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The Notion of On-balance Premise Reconsidered

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Abstract: The notion of on-balance premise has played a crucial role in understanding the structure of conduction. It is a widely accepted view that in any third-pattern conductive argument there is always an implicit on-balance premise which represents a judgment that the positive reasons for the conclusion have outweighed the counter-considerations against it. This paper aims to provide a critical examination of the notion, and to reveal its inadequacy as a theoretical tool. First, it argues that the notion of on-balance premise has rested upon a metaphor of outweighing that is too simplistic to characterize the weighing and balancing between reasons and counter-considerations. Second, it discusses the justification of on-balance premise in third-pattern conductive arguments, and argues that the current efforts made to validate the on-balance premise as a missing premise remain to be unsuccessful.

Keywords: conductive argument, counter-considerations, even-though relation, on-balance premise

1. Introduction

In a book published in 1971, *Challenge and Response: Justification in Ethics*, Carl Wellman coined the term “conduction” and used it to refer to a particular type of moral argument that is, as he claims, “left over when all deductive and inductive ethical arguments have been studied” (Wellman 1971, p.51). It is further defined as a sort of reasoning “in which 1) a conclusion about some individual case 2) is drawn non-conclusively 3) from one or more premises about the same case 4) without any appeal to other cases.” (p.52) Wellman also believes that conductive arguments can be distinguished into three different patterns (pp.55-57), among which the third one is specified as the following:

“The third pattern of conduction is that form of argument in which some conclusion is drawn from both positive and negative considerations. In this pattern reasons against the conclusion are included as well as reasons for it.

For example ‘in spite of a certain dissonance, that piece of music is beautiful because of its dynamic quality and its final resolution’ or ‘although your lawn needs cutting, you ought to take your son to the movies because the picture is ideal for children and will be gone by tomorrow’”. (Wellman 1971, p.57)

The distinctive feature of this pattern, as is indicated here by Wellman, is the particular way of drawing a conclusion by means of considering both reasons for and against it. For sure, such an argument form captures a special way of arguing that has been widely recognized in our argumentative practices, especially in the contexts where we are arguing about issues that have a pro-con nature. It is also commonly known as “balance-of-considerations argument” or “pro-and-con argument”. As a result, since its introduction into the argumentation scholarly community later in 1980s (Govier 1979, 1987), this third-pattern conduction has attracted much attention from argumentation theorists, and it is taken as a unique type of argument that justifies a conclusion by means of weighing and balancing between positive reasons and counter-considerations.

Over the last decade, the third-pattern conduction has been strongly advocated as “an overlooked type of defeasible reasoning” (Blair & Johnson 2011), and various theoretical accounts are developed out from different perspectives for its analysis and evaluation (Govier 1999, 2010; Blair & Johnson 2011; Wohlrapp 2011; van Laar 2014; Blair 2016; Possin 2016; Xie 2017; Fairclough 2019; Juthe 2019; Bermejo-Luque 2019; Yu & Zenker 2019). However, there remains to be much controversy over the way of pinning down its logical structure, for scholars have differed markedly in their views on the role of counter-considerations played in this particular type of argument (Freeman 2011; Hansen 2011; Govier 2011; Jin 2011; Blair 2016; Juthe 2019; Liao 2019; Bermejo-Luque 2019; Xie 2019). In this context, the notion of on-balance premise has been recognized by many scholars as a vital tool in understanding the logical structure of the third-pattern conduction (for example, Hansen 2011; Govier 2011; Zenker 2011; Blair 2016, 2017). The basic idea is that in each third-pattern conductive argument there is always an implicit on-balance premise which states a judgment that the positive reasons adduced for the conclusion have outweighed the counter-considerations mentioned in the argument.

This paper aims to provide a critical examination of the notion of on-balance premise, and to argue that it remains to be a theoretical tool in need of further defense and developments. On the one hand, it demonstrates that the content of on-balance premise, as is currently understood by its proponents, relies upon a metaphor of outweighing that has indeed oversimplified the mechanism of weighing underlying the third-pattern conductive arguments. On the other hand, by critically discussing Hansen’s account on balance-of-considerations arguments (2011), it reveals that current efforts to legitimize the presence of on-balance premise in third-pattern conduction is unsuccessful (at least till now), hence its supplementation is still in need of further justification. The paper is structured as follows: Section 2 is a brief introduction to the notion of on-balance premise, in which I review several structural accounts based on that notion, and trace them back to Wellman’s particular view on

weighing; then I discuss in sections 3 the metaphor of outweighing and its inadequacy in characterizing the weighing between reasons for and against; in sections 4 and 5 I examine the missing status of on-balance premise, and argue that its presence in conduction remains to be further justified; and I conclude in section 6.

2. A heritage from Wellman

For many scholars who have been interested in theorizing conduction, their views are strongly influenced by Wellman's work. Hence it is not surprising for us to see that the notion of on-balance premise is indeed a heritage from Wellman. In his seminal work (1971), Wellman has not only introduced the concept of conduction, but also proposed an idea of conceiving conductive arguments in terms of a particular model of weighing. After noticing that the third pattern of conduction "raises the question of how one knows that the reasons for the conclusion are stronger than those against it" (p.57), he contends immediately that "perhaps the most popular model for this sort of conductive reasoning is weighing. One decides whether the argument is valid by weighing the pros against the cons. If properly understood, this model is a good one" (p.57). Here by "properly understood", Wellman means that "the weighing should not be thought of as putting each reason on a scale, noting the amount of weight, and then calculating the difference between the weight of the reasons for and the reasons against" (p.57), for that will suggest a process of weighing which is "too mechanical" (p.58). Rather, "one should think of the weighing in terms of the model of determining the weight of objects by hefting them in one's hands" (p.58). As Wellman has further clarified, modelling the process of weighing in this way "brings out the comparative aspect and the conclusion that one is more than the other without suggesting any automatic procedure that would dispense with individual judgment or any introduction of units of weight" (p.58). Here it is clear that with this particular model of weighing Wellman has highlighted a comparison between the reasons for and against, but meanwhile he also resists to unpack it in terms of individual weight. Accordingly, weighing between the reasons for and against could only be realized by considering their collective strength, and thus become a simple one-time task.

It is easy to see that the notion of on-balance premise is indeed rooted in this Wellmanian view on conduction, for such a premise represents precisely a comparison understood in terms of the collective strength, and its supplementation restores an argument structure that is based exactly on the model of weighing envisaged by Wellman. Wellman's characterization of conduction has been well endorsed by many scholars, and becomes their starting point for understanding the logical structure of third-pattern conductive arguments. Accordingly, they take it to be always necessary to formulate an "on-balance premise" for the third-pattern conduction, and it is believed that the adding of such a missing premise could complete the argument with a key component and makes its underlying mechanism of weighing explicit. In this line of thought, they have proposed the supplementation of an on-balance premise as the proper way for reconstructing third-pattern conductive arguments. A typical version of this proposal could be found in a recent paper by Blair (2016, p.124):

- 1.1 a, b, c, ..., support p.
 - 1.2 w, x, y, ..., support not-p.
 - 1.3 a, b, c, ... outweigh w, x, y, ... (or conversely).
- So, $\vdash p$ (or not-p).

Here, obviously, the premise 1.3 is the on-balance premise which states specifically a claim that the positive reasons have outweighed the counter-considerations in their collective strength. Likewise, we could find that the notion of on-balance premise is also present in Govier's model of conductive arguments, which "displays a stage incorporating the on-balance premise, the typically implicit claim that supporting considerations outweigh counter-considerations" (Govier 2011, p.274). As she further explains, "we can see that from this model that (1) there are reasons to accept *K*, and *although* (2) there are reasons not to accept *K*, *nevertheless* (3) the supporting considerations outweigh the counter-considerations, so (4) *K*" (*ibid.*, italics original).

In a similar vein, Hansen (2011) proposes a more complicated structure for conductive arguments that also includes an on-balance premise (p.39):

- P_1 : Independent reason₁ (for conclusion *K*)
-
- P_n : Independent reason_n (for conclusion *K*)
- P_{n+1} : The reasons in P_1 to P_n taken together *outweigh* the independent counter-considerations to *K*, CC_1 to CC_n taken together
- Conclusion*: *K even though* CC_1 & ...& CC_n (inference to 'even though')
- Premise*: *K even though* CC_1 & ...& CC_n
- Conclusion*: *K* (simplification)

Clearly in this model the premise P_{n+1} is the on-balance premise, and just as Hansen has suggested, all the third-pattern conductive arguments "may be viewed as having such an implicit on-balance premise" (Hansen 2011, p.39). Moreover, it has to be formulated and supplemented because "identifying a set of opposing considerations without indicating that they have been weighed against each other and a judgment made about their relative strengths, amounts to no more than indicating that there are two sets of reasons each supporting an opposite conclusion" (Hansen 2011, pp.40-41). In other words, "such a judgment [i.e., the on-balance premise] is required to proceed to the conclusion [of third-pattern conductive arguments]" (Govier 2011, p.274).

3. The metaphor of outweighing

Although the above idea of structuring third-pattern conductive arguments by means

of an on-balance premise seems to be quite feasible and tempting, I suspect that it is too simple to fully characterize their underlying mechanism of weighing. For the first, as Wellman himself has already recognized, “the degree of support is not measurable...because there is no unit of logical force in which to do the calculation” (Wellman 1971, p.57), therefore, the idea of collective strength remains to be unclear, and a correct understanding of the outweighing relation in the on-balance premise would also seem to be difficult. Accordingly, unless we have had an adequate grasp of how to take considerations together in weight, otherwise such a relation of outweighing can merely be perceived as a metaphor. As a result, the mechanism of weighing and balancing underlying the third-pattern conduction would only be specified loosely by an analogy with some other similar but more intelligible situations, for example, as Wellman has just offered one, like our comparing two piles of pebbles by hefting them in our hands (p.58).

For the second, even if the idea of collective strength is manageable with a sufficient model characterizing the accumulation of degrees of support in individual reasons, an outweighing relation based solely on collective strength still oversimplifies the interactions between the reasons for and against. In general, reasons can interact with each other in a variety of ways. When reasons are taken together, sometimes their interaction takes the form of increasing or decreasing the degree of support, but sometimes not. To some extent, this phenomenon was explored by Pollock in his studies on defeasible reasoning (Pollock 1994), and has also been well recognized in recent studies on the accrual of arguments in artificial intelligence (Prakken 2005). Here we can take Pollock’s distinction between rebutting defeater and undercutting defeater as a simple illustration.

According to Pollock, “information that can mandate the retraction of the conclusion of a defeasible argument constitutes a *defeater* for the argument” (2008, p.453). Accordingly, there are two kinds of defeaters that can be distinguished: “rebutting defeaters attack the conclusion of a defeasible inference, while undercutting defeaters attack the defeasible inference itself.”(p.453) In particular, undercutting defeaters can be thought of “as giving us a reason for believing that (under the present circumstances) the truth of the premises does not guarantee the truth of the conclusion” (p.453). For instance, “your lawn needs cutting” would be a rebutting defeater to the argument of “you ought to take your son to the movie because the movie is ideal for children”, for that information could count as a reason for denying the conclusion. However, to the same argument, “your son doesn’t like popular children movies” would be an undercutting defeater, because that information gives us a reason to doubt the inference from the premise “the movie is ideal for children” to the conclusion “you ought to take your son to the movie”.

It is easy to see that the notion of defeater as defined by Pollock is very close to the understanding of counter-consideration in the discussions on conduction. As clarified by Govier, counter-considerations are “points that are negatively relevant to the conclusion” (2010, p.355), or “negatively relevant factors that count against the conclusion”(2011, p.266). When understood broadly, counter-considerations, being something that could lead to the retraction of a conclusion, can easily be taken as

negatively relevant factors against that conclusion. In particular, counter-considerations in a third-pattern conductive argument could also be regarded as some defeaters to the argument that has the supporting reason(s) and the conclusion in that conductive argument as its own premise(s) and conclusion. Likewise, the distinction between rebutting and undercutting defeaters can also be drawn for counter-considerations, hence in some way enriching our understanding of the mechanism of weighing in conductive arguments. For instance, the following two sets of examples could then be further clarified in their different uses of counter-considerations:

[1]

(a) “Although your lawn needs cutting, you still ought to take your son to the movie because it is ideal for children and will be gone by tomorrow.”

(b) “In spite of a certain dissonance, that piece of music is beautiful because of its dynamic quality and its final resolution.”

[2]

(c) “This morning an officer from the Health department just warned the public about the risk of contracting coronavirus in an interview on TV, even though his warning is not an official travel alert, we’d better still cancel our travel plan immediately and stay at home for the whole week.”

(d) “The case is similar to the famous *Toy Biz, Inc. v. United States* case in many aspects, although some of these similarities might be disputed, I still believe it will just get the same decision.”

Here in arguments (a) and (b), by mentioning the counter-considerations the arguer is acknowledging some concern that would lead directly to the falsity (or the opposite) of the conclusion. While in arguments (c) and (d), the arguer is indeed conceding some concern that, by itself, does not challenge the correctness of the conclusion, but more importantly, it is a concern that would only attack the inference from the supportive reason to the conclusion.

Consequently, in light of this parallel between defeaters and counter-considerations, we could find that an outweighing relation based merely on collective strength now becomes inadequate in characterizing the ways of arguing in the third-pattern conceptions. Basically, such an outweighing relation can only capture the process of weighing in those arguments that include counter-considerations of a rebutting type. To be more specific, an outweighing relation makes sense only when we are considering two (sets of) reasons that support respectively conflicting conclusions (*A* and not-*A*), because it is only in this situation that we are going to take into account their own weight (or degree of support) and to determine which one is stronger, i.e., which one is rebutted by the other. Moreover, it could also be contended that a comparison of weight is meaningful only between the reasons that support the same conclusion, or between reasons that support conflicting conclusions, because the weight of a reason is indeed a relative notion, i.e., a reason

has a weight m in support of A . In view of this relativity, it is easy to see that only when two reasons are both in support of A , or respectively in support of A and not- A , their weights could be compared. But if one reason is in support of A while the other in support of B , their weights, even though could both be measured in degree, are not comparable, hence to speak about one of them outweighs the other would be misleading and inappropriate. Take our previous example, given that “your son doesn’t like popular children movies” would be a reason in support of not drawing the conclusion “you ought to take your son to the movie” from the premise “the movie is ideal for children”, then it will be confusing to say that the reason of “your son doesn’t like popular children movies” is stronger than the reason of “the movie is ideal for children”, for they are in support of different claims, thus not comparable in their weights.

For this reason, I think it is now clear that an outweighing relation based on collective strength is not appropriate for understanding those conductive arguments that include counter-considerations of a undercutting type, because the weight of an undercutting counter-consideration is in support of neither the conclusion nor its opposite, thus it cannot be compared with that of the supportive reasons, no matter individually or collectively. Therefore, to conclude, the metaphor of outweighing cannot characterize the process of weighing in conductive arguments in a comprehensive manner, for it overlooks the fact that supportive reasons and counter-consideration can interact in different ways. Accordingly, the notion of on-balance premise has only a restricted applicability in structuring the third-pattern conductive arguments.

4. The justification of on-balance premise

Besides a simplistic view of weighing and balancing, the notion of on-balance premise is also open to doubt in regard to its missing status. Clearly, for any third-pattern conductive argument, when presented, it only consists of a conclusion and the reasons for and against it. Therefore, as is shown in section 2, the on-balance premise has always to be recognized as a *missing* premise that is to be supplemented in reconstruction. However, just as Govier has suggested, a missing premise will need to be justified as a premise that is really missing, “you should be prepared to give a careful justification for any additions” (2010, p.43). In view of this, I believe that the treating of the on-balance premise as a missing premise would also require a justification. In other words, it should be defended that such a premise really is a claim that is omitted by the arguer in advancing her conductive argument.

In order to justify the missing status of on-balance premise in third-pattern conceptions, Govier has contended that “a person who explicitly acknowledges counter-considerations and *nevertheless still claims* that her conclusion is supported by positively relevant premises *is committed to* the judgment that the positively relevant premises outweigh the counter-considerations” (2005, p.397, italics mine; see also 2010, p.356; 2011, p.266). Obviously, with such a claim she is suggesting that the supplementation of the on-balance premise is reasonable because it is a commitment

of the arguer. Moreover, it is easy to see that the reason why the arguer is to be taken as committed to such a premise is the arguer's persistence in reaching the conclusion while acknowledging its counter-considerations at the same time. And this persistence is indicated by the arguer's intentional use of some special words to introduce the counter-considerations, such as *even though*, *although*, *notwithstanding*, etc. This arguer's commitment view appears to be quite plausible, but it still needs to be pointed out that it is indeed built upon a particular understanding of those counter-considerations indicators. However, that particular understanding would also require some further justification from the linguistic perspective, otherwise it will just turn out to be a mere language intuition.

In a recent paper, Hansen (2011) has tried to establish the linguistic foundation that is lacking in Govier's view. Hansen fully agrees with Govier in claiming that the arguer is committed to an on-balance claim when presenting a third-pattern conductive argument (p.38), but he further defends it with a careful linguistic analysis on the function of indicators like *even though* and *although*. Basically, Hansen submits that all these linguistic counter-consideration indicators have "a similar functional role and meaning in argumentative contexts" (p.42), and then his discussion is focused on examining the "even-though" relation, as expressed by using "even though" or "although" to introduce a counter-consideration. Based on modern logicians' observation that the expressions of "even though" have some non-truth-functional, communicational implications, Hansen first reveals that the use of "even though" as a conjunctive operator has a distinguishing effect that "the conjunct following it is downplayed in importance while the other conjunct is emphasized" (p.44). In other words, two conjuncts will be joined in a rhetorically unequal way in the "even though" expressions (*ibid.*). Then, Hansen further interprets this unbalanced importance in "even though" expressions by means of Ducrot's notion of "orientation", and reaches the conclusion that "even though" is "like 'but' and 'however' in that it connects statements with opposite orientations and represents them as being of *unequal strength*" (p.44, italics added). Specifically, as he explains, for a conjunction in the form of "*p* even though *q*", since *p* and *q* have opposite orientations but its overall direction of implication is opposite to that implied by *q*, so it is indicated that "*q*, which is nested in the scope of 'even though', is represented as *weaker* than *p*" (p.45, italics added).

On that basis, Hansen continues to contend, for the argument scheme of "*k* even though *q*, because *p*", it "implies (i) that *k* is a conclusion and *q* is a set of reasons oriented against, or away from *k*, and (ii) that *p* is a set of reasons oriented toward *k*, and (iii) that *p* is a stronger consideration than *q*" (p.45). It is easy to note that the third part of the implication is a claim identical to the on-balance premise, so here I think Hansen is actually trying to validate the on-balance premise as a claim being implied by the third-pattern conduction scheme that is built on an even-though conjunction. Accordingly, for anyone who advances an argument in the form of "*k* even though *q*, because *p*", i.e., a third-pattern conductive argument, she will have intentionally implied, thus also been committed, to an on-balance premise. Clearly, this way of justifying the presence of on-balance premise is in line with Govier's

general suggestion that on-balance premise is a commitment of the arguer, but Hansen has substantially enhanced Govier's view by laying for it a linguistic groundwork.

5. The notion of orientation and the unequal strength

However, I think Hansen's defense for on-balance premise will turn out to be flawed, because he has relied too much upon the notion of *orientation*, a notion that does not really lend itself to his purpose. As Hansen has clarified, an orientation means particularly "a direction of implication suggested by the conventional meaning of a word that will lead us to *infer one conclusion rather than another*" (p.44, italics added). Obviously, this notion presumes, in line with Ducrot's Radical Argumentativism theory, that all sentences are inherently argumentative (van Eemeren *et al.*, 2014, p.492), therefore any proposition would be taken as a consideration (or a reason) from which we are able to draw a particular conclusion. It is this particular presumption that enables Hansen to interpret the effect of unbalanced importance into an idea of unequal strength, as understood to be stronger or weaker in argumentative force. Hansen has illustrated this point nicely by the example of "The weather is beautiful but I am tired" as a response to the suggestion to take a walk. As he explains, "the segment 'the weather is beautiful' is oriented towards agreeing to the walk and the segment 'but I'm tired' is oriented towards declining the invitation" (p.44), so here both conjuncts are taken as considerations for inferring, respectively, two other different conclusions, "I agree to take a walk" and "I do not agree to take a walk". However, since "in but-conjunctions the overall direction of implication is that implied by the proposition in the scope of 'but'", so the conjunct that is in the scope of "but" is stronger than the other in determining the overall final direction (p.44), i.e., in drawing the conclusion of its own.

This linguistic insight was soon extended by Hansen into his analysis of even-though conjunctions, from which he concludes in the same manner that for a conjunction like "*p* even though *q*", since its overall direction of implication is opposite to that implied by *q*, so it also reveals that "*q* is represented as weaker than *p*" (p.45). On that basis, he contends in a more general way that it is a semantic characteristic of "even though" that the sentence in its scope "is indicated as a weaker consideration than the conjunct outside the scope of 'even though'" (p.46). Nevertheless, Hansen's extension in this analysis is problematic, for that particular insight regarding orientation cannot be adapted to even-though conjunctions.

Take for example a sentence like "I agree to take a walk even though I am tired", it is easy to see that the above analysis in terms of orientation does not fit in the conjunct of "I agree to take a walk", because that conjunct itself is the final end of a direction (or the conclusion to be inferred) in the sentence. As a result, it would be unnatural to understand it as being further oriented towards somewhere else, and it would also be unreasonable if we take it to be leading us to draw a circular inference whose conclusion is the same as its premise. Consequently, such a kind of inapplicability becomes the cause of a defect in Hansen's discussion about the unequal strength in even-though conjunctions. In particular, it is not clear why the

conjunct “I’m tired”, being a consideration oriented towards drawing the conclusion “I do not agree to take a walk”, would be weaker in strength than the conjunct “I agree to take a walk”, which is exactly the opposite of its intended conclusion. However, here Hansen seems to be forcing us to compare between them in order to make a judgment about their relative strength, an endeavor that is quite odd and questionable.

As mentioned above, Hansen has not noticed that as a problem and he continues to extend this discussion of orientation and unequal strength to his analysis of conduction. As a result, he submits that “*k* even though *q*, because *p*” as an argument schema will imply that “*p* is a stronger consideration than *q*”, i.e., the on-balance premise. Here I think a noteworthy inferential leap is taken from a comparison of strength within the even-though conjunction (i.e., *k* is stronger than *q*) to another one that goes beyond the conjunction (i.e., *p* is stronger than *q*). It is still unclear how the former, even if being correctly confirmed, could be used to establish the latter. More specifically, although in such an argument schema it can be said that *p* and *q* do have opposite orientations, they do not form an even-though conjunction in any way, thus their being of unequal strength remains unknown, or still needs to be uncovered by some other linguistic clues. Therefore, to sum up, I think Hansen’s analysis of “even though” based on Ducrot’s notion of “orientation” also fails to provide a linguistic groundwork for validating the presence of on-balance premise in third-pattern conductive arguments.

6. Conclusion

In this paper I have examined critically the notion of on-balance premise that is popular in developing a structural account for the third-pattern conduction. It is indicated that this notion is originated from Wellman’s particular model of weighing which is built upon a comparison between the reasons for and against in terms of collective strength. However, such a model is only suitable for characterizing the weighing mechanism between positive reasons and the counter-considerations that are of the rebutting type. Hence it is further argued that the notion of on-balance premise remains to be an immature tool for structuring conductive arguments because it fails to capture all the different possible ways of weighing between reasons for and against. Moreover, given that the on-balance premise has always been taken as a missing premise, the paper also probes into the issue of its justification. In particular, it discusses the arguer’s commitment view that is proposed by Govier and fully developed by Hansen, and argues that they have failed in justifying the presence of on-balance premise in third-pattern conductive arguments. As a whole, it is indicated that the notion of on-balance premise remains to be a theoretical tool in need of further defense and development.

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