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A critical examination and development of Wellman's theory of conductive argument

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ABSTRACT: The paper aims to provide an analysis and critique of Carl Wellman's account of conduction presented in *Challenge and Response* and *Morals and Ethics*. It considers several issues, including: reasoning vs. argument, the definition vs. the three patterns of conduction, pro and con arguments as dialogues, their assessment, the concept of validity, applications beyond moral arguments, argument type vs. as criterion of evaluation.

KEYWORDS: Carl Wellman, conduction, conductive argument, conductive reasoning, balance of considerations arguments, pro and con reasoning, patterns of conduction, defeasible reasoning, validity

1. INTRODUCTION

In this paper I examine Carl Wellman's concept of conduction, first elaborated in his meta-ethics monograph, *Challenge and Response* (1971). I begin by considering his definition and some problems with it. I turn next to a series of questions about the concept: What is the domain of conduction? Is it a type of argument or of criterion of evaluation? What are its implications for the concept of a premise? Is it really a distinct type? In the following section I take up issues related to the identification, diagramming and modeling of conduction. In the last section I consider the norms of conductive reasoning and of conductive argument. The upshot is a sympathetic development of Wellman's theory.

2. DEFINITION: WHAT IS CONDUCTIVE REASONING OR ARGUMENT?

2.1 *The definition*

What is it that is *conduction*? Here we start with Wellman's definition:

Conduction can best be defined as that 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. (Wellman 1971: 52.)

Wellman's definition refers to conductive *reasoning*. But in the last sentence of the paragraph that precedes the definition just quoted, Wellman writes, "Obviously it is necessary to find some way to characterize the sort of arguments I have in mind to distinguish them from other sorts of arguments that are also nondeductive and noninductive as well" (p. 52). It looks like Wellman is conflating arguments and reasoning, but in fact he *defines*

reasoning in terms of argument. “Reasoning” he says, “is using one or more arguments” (1971: 102). In that case, though, one would have expected conduction to be defined in terms of the more basic concept as a type of argument. By ‘argument,’ he says we can mean either “a bit of language consisting of one or more premises, a conclusion, and an implicit claim to validity” (p. 102) or else “that which is formulated in the language” (103), so that “reasoning applies to both public and private forms, both conversations in which some speaker presents an argument and [also] thinking in which he does not make any utterance” (p. 103). The truth is that Wellman takes argument and reasoning to be virtually interchangeable.

However, does nothing rest on a difference between reasoning and argument? Adler has proposed that, “Reasoning is a transition in thought, where some beliefs (or thoughts) provide the ground or reason for coming to another” (Adler 2008: 1). The reasoner’s outcome is initially unknown or undecided, and he or she works towards it as the literal conclusion of the process. In arguing, however, the end-point or “conclusion” is already known to or decided by the arguer, who then offers (or seeks) support for it.¹ True, reasoning and arguing in these senses are events, and perhaps Wellman had in mind by reasoning and argument entities that are not events, for the terms can also denote sets of propositions or of statements. Wellman himself draws attention to one possible equivocation on the term ‘argument,’ namely the shift from the sense in which the term denotes the verbal expression of any step of reasoning to the sense in which ‘argument’ denotes a set of reasons adduced in support of a claim. And one can always invite others to share in or accept one’s reasoning, thereby using an argument in the first sense as an argument in the second sense.

At least this much seems clear. The criteria for reasoning well (the activity) will differ from the criteria for arguing well (the activity); and both will differ from the criteria for a good argument (the set of propositions or statements), whether it be the report of the reasoning or what is used in inviting someone to draw an inference. (The case for this claim is made in Section 5, below.)

Whether taken to define reasoning or argument, Wellman’s definition is highly restrictive. The first property stipulated, (1), that the conclusion must be about some *individual* case, has the implication that one cannot reason or argue conductively about *types* of cases, such as policies, but only about individual cases, such as what *this person* should do *in this situation*. However, Wellman himself, in a later book, *Morals and Ethics* (1988, 1st ed. 1975) offers what look like “conductive” arguments in some respects for a number of social policies, for instance in favour of civil disobedience and of genetic engineering under certain limiting conditions. Perhaps by “some individual case” Wellman meant to include “some individual type of case”—what *these people* should do *in these sorts of situations*. Instead of making this condition a requirement, Wellman would have done well to make it part of the definition that the conclusion *can* be about individual cases.

The third property of Wellman’s definition, (3), stipulates that the conclusion must be drawn from premises about *the same* case. But why *must* the premises only be about the same case? For instance, why can they not include generalizations, which are by definition about types of cases, not an individual case? Wellman was concerned to distinguish conduction from deduction, and restricting the scope of the former to argu-

¹ Of course this is not the order always found in presented arguments; the point is that the arguer knows the conclusion of an argument at the moment of arguing.

ments without premises that are generalizations is a way to rule out some deductive arguments (though not all). In any event, it seems one might appeal, as Ross (1930) does, to a general claim, such as a *prima facie*² duty, as a ground (e.g., “Lying is *prima facie* wrong”) for a particular moral judgement (e.g., “I shouldn’t fail to declare this lecture fee on my income tax form”). Moreover, Wellman himself in his 1975 textbook cites Ross’s move with approval (Wellman 1988: 21), so either he is not consistent, or he changed his mind on this point, or else he would not label such reasoning and arguments conductive, even though they are neither deductive nor inductive. It seems sufficient to capture Wellman’s intent to make it part of the definition that the inferences in this sort of reasoning or argument *can* be from particulars to particulars.

Yet another explanation is that, because Wellman wanted to distinguish arguments from analogy from conductive arguments, he meant the requirement that the premises be about the same case go in tandem with the fourth property, (4), which rules out any appeal to other cases to accomplish that end. For, as he says,

Another way of drawing a conclusion about a particular case ... is reasoning by analogy. ... The point of this appeal to analogous cases is that in these cases experience has shown that certain characteristics ... have gone together with another characteristic But in conduction the link between premises and conclusion is not established on the basis of the experience of analogous cases; it is entirely a priori.” (1971, 53)

But a stipulated ban on appealing to analogous cases would serve to distinguish conductive arguments from arguments from analogy without requiring that generalizations be ruled out. So property (4) can stand on its own without being linked to property (3).

If the first and third properties are dropped from Wellman’s definition, then conductive reasoning or argument becomes any defeasible reasoning or argument that does not rely on analogy. In that case, though, nothing distinguishes conduction from, for instance, induction. The point is that changing the definition offered by Wellman has serious ramifications for theorizing the concept of conduction.

2.2 *The three patterns of conduction*

Wellman’s *definition* makes no reference to the three “patterns of conduction” that he introduces:

- Pattern [I]: “a single reason is given for the conclusion” (1971: 55).
- Pattern [II]: “several considerations, each of which may be independently relevant, are brought together into a unified argument from which a single conclusion is drawn” (p. 56).
- Pattern [III]: “that form of argument in which some conclusion is drawn from both positive and negative considerations ... reasons against the conclusion are included as well as reasons for it” (p. 57).

² Ross (and Wellman) used ‘*prima facie*’ in the legal sense, to mean something like “in the absence of rebuttal, sufficient.” However, in contemporary ethical theory literature, ‘*prima facie*’ is understood in its literal sense, to mean “on its first appearance” or “at first sight” and the term now used to capture Ross’s sense, meaning “as a default” or “sufficient, other things being equal” is ‘*pro tanto*,’ literally, “for so much.”

In Wellman's hands, none of these patterns is *definitive* of conduction; they represent different forms that conduction can exhibit. That seems a mistake.

Those who have discussed conductive reasoning and arguments have tended to focus on just the second or the third of these patterns, and some even identify conduction with arguments or reasoning of the third pattern exclusively. Wellman himself encourages that understanding. For he says of the first pattern, that "Although only one reason is advanced in this pattern, there are always (or almost always) other relevant considerations that might have been mentioned" (p. 55). In other words, instances of the first pattern are usually—"always (or almost always)"—truncated versions of the second one. Moreover, of the second pattern Wellman says that, "Here, also there are likely to be relevant considerations, particularly on the other side, that are not mentioned" (p. 56). In other words, usually instances of the second pattern are in turn truncated versions of the third one. It seems to be Wellman's own position that although arguments will be found exhibiting each of the three patterns, the typical situation is represented by the third pattern: whether an arguer expresses his or her reasoning fully, typically he or she thinks there are several considerations (or at least more than one) independently supporting the conclusion, there are considerations independently telling against it, and the former are stronger than the latter.

If we reserve the term 'conductive' for this third "pro and con" pattern of argument or of reasoning, understanding that the arguer or reasoner accepts the con or counter-considerations as probative, though not conclusive, and if we include the properties that such argument or reasoning is non-analogical and defeasible, we have a definition that seems to identify an interesting type. In what follows I will focus on Wellman's pattern III conductive reasoning and arguments.

3. CONCEPTUALIZATION

3.1 *What is its domain?*

One question that arises in conceptualizing conduction relates to its domain. What is the subject matter of conductive reasoning and argument? Is it appropriately applied only to certain types of topics? Wellman was particularly interested in "ethical arguments which infer some ethical statement about some particular case from factual premises about that case" (1971, 53-54), but he held that conductive arguments also occur outside ethics: "Wherever some descriptive predicate is ascribed on the basis of a family resemblance conductive reasoning takes place" (p. 54), and more generally, it occurs when "factual conclusions about some individual case are drawn from information about the case" (p. 54).

It would seem that conductive arguments could appropriately be used to support prescriptions and evaluations of any kind, interpretations of meaning or significance, and classifications—perhaps among other things.³

³ The similarity between Wellman's concept and Scriven's notion of "probative logic" is striking (Scriven 1987).

3.2 *A kind of argument or a type of evaluation?*

Wellman introduces “conduction” as a type of reasoning or argument, not as a norm. But Skyrms (1975) and Hitchcock (1980) (and no doubt others) have proposed that “deductive” and “inductive” are best understood as types of criteria for evaluating the premise-conclusion link or inference in reasoning or arguments, and not as *types* of reasoning or argument. If that conceptualization is accepted for deduction and induction, and if conduction is understood as a third type in contrast to those two, then it should be understood as a third criterion of evaluation, and not as a type of reasoning or of argument at all.

My own view is that labouring to produce acceptable defining properties of deductive and inductive argument types is a waste of time. The difficulties call for elaborate definitional gymnastics and the exercise is pointless. For we can say everything we need to say without the concept of a deductive argument or an inductive argument. We can speak of arguments that are deductively valid, or that fail to be deductively valid, or that range from inductively strong to weak. If we have the information we can say that an arguer was aiming for deductive validity and either succeeded or failed, or we can judge that the arguer should have been aiming for deductive validity, or, instead, for inductive strength.⁴ And there is no pedagogical gain; on the contrary, experience shows that trying to teach students how to distinguish deductive from inductive arguments is also a mug's game, given the difficulties facing the attempt to apply any definition, let alone a clear and simple definition useful to students.

Look at Wellman's definition. Suppose I am trying to draw a conclusion conclusively and fail, so that my inference is (unbeknownst to and unintended by me) open to defeat, and I also satisfy all the other conditions of Wellman's definition. Is my reasoning bad deductive reasoning or good conductive reasoning? What does it matter? My critic can say, “Your argument is deductively invalid and it doesn't meet any of the criteria for inductive strength, but it is conductively strong if you are prepared to qualify your conclusion.”

These points apply at least to Wellman's pattern I and pattern II “arguments.” There is nothing in those patterns (considered apart from Wellman's *definition*) to distinguish deductive, inductive and conductive support for the conclusion. However, a case can be made for identifying a pattern III argument as “conductive.” For it has a distinctive form, namely:

Pro p_1-p_n support C , *Con* p_1-p_m support *not-C*, *Pro* p_1-p_n outweigh *Con* p_1-p_m , therefore, other things being equal, C .

It will be convenient to use the term ‘conductive argument’ for any argument exhibiting this form.

Even so, instead of asking, “What is the nature of the conductive ‘inference’ or premise-conclusion link?” I would favour asking, “What makes for a conductively good or a strong or a valid (in some sense) ‘inference’ or premise-conclusion link?” I postpone discussion of that question to Section 5, where I take up evaluation.

⁴ This point needs to be qualified, because there is no universally agreed-upon definition of ‘inductive’.

3.3 *The concept of premise*

It is a distinctive feature of pattern III conductive arguments that the arguer explicitly acknowledges that some considerations tell against the conclusion while asserting that others tell in its favour. The former are negatively relevant to the acceptability of the conclusion while the latter are positively relevant to its acceptability. However the term ‘premise,’ when used to denote a component of an argument, normally refers only to considerations that support or are positively relevant to the conclusion. Can there be such a thing as a negative premise? Wellman’s solution is to redefine ‘premise’: “A premise is any consideration (that is, anything that can be considered or attended to) which counts or is thought to count for or against the conclusion [of an argument]” (1971: 90). Is such a redefinition acceptable? Notice that it calls not only for a revision of the standard conception of a premise, but at the same for a revision of the standard conception of an argument, since an argument (in this sense) is normally understood either as (alleged) support for a claim or as (alleged) support for a claim together with the claim allegedly so supported. What, precisely, is the premissary status of counter-considerations?

A consideration that is negatively relevant to a proposition or statement is positively relevant to its contradiction (or to a proposition or statement that implies its contradiction). So it would be possible to get rid of the paradoxical concept of a consideration that is both negatively relevant to a conclusion and also a premise in the argument supporting that conclusion. Recall that pattern III conductive reasoning has the following three features (among others): the reasoner believes there are considerations that support the conclusion, he or she also believes there are considerations against the conclusion, and he or she believes that the former outweigh or override the latter. The considerations against the conclusion are logically equivalent to considerations in support of or implying the contradictory of the conclusion. So the reasoning can be described without recourse to the notion of a “negative” premise. Such reasoning used in an argument can be similarly described: the arguer commits to premises supporting the conclusion and to premises supporting or implying the contradictory of the conclusion (and to the proposition or statement that the former arguments outweigh or override the latter). So it is possible to redescribe Wellman’s pattern III conductive reasoning or argument without having to redefine the concept of a premise or the concept of an argument.

We can thus model pattern III, pro and con conductive arguments as three separate but related arguments, with the pro considerations constituting a single-premise or a convergent argument in favour of some claim, the con considerations constituting a single-premise or a convergent argument in favour of the contradictory of that claim, and a third argument to the effect that the pro argument is stronger or weightier than the con argument. If so, what that third argument look like? Here is one possibility:

Premise 1: There are considerations that support C and considerations that support not-C;

Premise 2: The considerations for C outweigh the considerations for not-C;

Conclusion: C, other things being equal.

3.4 Is pattern III conduction really a distinct class of arguments?

Since pattern III conduction involves reasoning and arguing with pro and con considerations, and since there already exist models for pro and con (or contra) argumentation—e.g. the Pragma-Dialectical model of van Eemeren and Grootendorst (e.g., 2004), Walton and Krabbe's model (1995)—it might be tempting to reject the idea that pattern III conduction is distinctive. Standard pro and con models envisage two opposing roles: that of the Proponent and that of the Opponent. In one simple model, the Proponent advances pro arguments (arguments in support of a standpoint) and the Opponent advances con arguments (arguments against either the standpoint or the pro side's supportive arguments). In more complex models, each role occupant can advance pro argument in support of its own standpoint or arguments and con arguments against the other's standpoint or arguments. But common to most if not all models is that each side cannot accept the other side's critical arguments without either conceding the point under contention, or at least withdrawing the "refuted" argument or component thereof. Pattern III conductive argumentation can have these properties too, but it has one crucial different and distinctive property, namely, that the proponent accepts at least some arguments against his or her standpoint *but* (as long as he or she does not concede that such arguments are *conclusive*) *does not therefore concede* (and is not obliged therefore to concede) *the point under contention*. Thus argumentation involving pattern III conductive arguments is a distinct type of pro and contra argumentation.

So while it is possible to model as a dialogue argumentation in which at last one party employs a conductive argument, that kind of dialogue will need to have distinctive rules. Below is one possible representation of such a dialogue.

Turn	Proponent	Opponent
1	Asserts p	Questions <i>why p?</i>
2	Asserts q_{1-n} ; and (q_{1-n} support p); so p	Asserts r_{1-n} ; and (r_{1-n} support <i>not-p</i>); so <i>not-p</i>
3	Concedes r_{1-n} ; and (r_{1-n} support <i>not-p</i>); but denies <i>not-p</i>	Questions <i>why r_{1-n}</i> <i>support not-p;</i> <i>but p (or not not-p)?</i>
4	Asserts q_{1-n} 's support for p outweighs r_{1-n} 's support for <i>not-p</i>	Challenges Pro's weightings

Fig. 1. Conductive Dialogue

The rules will have to allow Proponent's move at turn 3 to count as a consistent assertion. Such a rule might impose a requirement that if Proponent makes a move such as the one at turn 3 above and Opponent responds with a question such as the Opponent's question

at turn 3 above, then Proponent is required to respond with a move such as at turn 4 above or else be charged with inconsistency.

4. ANALYSIS:

How is reasoning or argument intended to be conductively valid to be identified and analyzed? How is it to be diagrammed?

4.1 Identification

For arguments of pattern I or II, the only way to tell that the arguer was intending a conductively valid argument would be the presence and nature of a qualifier attached to the inference, such as “presumably” or “other things being equal.” Sometimes the presence of the qualifier “probably” will be used to try to indicate the kind of defeasible inference Wellman has in mind, since that is one sense of ‘probably’; but since ‘probably’ is also used to indicate a level of inductive strength, the presence of that qualifier cannot be a definitive identifier of an inference intended to be conductively valid. Pattern III arguments do have a distinctive form, as I have noted above, so what the interpreter needs is a way to identify the presence of pro and con considerations. Sometimes there are linguistic clues, such as the conjunctions “although,” “even though,” “notwithstanding,” and “nevertheless.” The first three typically precede counter-considerations; the third typically follows a counter-consideration.

4.2 Diagramming and modeling

How are pattern I, II and III arguments intended to be conductively valid to be diagrammed? The analysis of reasoning or arguments of the first pattern identified by Wellman seems unproblematic: reason supports claim. Will a simple circle and arrow diagram or some variant of it not then serve? No, for such a diagram fails to exhibit the difference between an argument with a conductively valid inference from one premise, from one with a deductively valid inference from a single premise, or from one with an inductively strong inference from a single premise. Hence some variation of the standard one-premise/one-conclusion diagram is needed to distinguish first-pattern conductive arguments from those that are deductively valid or inductively strong.

Arguments of pattern II are convergent. That is, there are two or more reasons independently supporting the conclusion. But nothing prevents two or more deductively valid arguments from supporting the same conclusion; nor does anything prevent two or more inductively strong arguments from supporting the same conclusion. So, again, some special diagramming convention is needed to distinguish conductive convergent support from deductive or inductive convergent support.

Diagramming pattern III arguments is more complicated. Considerations supporting the conclusion have to be diagrammatically distinguished from counter-considerations against it (or supporting its contradictory), and the property of the supporting considerations outweighing the counter-considerations will have to be diagrammatically portrayed. In a forthcoming paper, Rongdong Jin (2011) has introduced an ingenious convention for capturing all these properties (used here with permission):

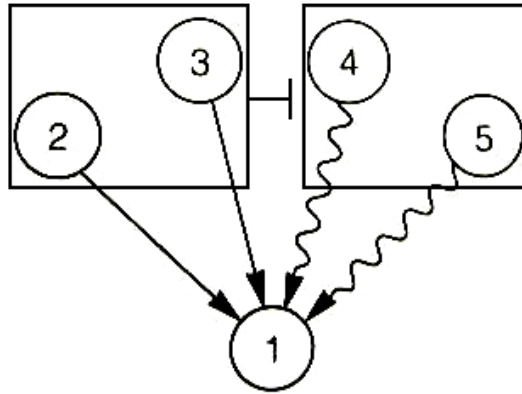


Fig. 2: Diagram from Jin (2011: Figure 5.0)

The circled numbers represent individual arguments or reasons; the straight arrows represent supporting arguments; the squiggly arrows represent counter-consideration arguments (adopting a convention introduced by Govier 1986); the boxes indicate the conjunction of the arguments within them; and the flat-faced blocking symbol (borrowed from diagrams of football plays indicating offensive blocking responsibilities) indicates that the arguments in the box it stems from outweigh the counter-consideration arguments in the box it “blocks.” However, even Jin’s ingenious proposal fails to distinguish whether the support of 2 and 3 for 1 aspires to conductive validity vs. deductive validity or inductive strength, and the squiggly arrows from 4 and 5 pointing to 1 seem to accept Wellman’s idea that negatively relevant considerations can count as premises in an argument supporting 1.

5. ASSESSMENT

What constitutes conductively good reasoning? What constitutes a conductively good argument?

These questions will need to be answered for each pattern of conductive reasoning. It is important to note that there are at least three issues here, although Wellman did not make this distinction. One concerns the questions the reasoner should ask *of his or her reasoning*, assuming the reasoner wants to arrive at a conductively well-supported conclusion: (1), (2), (3), A second concerns the questions the non-interacting audience asks *of the arguer’s argument*, assuming that the audience wants to decide whether the arguer is conductively justified in accepting the proffered standpoint: (a), (b), (c), A third concerns the questions the non-interacting audience asks of the best conductive case that can be made for the conclusion, using the arguer’s argument as a starting point: (i), (ii), (iii), In what follows I distinguish these three perspectives.

Consider first Wellman’s Pattern I arguments, for which the reason offered is intended to provide *pro tanto* justification (since the conclusion is drawn non-

conclusively). The reasoner will have the following critical questions to answer about a pattern I instance of his or her own reasoning (i.e., his or her initial argument)⁵:

- (1) Am I justified in accepting the reason? (Is there any consideration that challenges it that I cannot satisfactorily lay to rest?)
- (2) Assuming the acceptability of that reason, does it indeed provide a *pro tanto* reason for the conclusion? (That is, if other things are equal, has it probative weight or force?)
- (3) Are there other considerations besides that reason that I am justified in accepting and that also provide *pro tanto* support for the conclusion?
- (4) Assuming affirmative answers to at least the first two questions, are there any counter-considerations that I am justified in accepting—considerations that provide *pro tanto* support for the contradictory of the conclusion?

Questions (1), (2) and (4) check whether the reasoning is weak in various ways; question (3) checks whether the reasoning could be stronger than it was originally envisaged. (Note that (1) and (2) are built into (3), and also into (4).) Questions (3) and (4) can be meta-level questions, constituting a review of the initial reasoning if that consists simply of one reason and a conclusion inferred from it. If there is an affirmative answer to question (3), and if those other, strengthening considerations are added, then the reasoning is transformed into a Wellman pattern II argument. The same questions apply to pattern II arguments, except now there must be reference to more than one consideration in favour of the conclusion. If there is an affirmative answer to question (4), and if the counter-considerations are then taken into account, the reasoning is transformed into a Wellman pattern III argument. Now the conclusion will follow only if the pro considerations outweigh the cons. Thus at that point an additional question becomes pertinent:

- (5) Does the presumptive force of all the supporting considerations outweigh that of all the counter-considerations, and if so, to what extent?

The reasoning can start off in pattern II if the reasoner considers more than one supporting consideration, or in pattern III if the reasoner considers at least one supporting consideration and at least one counter-consideration. To be sure, it is quite possible for several positive considerations and counter-considerations, and their weighing, to occur to someone virtually at the same time, in which case questions (3) and (4) would be prompting for pro and con considerations in addition to the ones that initially occurred to the reasoner, and question (5) would be prompting a review of the weighing in light of any new pro or con considerations.

By a “non-interacting audience” of the arguer I mean those who encounter the arguments of the arguer, but are not in a position to engage in a dialogue with the arguer. A member of such an “audience” might be someone addressed by the arguer, or simply be someone who comes across the arguments and decides to consider whether the reasons given justify him or her in accepting the conclusion. The non-interacting audience member can either assess the arguer’s argument on its own merits (as a means of assessing the

⁵ Although developed independently the following list is similar to the list of critical questions Govier gives in her textbook (2001: 401 f.).

arguer's reasoning, or at least the reasoning the arguer invites the audience to accept), or else can use the arguer's arguments as a starting point for a judgement about the tenability of the conclusion. The critical questions such a person should ask of the arguer's argument are almost identical to those the reasoner should address to his or her own thinking, but will differ slightly.

- (a) Consider first assessing the arguer's argument (and reasoning).
- (b) Is the arguer justified in accepting the offered reasons? (Is there any consideration that challenges any of them that he or she can reasonably have been expected to know of and at least have tried to refute?)
- (c) Assuming the offered reasons, does each indeed provide a *pro tanto* reason for the conclusion? (That is, if other things are equal, has it probative weight or force? If not, is the objection to its relevance something the arguer could and should have taken into account?)
- (d) Are there other considerations besides the offered reasons that the arguer can be expected to have known of and would have been justified in accepting that also provide *pro tanto* support for the conclusion?
- (e) Are any counter-considerations mentioned by the arguer, and if so, do they indeed provide *pro tanto* support for the contradictory of the conclusion?
- (f) Assuming affirmative answers to at least (a), (b) and (d), are there any counter-considerations not offered by the arguer that the arguer can reasonably have been expected to know of and that provide *pro tanto* support for the contradictory of the conclusion?
- (g) Is the arguer's assessment that the presumptive force of all the supporting considerations outweighs that of all the counter-considerations to the extent claimed justified in light of the knowledge, values and preferences it is reasonable to attribute to the arguer?

Notice that the arguer might be judged to have reasoned well relative to his or her assumptions, but be judged to have failed to make as strong a case as could have been made, or to have failed to take into account counter-considerations that might call for a weaker or different inference. There is a need to judge the quality of the arguer's argument when we are assessing the quality of the thinking of others, be they historical figures worthy of assessment (or at least the quality of thinking they invite their interlocutors to share), or students or others in whose quality of reasoning we might have an interest.

Perhaps more often, though, members of a non-interactive audience will be moved by an argument to consider the merits of its conclusion from their own point of view. That is, the arguer's argument will serve as the starting point for the audience member's thinking, and its role will be to provide the initial data for an episode of their own reasoning. Thus we are returned to the initial list of questions, but again with some slight modifications.

- (i) Am I justified in accepting the reasons offered? (Is there any consideration that challenges any of them that I cannot satisfactorily lay to rest?)
- (ii) Assuming the acceptability of the reasons, does each one indeed provide a *pro tanto* reason for the conclusion? (That is, if other things are equal, has it probative weight or force?)

- (iii) Are there other considerations besides those offered that I am justified in accepting and that also provide *pro tanto* support for the conclusion?
- (iv) Am I justified in accepting any counter-considerations offered, and if so do they provide *pro tanto* support for the contradictory of the conclusion?
- (v) Are there other relevant counter-considerations that I should take into account?
- (vi) Does the presumptive force of all the supporting considerations outweigh that of all the counter-considerations, and if so, to what extent?

Question (2), (b) or (ii) is a central one for conduction. It is the question of the (non-deductive) validity of the inference from the consideration to the conclusion. How does one evaluate the probative force of a consideration that is not purported to entail the conclusion and that is not purported to justify assigning a probability value to the conclusion, yet supports (often with qualification) the truth or acceptability of the conclusion?

Hitchcock (1994: 61) has proposed a necessary condition for the conductive validity of a premise-conclusion link. It is conductively valid, he says, if it is not conclusively valid and there is no relevant counter-example to it. By a “relevant” counter-example he means a parallel argument “which has the feature(s) cited in the premiss(es) but lacks the property inferred in the conclusion” and is not disqualified by a further feature that undermines its relevance.

So, for example, the validity of “Prof. Johnson promised Carla to support her application to graduate school, so, *ceteris paribus*, Prof. Johnson should support Carla’s application to graduate school” might be challenged by this counter-example: from “John promised his kidnappers to support their cause publicly if they release him” it does not follow that John should publicly support his kidnapper’s cause if they release him. But the reason the conclusion does not follow in the alleged counter-example is that a promise made under duress is not binding, and John’s promise was made under duress. That feature undermines the relevance of the counter-example, assuming Prof. Johnson’s promise to Carla was not made under duress.

Hitchcock points out that on this account it will be difficult to produce relevant counter-examples, since it will be hard to come up with parallel arguments that fail to have some further feature that undermines their relevance to the case at hand; and as a result conductive arguments can be valid even though weak. Moreover:

Pronouncing an argument non-conclusively valid and its premisses justified does not finish the task of evaluating that argument. ... from a logical point of view, the arguer needs to mention enough positively relevant considerations to outweigh any negatively relevant considerations. (ibid.: 62-63.)

We are thus brought to the second major question for conduction, (5), (f) or (vi). How is it to be determined whether the presumptive force of the considerations that support the conclusion outweigh those that support its denial to the extent claimed or considered?

In cases in which numerical values can legitimately be assigned, the mathematics of summing and balancing might or might not be straightforward. But it is not always reasonable to assign numerical values. For example, you cannot assign a number to a father’s promise to take his daughter to the circus or to his countervailing obligation to help a friend move into a new apartment. To be sure, items on lists of reasons, either pro or con, can be ranked relative to each other by a series of pair-wise comparisons. But if numbers cannot reasonably be assigned, then these questions become especially vexing.

Wellman more or less threw up his hands over this question, as did Ross before him. Wellman concluded, “But by and large there is no way to judge the validity of these basic ethical arguments but by thinking them through and feeling their logical force” (1971: 79). Ross’s view was similar.⁶

Hitchcock has observed (writing of Wellman) that, “This advice is unhelpful. It seems to leave the judgement of validity to a purely subjective mental process, which could vary from one individual to another” (1994: 60). However, Kock (e.g., 2007) has argued that, at least so far as prescriptive claims go, such judgements are inexorably subjective, because they depend ultimately on the preferences of individuals which will differ, and no one of them can be shown to be “correct.”

Nevertheless, as grading judgements show, once criteria of merit are fully elaborated and agreed on, there can be striking inter-rater reliability in a perhaps surprising variety of value judgements. There is wide agreement about ranking, and the disagreements tend to be over fine-grained discriminations within a given rank. So, for example, raters who understand and agree on the criteria of evaluation judge similarly about which wines are poor and which are excellent, about which student work is poor, which is fair and which is outstanding, about which job candidates should be rejected and which ones should be considered for the short list, about which consumer goods rank low and which rank high, about which choices of action are really stupid or immoral and which are inspired or morally commendable. In all these cases, any individual item or person or decision being assessed will have, in terms of the criteria being used, some pluses and some minuses. The question is not whether agreement about how these are to be weighed and balanced is possible, for broad agreement plainly is a common occurrence.

I am dubious that a single method can be found for all such reasoning and arguments regardless of differences in subject matter. And given the importance of familiarity with the subject matter, experience and judgement in these matters, I am skeptical of attempts to formulate decision algorithms. One can, though, think of factors that are likely to have widespread application. In good balance-of-consideration reasoning and arguments, the following features (perhaps among others) will generally be found:⁷

- All the relevant kinds of consideration (and counter-consideration)—i.e., the relevant criteria for judgement—are taken into account (including opportunity costs) as far as possible. (For instance, does a moral principle apply; might harm occur; are there benefits to be considered?)
- These considerations are well understood.
- The types of considerations are assigned weights that are appropriate in the circumstances. (For instance, *pace* Kant, avoiding a risk of grievous harm to many people is more important than fulfilling a minor obligation to one person.)

⁶ “... [T]here is no principle by which we can draw the conclusion that is on the whole right or on the whole wrong. In this respect the judgement as to the rightness of a particular act is just like the judgement as to the beauty of a particular natural object or work of art. . . . Both in this and in the moral case we have more or less probable opinions which are not logically justified conclusions from the general principles that are recognized as self-evident” (Ross 1930: 31). Notice that what Ross notes is the absence of a deductive justification.

⁷ Readers familiar with Scriven’s concept of qualitative weight and sum evaluation will recognize its influence on this list (see, e.g., Scriven 1991: 293-295).

- The particular instances of those types of considerations that apply in the current case are assigned appropriate weights or degrees of importance, both in absolute terms and relative to each other.
- It is determined that there are no alternatives to the conclusion and its denial. There is no way to avoid the choice, and no different way to view the choice. In other words, the issue is framed as it should be.
- The synthesis (balance-of-considerations, all things considered) judgement takes into account the relative importance of the relevant types of consideration and also the degree of that type of consideration in play in the current case. (For instance, if meeting moral obligations is judged important, but the particular obligation at risk in the present case is a minor one, failure to meet it is less reprehensible than it would have been were it a major obligation.)
- Care is taken to avoid such common fallacies as confirmation bias (just cherry-picking the considerations that first come to mind) and attribution error (premature locking into a single way of framing the issue) in what considerations are taken into account and how they are weighted.

Whether a particular instance of pro and con reasoning is justified, and whether a particular balance-of-considerations argument is a good one, will always in principle, and in fact often or even usually, be contestable. However, it does not follow that such reasoning and arguments are always subjective in the sense of being matters of arbitrary preference, like matters of taste. Instances of this reasoning can arrive at unanimous agreement in committee, and arguments of this sort can be broadly recognized by their audiences as justifying their conclusions.

6. SUMMARY

This paper has been an examination Carl Wellman's concept of conduction.

Regarding his definition, I argued that what Wellman himself seems interested in and what is distinctive is pattern III reasoning or argument that has some of the properties of the definition, but need not have all. It is defeasible, non-analogical reasoning (or arguing) that acknowledges pros and cons, can infer from particulars to particulars and involves a balance-of-considerations inference to a *pro tanto* conclusion.

In Section 3 I took up several questions about the concept. Wellman himself does not restrict the domain of conduction to moral or ethical reasoning and argument, and it seems that it could appropriately be used to support at least prescriptions and evaluations of any kind, interpretations of meaning or significance, and classifications. Wellman treats conduction as a type of argument, not as a criterion of evaluation. However, on the one hand, Hitchcock has proposed a plausible criterion of conductive validity, and on the other hand, only pattern III reasoning or argument has a distinctive form. Wellman allows for negative premises, however we saw that this terminological malapropism is not necessary, since counter-considerations can equally be conceived as positive premises for the contradictory of the conclusion. At the end of Section 3 I argued that pattern III conductive argument is distinct from standard models of pro and con arguments.

In Section 4 I looked briefly at issues related to the identification, diagramming and modeling of conduction. Only pattern 3 arguments are sometimes marked by verbal

clues; otherwise the arguer's intention or other contextual clues are necessary to identify arguments as conductive. It is tricky to diagram conduction in a way that distinguishes it from deduction or induction, although Jin has proposed an ingenious suggestion. And there seems to be no bar to modeling pattern III conductive arguments as dialogues, although they will require special rules since they are not like standard pro and con dialogues.

The penultimate section contains suggestions for the norms of conductive reasoning and of conductive argument. There is, first, the matter of the conductive validity of inferences from considerations to conclusions. Here, Hitchcock's test of not being subject to relevant counter-examples seems right. Second, there is the matter of the adequacy of the reasoning or argument taken as a whole. In general, an instance of good conductive reasoning or argument will be one about which a number of critical questions can be answered satisfactorily. However these questions will vary, depending on what is being assessed: one's own reasoning, the arguer's reasoning, or the acceptability of the conclusion given the argument for it plus any other relevant considerations. Although the verdicts will be in principle contestable, these lists of questions provide more guidance than Wellman's advice.

In sum, it seems to me that although Wellman's concept of conduction needs revision, balance-of-considerations conduction is a type of reasoning or argument that can be identified and assessed.

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Commentary on “A CRITICAL EXAMINATION AND DEVELOPMENT OF WELLMAN’S THEORY OF CONDUCTIVE ARGUMENT” by J. Anthony Blair

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1. INTRODUCTION

In reading Blair’s paper, I was struck by what seemed an odd way for Wellman to explain what conductive arguments are. We can all appreciate the innovation involved in the Pattern III conduction, in which both affirmative and negative arguments bearing on the conclusion are collected into a single argumentative structure. The Pattern II conduction, in which two or more affirmative arguments are combined, is also a nice contrast to simple linear arguments. Pattern I, however, is what struck me as odd and hard to understand.

2. DEFINING CONDUCTIVE ARGUMENTS

Possibly Wellman began with what we might call the low-hanging fruit: the recognition that multiple but independent supports can be presented to sustain a single conclusion. But when he worked back to Pattern I—if indeed that was his thought process—he was faced with the difficulty of explaining how his simplest and most basic argument was to be defined.

Blair gives the final solution, but I was struck by a sense of definition by negation. A single conductive argument, you will remember, is not a deduction, not an induction, and not an analogy. In the era in which Wellman wrote, this was a fairly comprehensive system of exclusion. Here is what I find odd, and what I think is the interesting question: If something was not a deduction, not an induction, and not an analogy, how did Wellman know it was an argument?

Let us assume that Wellman was right that conductive stuff is an argument. That placed him in the position of thinking about something like a Platonic form of argument—some general but not immediately accessible thing, of which deduction, induction, and analogy are imperfect realizations. Conduction might be the real thing or might be another imperfect implementation. It is Wellman’s definition of the Pattern I conduction that expresses his effort to approximate or exemplify the Platonic form.

Blair gives Wellman’s definition, which I repeat here:

Conduction can best be defined as that 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. (Wellman 1971: 52)

Blair analyzes this definition in nice detail, but I want to say something much more general: this isn't much of a definition for a particular type of argument. Let me share some observations, organized according to the definition's elements.

- (1) Restricting conductive arguments to those whose conclusions are about an "individual case" isn't helpful. An individual case could be a single pet ferret, or a single nation's last century of warfare, or a single class of racist terms. Just about anything can be thought of as a singular if we want, and I don't see why a supportive argument would need to differ if the conclusion were about a century of wars or about half a dozen specifically identified wars. Perhaps Wellman wanted to imply that if an argument supported a generalized conclusion it was necessarily an induction and so not a conduction. But one can have a singular term in the conclusion to an induction ('all horses have four legs' is more or less equivalent to 'horse' implies four-leggedness'), and so all this element of the definition does is require us to spin our wheels trying to say what a "case" is (isn't 'horse' a specific case from the category of nouns?). I don't think this is likely to be productive, and I doubt that it distinguishes conduction from any other argument scheme.
- (2) Saying that the conclusion is drawn "non-conclusively" means, I suppose, that it cannot be both unqualified and guaranteed to be true if the premises are true. But we can have qualified deductive conclusions ('A is probably B; all B is C; so A is probably C'). Perelman and Olbrechts-Tyteca (1969) discuss quasi-logical arguments, which roughly (sometimes very roughly) take a deductive outline but generate imperfect conclusions. Certainly inductions and analogies generate non-conclusive claims as well. Apparently Wellman is suggesting that the end of a conductive argument partly concludes and partly doesn't or that it should move us but only in some measure. We should have no trouble with this: we all work with conclusions that are only probable and arguments that are defeasible. We've learned in the last half century that this pretty much describes all real arguments—those outside the closed realms of logic textbooks, geometric proofs, and computer programs. Even deductions, to say nothing of inductions and analogies, end up taking on this character as soon as actual humans begin working practically with them. Once again, this feature of the definition doesn't make conduction very special and invites us to take the term to be essentially synonymous with everyday argument.
- (3) The third element of the definition, that we have one or more premises about the same case, doesn't help much either. The possibility of multiple premises obviously isn't distinctive. The re-assertion that we are dealing with a single case puts more weight on "single" than I am comfortable with. Possibly this was meant to rule out analogies, in which we often say that a lesson from one case is applied to another. But if an analogy is comprehensible at all, we have somehow unified the two apparently distinct cases. Suppose one says that since giving flowers to your mother didn't make her happy when you wrecked her car, giving flowers to your wife because you gossiped and got her fired won't make her happy either. If we look at this from one direction we see two cases, your mother and your wife. But if we look at it from another direction we see that the argument is about the single category of wronged women capable of receiving flow-

ers. Is this two cases or a single broader category? If the coin flips every time we blink this won't do in a distinguishing definition.

- (4) The last component is that the argument does not appeal to other cases. I think this has some traction. Here it is reasonable to insist that whatever "the case" is, it cannot be equivocated or transformed elsewhere in the argument (and that's roughly what I've been doing in my earlier criticisms about "single"). So if the conclusion is about A, then premises cannot be about B or C, and that would seem to rule out inductions and analogies. It doesn't rule out deduction because one can have a premise that is only about A ('A is cold'), a generalization ('Cold things are welcome on hot days'), and a conclusion about A ('A is welcome on a hot day'). But if I'm right that this rules out inductions and analogies, then they can't participate in the Pattern II and Pattern III arguments. Maybe Wellman wanted it that way, but to me that seems to be an unhappy restriction of the most interesting part of his idea, namely that we need to account for multiple independent proofs and demurrals bearing on a conclusion.

So if we do not take Wellman's remarks about individual cases as really being definitive, we are mainly left with the idea that conductive arguments are defeasible arguments, and perhaps with the further idea that defeasible arguments are thereby conductive.

Analysis of Wellman's definition, which I suspect may have been little more than a rationalization of his intuitive insights, advances us only a little. Wellman was able to recognize that something could be defeasible and still be an argument. This is important: the alternative is to say that a defeasible thing is a flawed argument, something that would be a real argument if only it were fixed. This is only a modest advance, though, because deductive, inductive, and analogical argument schemes can also produce defeasible systems of thoughts or propositions. So we still don't have any real specification of what "conductive" means.

To answer my question—how did Wellman know he was looking at arguments when he wasn't willing to call them deductions, inductions, or analogies?—we need to give some attention to "recognition." Wellman certainly recognized something—he saw proving going on, conclusions being made more reliable by virtue of being attached to premises, reason systems being intelligently applied to conclusions in what must at first have seemed to be wild ways. But having recognized these things, he realized that he couldn't conform his recognitions to the usual standards of logic textbooks.

Although I'm disappointed that Wellman could not (in my view) translate his recognitions into a good definition, I can't honestly criticize him for this because I can't do any better. If premises and conclusions aren't related by implicature (nicely operationalized by truth tables and the like), how are they related? Calling this relationship "supporting," "proving," "evidencing," "pointing toward," "suggesting," "justifying," "aiming at," and the like makes it easy to write about argumentation, but it doesn't really clarify matters in a careful way. How many of these descriptions are literal and how many are metaphors of some sort?

I think that both Wellman and we have a sense of what an argument is, and we work from that subjective sense at least as much as we work from our literature. We inspect a group of things (maybe a bunch of sentences, maybe a collection of related thoughts) and we realize a couple of things. First, we recognize (sense?) that an argument was invited or appropriate or intended. This entitles us to think about the collection of

thoughts or sentences as an argument. Second, we see that there is a point to the collection and we label that point the conclusion. This requires that we perceive some direction in the collection, that we see it as a system, because the conclusion is an ending, the thing everything else aims at. Third, we see that at least some of the other stuff bears on the conclusion, or perhaps might have been taken as bearing on it. Sometimes we see that the “bearing on” makes the conclusion more palatable; then we say that tolerable arguing is going on. Sometimes we perceive that the other stuff was intended to make the conclusion more attractive but didn’t; then we say that the argument failed. And sometimes we see that the other stuff doesn’t matter at all and somehow we see that it wasn’t supposed to; then we say that the passage contains an asserted point but is otherwise incoherent or at least unsystematic and not argumentative.

3. CONCLUSION

This little description of our recognitions—I am sure that it can be improved upon—has all sorts of problems in detail. Nearly everything I said could be prefaced with “somehow we perceive...” None of it is technical or precise. Speech act theorists deal with a similar problem—the illocutionary point of utterances—by appealing to the competence of natural language users to detect speakers’ intentions. This is no better than saying “somehow they perceive.”

Working out the details of how we recognize arguments would require a sort of community introspection followed by very precise operational definitions that transform “somehow we perceive” to “from characteristics A, B, and C and patterns X, Y, and Z we conclude.” This is what I understand to be the point of all the work on argument schemes, except that it is largely focused on the “bearing on” problem and has little to say about how arguments are intuitively recognized in the first place.

Figuring out all the somehow would produce interesting (and fuller) descriptions of arguing, proving, and concluding.

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