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Presumptions in Argumentation

A Systematic Analysis

Petar Bodlović

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A Systematic Analysis

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Presumptions in argumentation

A systematic analysis

PhD thesis

to obtain the degree of PhD at the
University of Groningen
on the authority of the
Rector Magnificus Prof. C. Wijmenga
and in accordance with
the decision by the College of Deans.

This thesis will be defended in public on

Monday 21 February 2022 at 12.45 hours

by

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I know the burden's heavy
As you wheel it through the night
Some people say it's empty
But that don't mean it's light.

—Leonard Cohen, *A Street*

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I dedicate this dissertation to everyone who has ever taught me anything.

I

INTRODUCTION

“You know, you’re a little complicated after all.”
“Oh no, ... I’m just a whole lot of different simple people.”
—F. Scott Fitzgerald, *Tender Is the Night*

Introduction

The internet meme ‘Change My Mind’ portrays a cheerful man inviting passers-by to discuss highly controversial statements. He is sitting in a public space, behind a desk with a sign that reads, for instance, “Male privilege is a myth / Change My Mind,” “Coronavirus is a hoax / Change My Mind,” “Penguins are panda chickens / Change My Mind,” or “Cereal is a soup / Change My Mind.”

What makes the ‘Change My Mind’ meme so popular? In my opinion, the meme is funny because there is something deeply irrational about the situation it depicts and popular because we can easily relate to this irrationality. We are shocked but also entertained by the fact that people believe absurd claims. Also, we are shocked, as well as entertained by the fact that those who advance absurd claims often win debates. It is easy to imagine a confident eccentric proponent using a myriad of creative rhetorical strategies to refute the opponent’s arguments favouring an obviously plausible view, such as “Cereal is not a soup.” As the dialogue progresses, the opponent will likely become frustrated; her arguments will become ill-shaped and hasty until she finally quits the discussion by offering, for instance, the *petitio principii*: “Cereal is not a soup, because it just isn’t. Debating this was a bad idea to begin with.” Since everyone has lost a debate about a plausible standpoint at least once, the ‘Change My Mind’ meme is popular because it relies on universal experience.¹

But why do eccentric proponents win debates? One part of the answer lies in the argumentative competencies of debating parties. Sometimes, the eccentric proponent is simply a better rhetorician: he is (seemingly) more informed about the subject being discussed; he could also be more intelligent, motivated, eloquent, or charismatic than his opponent. An interesting part of the answer, however, lies in accepting a problematic dialectical rule that distributes the parties’ commitments in a questionable way. For instance, the eccentric proponent may win a discussion by avoiding an explicit duty to defend his standpoint while demanding persuasive arguments for the opponent’s uncontroversial view. We can dialectically reconstruct the ‘Change My Mind’ meme along these lines: (a) after advancing an implausible standpoint (“Cereal is a soup”), (b) the eccentric proponent requests persuasive reasons from the opponent (“Change my mind”) while (c) avoiding an explicit commitment to defend his standpoint. Since the proponent can focus solely on challenging and attacking the opponent’s position, by avoiding to take up the burden of proof, he gets the upper hand.

When a particular dialectical rule gets us in trouble, we may hope for an elegant solution: substituting the problematic rule with an alternative one. Instead of a rule exempting the eccentric proponent from supporting his standpoint, we may propose a

¹ Of course, there may be other reasons for the popularity of the ‘Change my mind’ meme. For instance, we may find it valuable that even our most agreed-upon opinions can be debated and, possibly, proven wrong. However, the realization that things are not set in stone is hardly humorous, and internet memes are usually made to be funny.

distribution of commitments that appears more just to a reasonable opponent. What exactly should this distribution look like?

According to Rescorla (2009a), there are two distinct schools of thought with regard to this question: dialectical egalitarianism and dialectical foundationalism. Dialectical egalitarians claim that whenever the opponent challenges the proponent's standpoint, the latter is obliged to defend his view (unless he decides to retract it). Otherwise, we face the threat of dogmatism. Among philosophers, dialectical egalitarianism has been advocated by Pyrrhonian skeptics, and more recently by O. Neurath, P. Klein, and M. Rescorla (see Rescorla 2009a, p. 86). Among argumentation theorists, it has been defended, e.g., by pragma-dialecticians:

The discussant who is challenged by the other discussant to defend the standpoint ... is always obliged to accept this challenge, unless the other discussant is not prepared to accept any shared premises and discussion rules; the discussant remains obliged to defend the standpoint as long as he does not retract it and as long as he has not successfully defended it against the other discussant. ... (van Eemeren & Grootendorst 2004, p. 139).

In the situation depicted by the 'Change My Mind' meme, egalitarians propose a symmetrical, impartial distribution of the burden of proof. Both the eccentric proponent and the reasonable opponent must defend their views (if requested by the other party), and nobody gets the upper hand.

By contrast, dialectical foundationalists claim that, if the opponent challenges the proponent's highly plausible standpoint, the proponent is not immediately obliged to respond to the challenge. Otherwise, we might undermine the efficiency of the dialectical procedure (Aijaz et al. 2013, p. 273), risk dialectical regress (Rescher 2006; Rescorla 2009b), and face counterintuitive consequences (Rescorla 2009a). Prominent advocates of dialectical foundationalism are Aristotle, Wittgenstein, W. Sellars, R. Brandom, J. Adler, and A. Leite (see Rescorla 2009a, p. 86), as well as T. Reid (1785), R. Whately (1963), G. E. Moore (2000), N. Rescher (1977), and J. Freeman (2005). In the situation depicted by the 'Change My Mind' meme, foundationalists would propose an asymmetrical, dialectically biased allocation of the burden of proof: until or unless the eccentric proponent offers a persuasive argument for "Cereal is a soup," the opponent is not obliged to defend her commonsensical view. Initially, the reasonable opponent is entitled to only challenge and attack the proponent's controversial position, so she gets the upper hand.

As a result, dialectical foundationalists suggest that there is a set of dialogically privileged propositions, i.e., statements that, once challenged, do not require an immediate (sufficient) defence, but instead place the burden of proof on the challenger. Traditionally, legal scholars, philosophers, and argumentation theorists label these statements as *presumptions*. Presumptions, or, more precisely, the standard accounts of presumption are the focus of this dissertation.

1 Research Subject

The notion of presumption leads a double life. On the one hand, ordinary people use it in everyday parlance, within loosely regulated conversational contexts. On the other hand, scholars use it in their theories, within strict, abstract, and tightly regulated frameworks. In natural language, ‘presumption’ has several meanings and I present the most relevant ones below.

1. A presumption is an “act of presuming or accepting as true” (*The American Heritage Dictionary of the English Language*).
2. A presumption is “what the presumer really believes, till it is disproved, to be true” (*A Dictionary of Modern English Usage*).
3. A presumption is connected to having “a strong reason for believing something to be so” (*Merriam-Webster.com Dictionary*). It is a “belief based on reasonable evidence” (*The American Heritage Dictionary of the English Language*), or a “belief that something is true because it is likely, although not certain” (*Cambridge Online English Dictionary*).
4. A presumption is an “act of believing that something is true without having any proof” (*Cambridge Advanced Learner’s Dictionary*), or “something believed to be so but not proved” (*Merriam-Webster.com Dictionary*).
5. A presumption is a “conclusion derived from a particular set of facts based on law, rather than probable reasoning” (*The American Heritage Dictionary of the English Language*).

Obviously, the colloquial concept of presumption is incoherent. Although it always includes ‘accepting a proposition as true,’ everything else seems unspecified. For instance, is presumption an act of accepting the proposition (meanings 1 and 4), or is it the proposition that is being accepted (meaning 2)? If presumption is a proposition, is it always associated with a belief (meanings 2 and 3), or can it represent some other kind of conclusion (meaning 5)? Does reasonable evidence always support a presumption (meaning 3), potentially support a presumption (meaning 5), or is it that it never supports a presumption (meaning 4)? Since the everyday meanings of presumption denote incompatible phenomena, there is a reasonable concern that “the ordinary-language analysis of the notion of presumption ... will not get us very far” (Ullmann-Margalit 1983, p. 144). In order to narrow down the research subject and avoid arbitrariness, I rely on the typical theoretical characterizations of presumption instead of everyday meanings.

Luckily, presumptions have an exciting academic life. Despite drawing inspiration from different sources, argumentation theorists typically portray presumptions as propositions that impose the burden of proof on those who challenge them. This characterization—primarily inspired by the judicial traditions and introduced to argumentation studies by Richard Whately—is shared by *standard accounts of presumption*.

‘Presumption’ in favour of any supposition ... implies that it must stand good till some sufficient reason is adduced against it; in short, that the Burden of proof lies on the side of him who would dispute it. (Whately 1963, p. 112)

[The presumption rules] also have a procedural aspect, that of casting a burden of producing counterevidence upon the presumption opponent. (Ullmann-Margalit 1983, p. 150)

[W]here a proposition has the status of a presumption, then the burden of proof lies with anyone who refuses to concede it. (Pinto 2001, p. 4)

[T]he opposite of burden of proof is presumption. (Freeman 2005, p. ix)

The existence of a presumption places upon anyone who would deny its application in a particular case the burden of producing good reasons for doing so in the circumstances at hand. (Rescher 2006, p. 15)

Presumptions are most usefully represented as modal operators modifying the status of a claim in an argument—indicating that the burden of proof lies with anyone who would reject the claim. (Godden & Walton 2007, p. 334)

Roughly, two paradigmatic kinds of foundations generate presumptive status. First, the proponent may be exempted from taking up the burden if his standpoint is epistemically justified. For instance, the proponent should not be immediately obliged to defend “Cereal is not a soup” because, objectively, her view is uncontroversial and well-supported. Admittedly, discussing conceptual connections between cereal and soup might be stimulating, even entertaining, but the initial burden of proof should be shouldered by those advancing controversial positions. On Rescher’s account, “Cereal is not a soup” would have the status of cognitive presumption since it “represents our most plausible *candidate* for truth” (2006, p. 71). Various epistemic considerations may generate a proposition’s plausibility, such as personal epistemic sources (“Presumably_(c), the cat is in a tree” because *I see it there*), interpersonal sources (“Presumably_(c), the Earth is globe-shaped” because *scientists say so*) (Freeman 2005, p. 41), but also relevant warranting principles, such as simplicity or uniformity (Rescher 2006, p. 40). Regardless of the nature of an epistemic warrant, however, cognitive presumptions remain acceptable until their opponents present persuasive arguments.

Second, the proponent may be exempted from taking up the burden of proof due to precaution, i.e., because accepting his standpoint avoids greater harm in deliberation. Suppose we deliberate whether to wear face masks during the COVID-19 pandemic. Our decision depends on whether wearing masks protects other people from COVID-19, and let us assume *arguendo* that this is an open question. In such circumstances, proceeding on “Face masks protect people from COVID-19” and wearing masks seemingly avoids the greater harm (infecting people with a dangerous disease) than not wearing masks (avoiding a slight inconvenience). Hence, those advocating precaution should not be obliged to successfully defend “Face masks protect people...” to win the practical debate.

Like “The accused is innocent” in a criminal trial, “Face masks protect people...” has the status of a practical presumption: it remains acceptable until defeated by persuasive arguments (Ullmann-Margalit 1983, Godden 2017). The distinction between cognitive and practical presumptions will play a prominent role in later chapters.

Standard accounts of presumption face several objections. For instance, inspired by speech-act theory and philosophy of ordinary language, Kauffeld (2005) objects that traditional accounts are simplistic and rarely accord with argumentative reality. Instead of associating presumptions with epistemic foundations and harm reduction, he relates them to social commitments: “[T]o presume that *p* is to take that *p* on the grounds that someone will have made that the case rather than risk criticism, painful regret, reprobation, lose of esteem [*sic*] or even punishment for failing to do so” (2003, p. 140). Most importantly, it has been argued that, sometimes, presumptions do not concern the burden of proof (see Kauffeld 2003; Bermejo-Luque 2019).

These objections are undoubtedly significant for the study of presumption. It is noteworthy, however, that the methodological commitments underlying them are not typical to standard accounts. For instance, the claim that applying the Whatelian notion of presumption to non-legal dialogues is methodologically inadequate is quite fundamental in Kauffeld’s approach (see 1998, 2003, 2005). He is reluctant to study presumptions and burdens of proof in ideal, strictly regulated dialectical models where discussants should obey rules to achieve the dialogue’s ultimate goal (e.g., a resolution of a difference of opinion). By contrast, in line with so-called design theory, he analyses presumptions and probative obligations in real-life, informal dialogues where parties *create* norms during interaction in order to achieve their own individual goals (for a detailed account of design theory, see Goodwin 2001, 2007).

Criticizing some top-down dialectical framework by adopting a bottom-up rhetorical perspective is sometimes legitimate. However, this dissertation takes an alternative approach: in order to evaluate standard accounts internally, on their own merits, it does not challenge their methodological starting points. Rather, it seeks to fully exploit the resources of traditional accounts so as to test their strengths, and not to do away with these accounts prematurely. For the most part, this research refines standard accounts by clarifying claims, reconstructing missing parts, and adding conceptual and typological detail.

2 Research Aims

This dissertation investigates standard, Whatelian, judicially inspired accounts of presumption from the viewpoint of argumentation theory. But what exactly are its research questions and theoretical objectives?

2.1 Research Questions

Godden & Walton (2007, p. 314) identify four aspects of presumptions essential for developing a systematic theory: the nature, function, foundation, and force of presumption. Below, I extend their list of essential aspects, and identify questions explored in this dissertation.

First, what are presumptions? Are they best modelled as claims (e.g., “Cereal is not a soup”), proposition statuses (e.g., “Presumably, cereal is not a soup”), relations between propositions, discussants, and junctures in the dialogues (see Freeman 2005, pp. 26–33), or speech acts (e.g., “Cereal is not a soup, I presume?”)? Should we treat presumption as a unique speech act resembling both assertion and assumption (Walton 1993, p. 125), an assertive (van Eemeren & Grootendorst 2002, p. 17), a special type of assumption (Bermejo-Luque 2016, p. 9), or, perhaps, a subclass of supposition (Kauffeld 2003, p. 139)? This dissertation does not investigate speech-act accounts and characterises presumptions as qualified propositions. Occasionally, I comment on the latter views, but the presumption’s most fundamental (ontological) characterization is not the dissertation’s primary subject.

Second, what is the logical function of a presumption? How does presumption relate to defeasible reasoning and practical argument? Is it a rule of reasoning (“If *X* is accused of crime, *X* is presumed innocent”) (Prakken & Sartor 2006), a conclusion of reasoning (“Presumably_(p), John is innocent”) (Walton 2014; Godden 2017), or both (Rescher 2006, pp. 33–35)? This dissertation treats presumptions as conclusions of presumptive reasoning.

Third, how does one justify a presumption? If presumptions are conclusions that give a dialectical advantage to their proponents, then they should be supported by good reasons. Is presumptive reasoning reducible to the argument from ignorance (see Chapter 1)? Is the presumptive rule justified because using it in various settings avoids greater harm? What values underlie presumptive reasoning, and how are they connected to reducing harm? In Chapter 2, I discuss these questions by developing the schemes of practical and cognitive presumptive reasoning.

Fourth, how do presumptions influence interaction in argumentative dialogue? Are the opponents of a presumption truly obliged to defend their rejections? Should they present arguments, or are they also allowed to offer explanations? And what about the proponents of a presumption? Are they completely exempted from taking up the burden of proof, or should they provide arguments despite their corresponding commitment being somehow less demanding? Finally, do practical and cognitive presumptions differ in previous respects? The questions related to presumption’s deontic function are explored in Chapters 3 and 4.

Fifth, what are the dialogical functions of presumptions? If they avoid greater harm and shift the burden of proof, how does this benefit the dialectical procedure? Do presumptions prevent (infinite) dialectical regress, or do they enable dialectical progress when evidential resources are insufficient? Moreover, what is their ultimate contextual function? For instance, if presumptions enable dialectical progress, do they contribute to the epistemic goal of acquiring justified belief, or to the non-epistemic goal of making

the right decision? In Chapter 2, I take into account the differences between practical and cognitive presumptions and address these questions.

Sixth, how are presumptions defeated? If they stand until proven otherwise, what exactly are the opponent's attacking options? Here, we should distinguish two relevant sub-questions. First, what types of evidence can defeat presumptions, in principle? Second, in which dialogical circumstances can particular types of evidence defeat a presumption? In Chapter 2, I tackle these questions by focusing on the effectiveness of the so-called undercutting defeater (see Pollock 1987).

Seventh, what determines the strength of a presumption? Sometimes, different presumptions have different strengths. For instance, the presumption of innocence is stronger than the legal presumption of sanity ("If *X* is accused of crime, then, presumably, *X* was sane when the crime was committed"). Also, the strength of a particular presumption may vary over the course of a dialogue. Although strength is obviously related to a presumption's justification, it is typically measured by the weight of the burden: the more difficult it is for the opponent to defeat a presumption, the stronger the presumption (see Ullmann-Margalit 1983, p. 152; Rescher, 2006, p. 18; Godden & Walton, 2007, pp. 337-338). In Chapter 5, I argue that the factors affecting a presumption's strength are not always correlated. Cognitive presumptions may be weakened due to weaker justification, although the opponent's burden of rebuttal does not become any lighter.

2.2 Theoretical Objectives

What do I hope to achieve by discussing these questions? What is the dissertation's ultimate purpose? In my view, the current research has three theoretical objectives.

First, its *conceptual objective* is to analyse concepts essential to standard accounts of presumption, such as 'argument from ignorance,' 'the deliberation problem,' 'deliberation pressure,' 'evidential uncertainty,' 'utility imbalance,' 'burden of proof,' 'asymmetrical allocation,' 'strength,' etc. From a conceptual viewpoint, ultimately, the research aims to specify a more exact meaning of 'presumption,' one which is maximally useful for the further development of argumentation theory.

Second, the dissertation has an obvious, *dialectical objective*: a detailed investigation of the dialogical applications of presumptions. Conceptual clarifications are only a precondition for answering questions such as: Which patterns of interaction do presumptions generate? Which dialogical problems do they solve? How do they arise, and how are they defeated? The ultimate dialectical objective is to contribute to a systematic study of presumptions in argumentative dialogues.

Third, the greater part of the research is concerned with the *typological objective*: exploring the relationship between practical and cognitive presumptions by using conceptual clarifications and dialectical characterizations. Do practical and cognitive presumptions generate identical patterns of interaction? Do they solve comparable dialogical problems? Are they justified on similar grounds, and defeated by the same kinds

of evidence in comparable dialogical circumstances? Since the relationships between presumptions still lack detailed investigation, this research's typological dimension fills an obvious gap in the existing literature.

3 Research Methodology

After presenting the dissertation's main subject, research questions, and objectives, I now turn to explaining the research methodology. I distinguish four interconnected methodological aspects: philosophical tradition, theoretical background, research type, and presentation tools.

3.1 Philosophical Tradition

The dissertation belongs to the tradition of analytic philosophy. To be sure, the demarcation lines between philosophical traditions are sometimes blurry, but analytic philosophers typically rely on arguments and thorough analysis, proceed in a piecemeal fashion, take into account scientific findings, and use clear, precise language (Glock 2008, pp. 152-153). Accordingly, to a significant extent, this research is inspired by the following motto (attributed to the Erlangen School of dialectics):

[W]hat one needs, for the advancement of philosophy and the humanities, is not a plethora of brilliant ideas, but rather a “discipline of thought and speech” that will permit us to get rid of speaking at cross-purposes in interminable monologues and to make a new start in a reasonable dialogue (van Eemeren et al. 2014, p. 310)

3.2 Theoretical Background

As far as theoretical background is concerned, the dissertation is a contribution to argumentation theory. However, contemporary argumentation theory is heterogeneous: scholars investigate different subjects (reasoning *vs.* dialogues) at different levels of abstraction (analysing a parliamentary debate *vs.* developing a formal dialectical system); they focus on distinct dimensions (epistemic *vs.* dialectical *vs.* rhetorical), and conduct different kinds of research (descriptive *vs.* normative); finally, theorists often start from diametrically opposed methodological perspectives (bottom-up *vs.* top-down). Bearing these distinctions in mind, I study presumptions normatively (while considering inferential, epistemic, and dialectical dimensions), from a top-down perspective, in a moderately abstract way, and in the context of persuasion dialogue.

Explaining the dialectical context within which presumptions operate is especially important for understanding the theoretical framework underlying this study. Presumptions are naturally analysed in the context of persuasion dialogue or critical discussion (due to their explicit connection to the burden of proof). Parties in persuasion dialogues start from “conflicting points of view” (Walton & Krabbe 1995, p. 66) and exchange arguments to “resolve differences of opinions” (van Eemeren & Grootendorst 2004, p. 35). In the

pragma-dialectical model of critical discussion, there are four ideal stages of the resolution procedure. This four-part division will prove useful for comparing presumptions and understanding distinct kinds of burden of proof (see chapters 1, 2, and 4).

In the *confrontation stage*, parties disagree on a particular issue. The objective is to clarify their positions and determine the type of disagreement: whether the proponent's standpoint "runs up against doubt or contradiction" (van Eemeren & Grootendorst 2004, p. 60). If the opponent doubts the standpoint ("I am not convinced that cereal is a soup"), the difference in opinion is non-mixed. But if she puts forward a contradictory standpoint ("Cereal is not a soup"), we are faced with a "mixed dispute" (van Eemeren & Houtlosser 2002, p. 18). I will mostly analyse presumptions in mixed disputes where Proponent 2 rejects Proponent 1's presumption by advancing a contradictory standpoint.

Then, in the *opening stage*, parties accept suitable roles. The party advancing a standpoint must assume the role of the proponent (protagonist) and defend her standpoint. The party doubting a standpoint must assume the role of the opponent (antagonist) and critically test the proponent's contributions (van Eemeren & Grootendorst 2004, p. 60). However, the central objective is establishing the rules of the dialogue (e.g., "One should not use irrelevant reasons") and identifying premises conceded by both discussants (e.g., "Cereal and soup are liquid dishes"). In short, parties must "find out how much relevant common ground they share (as to the discussion format, background knowledge, values, and so on) in order to be able to determine whether their procedural and substantive 'zone of agreement' is sufficiently broad to conduct a fruitful discussion" (van Eemeren & Grootendorst 2004, p. 60).²

In the *argumentation stage*, which lies at the center of the dialogue, parties act in accordance with their roles and the discussion—understood in the narrower sense—takes place. To overcome the doubt expressed by the opponent, the proponent defends her standpoint (e.g., "Cereal is a soup because it is a liquid dish"), and the opponent evaluates the quality of the defence. If the opponent remains sceptical, she reacts critically ("Are you implying that every liquid dish is a soup?") and forces the proponent to provide further support (see van Eemeren & Grootendorst 2004, p. 61). Thus, the main dialectical objective in the argumentation stage is "to test the tenability of the standpoints ... starting from the point of departure established in the opening stage" (van Eemeren & Houtlosser 2002, p. 24).

In the *concluding stage*, parties "establish the result of the critical testing procedure" (van Eemeren & Houtlosser 2002, p. 25). If the proponent responds in a satisfactory way to all the critical reactions, the opponent must retract her doubt and the standpoint is successfully defended. If the proponent fails to respond to all the critical reactions, the sceptical doubt remains, and the proponent loses. To fully complete the resolution procedure, parties must agree on the discussion's outcome (see van Eemeren & Grootendorst 2004, pp. 61-62; van Eemeren et al. 2014, p. 530).

² The discussion will hardly get off the ground if parties disagree about the rules of the game. Also, the proponent will hardly persuade the opponent if the latter does not concede her argument's premises.

Persuasion dialogues differ with respect to “the nature of the subject matter discussed” (Walton & Krabbe 1995, p. 70). Accordingly, cognitive presumptions will be explored within epistemic dialogues about doxastic states (“Is the Earth globe-shaped or not?”, “Is the cat in the tree, or must we suspend judgment?”), and practical presumptions will be explored within non-epistemic dialogues about actions (“Shall we take the umbrella or not?”, “Shall we attend the party or not?”). I will call a persuasion dialogue about doxastic states an *inquiry*, and a persuasion dialogue about actions a *deliberation* (for different, and more typical terminological choices, see Walton & Krabbe 1995; Walton 1998, Atkinson et al. 2013).

3.3 Research Type and Presentation Tools

Is this research best described as conceptual analysis, or perhaps conceptual engineering? Is it associated with the traditional armchair approach, or based on empirical data?

If understood in the broadest sense as “specifying the meanings of words and sentences, the concepts involved in an assertion” (Daly 2010, p. 218), this research surely includes conceptual analysis. It investigates statements like “Presumptions are closely similar to arguments from ignorance,” “Presumptions avoid greater harm,” and “Presumptions asymmetrically allocate the burden of proof” by scrutinizing the concepts involved. More specifically, however, conceptual analysis is the process of identifying the concept’s necessary and sufficient conditions by testing intuitions in hypothetical cases (Kornblith 2016, p. 152). For instance, what can we intuitively say about knowledge and justice? Does *S*’s true belief “*X* is a real barn” represent knowledge if *X* happens to be surrounded by fake barns (Goldman 1976)? Is returning a borrowed weapon just if the weapon’s owner happens to be a madman who can easily harm somebody (Plato 2000)? Conceptual analysis usually deals with non-technical expressions. So, for the most part, the analyst must specify what concept ordinary people (should) have in mind when using a common expression (Kornblith 2016).

Consequently, it wouldn’t be entirely correct to describe this research as conceptual analysis. As I already stated, instead of analysing presumptions as used in everyday (sometimes non-argumentative) conversations, the dissertation explores presumptions as portrayed by standard argumentative models. Also, aside from analysing how standard models construct presumptions, this research is a normative study of how models *should* construct presumptions.

Hence, the research to a significant extent exemplifies Carnapian explication (see Carnap 1947; Dutilh Novaes & Reck 2017) or conceptual engineering understood as “the process of designing, implementing, and evaluating concepts” (Chalmers 2020, p. 2). In most cases, my analyses in the following chapters will start from (1) accepting some concept designed by theorists, proceed by (2) implementing this concept to different stages in persuasion dialogues, and end by (3) evaluating implementation results. If the concept’s implementation is problematic, conceptual engineering will make the revised concept less ambiguous, and

more exact. However, the final product of conceptual engineering—unlike the final product of typical conceptual analysis—is more of a cognitive invention than a cognitive discovery.

All this indicates that my research is not empirical, or that it is empirical inasmuch as it uses mundane, simple examples to explain theoretical points (e.g., “How does presumption work in deliberation about bringing an umbrella on a cloudy day?”).

Finally, as far as presentation tools are concerned, I put arguments in the standard form (Chapter 2), or represent their structures by diagrams (Chapter 6). I explain patterns of interaction by using dialogue profiles, and classifications by using diagrams and tables.

4 Research Structure and Results

What is the dissertation’s structure, and what are its main results? In what follows, I summarize the ground that the upcoming chapters cover and the outcomes that they produce.

Chapter 1 is a linguistically improved version of the article “Presumptions, and How They Relate to Arguments from Ignorance,” published in the journal *Argumentation* (2019, Vol. 33, pp. 579–604). It explores Douglas Walton’s thesis that arguments from ignorance and presumptive reasoning are almost indistinguishable. I put this ‘strong similarity thesis’ to the test from three different perspectives: (1) inferential structures associated with *ad ignorantiam* and presumptive reasoning; (2) evidence that potentially defeats *ad ignorantiam* and presumptive reasoning; and, finally, (3) the attacking rights and obligations assumed by the opponents of *ad ignorantiam* and presumptive reasoning. The chapter concludes that the strong similarity thesis is untenable.

Result 1. Cognitive (initial) presumptions, unlike practical ones, are not closely similar to arguments from ignorance.

Chapter 2 corresponds to the article “On the Differences Between Practical and Cognitive Presumptions,” published in the journal *Argumentation* (2021, Vol. 35, pp. 287–320). First, it explores Nicholas Rescher’s contention that both types of presumption are made to avoid greater harm in circumstances of epistemic uncertainty. I reconstruct schemes of practical and cognitive reasoning, and show that Rescher’s contention requires qualifications. The chapter also investigates the dialogical functions of presumption, as well as the conditions of its defeat.

Result 2. Practical and cognitive presumptions have relevantly different justifications. Unlike the scheme for practical reasoning, the scheme for cognitive reasoning does not include premises related to *genuine* uncertainty and deliberation pressure. Thus, the two types of presumptions have different pragmatic functions: they are associated with distinct policies of harm reduction.

Result 3. Practical and cognitive presumptions perform different dialogical functions: typically, the former enable dialectical progress when evidence is uncertain, while the latter enable a different kind of progress, or prevents dialogical regress.

Result 4. Presumptions are defeated under different conditions: sometimes, in comparable dialogical settings, the opponent may successfully undercut a cognitive, but not a practical presumption.

Chapter 3 is a linguistically improved version of the article “On Presumptions, Burdens of Proof, and Explanations,” published in the journal *Informal logic* (2020, Vol. 40, No. 2, pp. 255–294). It investigates the deontic function of presumption, i.e., whether presumptions, once rejected, impose the burden of proof (understood as an obligation to present an argument) on their opponents. The chapter shows that practical and cognitive presumptions have different deontic functions.

Result 5. After rejecting a cognitive presumption at t_n , the opponent does not incur the burden of proof at t_{n+1} ; she is allowed to offer an argument, but also an explanation. By contrast, after rejecting a practical presumption at t_n , the opponent is strongly recommended to argue at t_{n+1} .

Chapter 4³ further explores presumption’s deontic function. When a presumption p asymmetrically allocates the burden of proof, what exactly does ‘asymmetrical allocation’ mean? Is the proponent of p completely exempted from the obligation to present arguments (binary asymmetry)? Or is she committed to provide arguments, but her burden is, in some sense, lighter than the opponent’s burden (degree asymmetry)?

Result 6. Practical and cognitive presumptions often entail the same binary asymmetry, but in different dialogical settings. For instance, if the opponent successfully defeats p at t_n , the proponent is exempted from supporting the cognitive presumption p , but not the practical presumption p at t_{n+1} .

Result 7. Presumptions can entail different degree asymmetries, and allocate distinct burdens of proof. For instance, the opponent of a practical presumption should meet the higher standard of proof to win the debate—she carries the burden of persuasion. By contrast, the opponent of a cognitive presumption must fulfil the burden of successful defence to win the debate, but this burden does not entail the higher proof standard.

Chapter 5 is almost entirely revised version of the article “What determines the strength of practical and cognitive presumptions?” published in *Proceedings of the ninth conference of the International Society for the Study of Argumentation* (2019, eds. B. Garssen, D. Godden, G. R. Mitchell, and J. H. M. Wagemans, pp. 106–117).⁴ On standard accounts, the strength of a practical presumption is related to the rebuttal’s weight: if a presumption p is weaker (stronger), proving non- p is less (more) demanding. Chapter 5 explores one limitation of this view.

³ Submitted to the journal *Informal logic* in June 2021.

⁴ In its present, extended, and almost entirely revised version, Chapter 5 is submitted to the journal *Pragmatics & Cognition* in September 2021.

Result 8. Determining the strength of a presumption in terms of the rebuttal's weight is not applicable to cognitive presumptions. A cognitive presumption p may become weaker even if the difficulty of proving non- p remains unchanged.

In Chapter 6, I bring all the pieces together and present models of practical and cognitive presumptions in systematic fashion. The chapter shows that even when standard accounts of presumption are internally scrutinized, they require clarifications and revisions. Also, it reveals that the two types of presumptions differ in many fundamental respects, thereby raising concerns regarding the conceptual coherency of presumption. Is the situation in theoretical language as confusing as in ordinary language? Is there some feature holding practical and cognitive presumptions together? Is this feature theoretically interesting? In Chapter 6 I briefly comment on these issues.

In *Conclusion*, I summarize the main results and provide guidelines for future research.