meet a certain dialectical obligation, whereas its one-sided counterpart remains silent on the matter. As such, it seems to me that the latter cannot have a better claim to dialectical acceptability than the former, all else being equal (in particular, as long as the pros are the same, and the counter-consideration being considered is a relevant one).

error: both conclusions seem unlikely.

Whether or not one is persuaded that the frequent use of pro/con arguments speaks in favor of their (context-dependent) effectiveness, the issue can easily be illuminated via empirical research—and it has been, in fields other than argumentation studies. Compare for instance the following three arguments:

- (A) If you value the love of your children, you should spend more time with them.
- (B) If you value the love of your children, you should spend more time with them, even if this will hinder your career.
- (C) If you value the love of your children, you should spend more time with them, even if this will hinder your career and make your spouse jealous.

Now ask yourself: What is the difference in perceived strength among these arguments, if there is any? Does argument A strike you as stronger than B, and B than C? Or is it rather the opposite? The question is chiefly empirical, as mentioned, thus the most obvious way to address it would be via survey methods or controlled experiments, in which a reasonably large and varied sample of subjects are presented with this and similar cases, and their answers recorded—possibly distinguishing between the perceived strength of the argument (from weak to strong) and its effect on the audience dispositions (from rejection to acceptance of the conclusion), and manipulating the test material in order to highlight what factors influence the subjective perception of pro/con arguments. Personally, I would be very interested to see the results of such studies, especially since so far the philosophical discussion on conductive argumentation has unfolded in a relative vacuum of systematic empirical evidence. That lack of consideration for empirical research is not confined to pro/con arguments, but rather typical of argumentation theories in general, explains but does not justify this sad state of affairs (for in-depth discussion and a list of notable exceptions, see Hampe 2005). This is made even more problematic by the fact that empirical evidence

on the matter actually abounds in communication studies, marketing, consumer research and social psychology, under the name of “two-sided communication” (for two excellent reviews, see O’Keefe 1999; Eisend 2006). It worries me that, among the many distinguished contributors to this volume, only Finocchiaro acknowledges such studies, and I agree with him that, “although a philosopher would want to adopt a critical stance toward such empirical work, it is clearly suggestive and one can ignore it only at one’s own risk” (p. 252).

Pending more critical examination of the extant empirical literature, let us roughly summarize their findings as follows: at least in certain contexts, two-sided arguments happen to be *more effective* than their one-sided counterparts. This accords with my intuition on the relative strengths of the three arguments mentioned above. Argument C strikes me as stronger than B, and both as stronger than A: that is, in this case it seems to me that mentioning relevant counter-considerations in the argument makes it more persuasive, rather than less. Moreover, I have the sense that this effect is not characteristic of this case alone, but would apply also to other instances of pro/con arguments—albeit not to all of them (see below). Sure enough, others might not share the same intuition, but this is no cause for excessive concern, since it is widely acknowledged that pro/con arguments can be evaluated differently by different subjects. Granted that my intuition is not the product of a deranged mind, and that the empirical findings just mentioned are not bogus, I feel obliged to look for a rational justification to it: What might explain the (apparently counter-intuitive) fact that more counter-considerations can make an argument stronger?

One possibility is that I am just responding to the dialectical considerations mentioned earlier: *prima facie* C makes a better job than B (and B than A) in discharging certain dialectical obligations, because in C I am explicitly informed that the argument can withstand a certain amount of criticism, whereas I lack this information in B, and even more so in A. A similar point can be made with reference to what Hansen (Chapter 3) and Zenker

(Chapter 6) call the on balance premise, which they believe (and I concur) is implied in all pro/con arguments. Roughly speaking, pro/con arguments do not simply present pros and cons and then let the audience decide what side should win: they also convey an indication of what side is *supposed* to win, according to the arguer. This is explicitly signaled by specific linguistic indicators, each of them with a highly specialized use:<sup>10</sup> for instance, “even though” signals that the counter-considerations being mentioned after it are taken to be real but less forceful than the pros listed before, whereas “unless” indicates that those counter-considerations are hypothetical (or at least yet to be established) but more forceful than the other positive considerations. Compare:

- (D) If you like swimming, you should live by the sea, even though it is impractical for your job.
- (E) If you like swimming, you should live by the sea, unless it is impractical for your job.

So, a pro/con argument is already pointing the audience towards a given conclusion, by stating that certain pros outweigh the cons—or vice versa, if one is arguing against a certain position or course of action. If we take the scale metaphor seriously, the more weight I put on the losing side, the more I show how overwhelmingly strong are the considerations on the winning side. This is a case where many enemies bring much honor, if I am allowed to mix my metaphors. What argument C is really telling me is that the reason adduced for the conclusion (love for my children) is so strong as to trump all other considerations, even if they happen to be very relevant ones (my career and my relationship with my spouse)—indeed, the more relevant they are, the more their defeat emphasizes the importance of the opposing consideration. Since argument A is not telling me anything of the sort, and argument B is giving me a comparatively weaker message, this is why I take

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<sup>10</sup> Hansen provides a refined analysis of some of them in Chapter 3 of this volume.

argument C to be the strongest of the three.<sup>11</sup>

However, this effect does not seem to hold invariably. Consider for instance the following variation on the original comparison:

- (A') If you want your children to be at the top of their class, you should spend more time with them.
- (B') If you want your children to be at the top of their class, you should spend more time with them, even if this will hinder your career.
- (C') If you want your children to be at the top of their class, you should spend more time with them, even if this will hinder your career and make your spouse jealous.

Now my intuition is reversed, and I see A' as the strongest argument (indeed, the only one that I would be willing to presumptively accept) and C' as the weakest. Even though I concede that improving the school grades of my kids may be a legitimate reason to spend more time with them, in the absence of cons, it is not such a good reason as to make me forget my career or jeopardize the relationship with my wife. Among other things, there are alternative means to improve their grades, such as paying a tutor to give them extra lessons, without giving up my career, not to mention the peace of my household. So the intuitive upshot seems to be that, when the pro reasons are relatively weak to start with, adding counter-considerations to the argument acts in the intuitive way, that is, it makes the conclusion less plausible; but when the pros are especially solid, mentioning cons in the

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<sup>11</sup> Someone might suggest that “love for my children” is not just a very weighty reason for spending time with them, but rather a paramount concern, in the sense explained by Kauffeld in Chapter 11. I am happy to concede that some might regard that reason as overriding: but then these people should treat A, B and C as all being *equally* (very) strong, whereas that is not my intuition, nor the kind of empirical phenomena observed in many studies on two-sided communication. Presence of paramount concerns as pros can explain why counter-considerations do not diminish the perceived strength of the argument, but they cannot explain how they might actually increase it.

argument may instead serve to advertise that one's case for the conclusion is tight proof, thus strengthening the argument in the eyes of the audience.

Needless to say, the factors modulating the effects of counter-considerations on argument perception are bound to be much more complex and nuanced than what is suggested by these toy examples. The empirical findings mentioned before already point to that complexity: for instance, Eisend (2006) notes that the positive effect of two-sided communication is more marked on the perceived strength assigned to the argument than on the actual behavior (very roughly put, this means that a pro/con argument might be judged as better than its one-sided counterpart, and yet fail to sway more its audience)<sup>12</sup>, whereas O'Keefe (1999) contends that such positive effect concerns only refutational two-sided messages (that is, pro/con arguments where the cons are not only mentioned but also refuted), and a study by Jones and Brehm (1970) shows that pro/con arguments are especially compelling, in relation to their one-sided counterparts, when the audience is already aware that there are more sides to the story. Many similar findings are to be found in the empirical literature on the topic, with various degree of suggestiveness, banality, and confirmation. Taking stock of them in a comprehensive manner is, I believe, a task that argumentation scholars should no longer relinquish to psychologists and advertisers.

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<sup>12</sup> Before regarding this as yet another quirk of our awfully biased human mind (as people who hastily dismiss empirical findings as irrelevant for argumentation theories are sometimes wont to do), consider that, in order to produce a measurable effect on persuasion, an argument has to be not only better, but *better enough* to justify a change of attitude. Thus, the fact that I judge argument A to be better than argument B in supporting conclusion *p* is fully compatible with me not being persuaded by either of them—and this is true even on a perfectly “rational” definition of persuasion, whatever that might be. Seen in this light, this particular finding does not require invoking any cognitive bias for its explanation.

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