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COMMENTARY ON BAILENSON AND RIPS'
"BURDEN OF PROOF IN CONVERSATIONAL ARGUMENTS"

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Imagine being faced with the choice of either opening a debate or of replying to the first speaker. Don't good reasons come to mind for supporting both options? If you can't decide, then perhaps you feel the need to turn to empirical research like that of Bailenson and Rips to give you the answer? But can such research give us the answers we want? Or perhaps should we look for different kinds of answers?

What I appreciate most about Bailenson and Rips' paper is that it makes us ponder a very interesting question as it inserts itself into a rather lengthy ongoing conversation about factors influencing how audiences react to arguments they observe. From my perspective, however, Bailenson and Rips are engaging in a formidable—and perhaps recalcitrant—endeavour. They seek a general law answer to a question in an area of research in which there is good reason to expect many obstacles to finding such generality, the most important of which is the *context dependency* of our responses to arguments.

Bailenson and Rips' research recalls the work of social psychologists working in the area of persuasion. And as Billig (1987) suggests, while citing the frequency of inconsistent findings in social psychology research, many social psychologists have concluded that the most appropriate response to fundamental questions concerning persuasion is, "*it all depends on the situation.*" Billig adds that the one constant factor to emerge from research into persuasion is that there is little constancy and that laws like Stimulus X (e.g. order of presenter claims) leads to Response Y (e.g. judgment of burden of proof by the audience) are in need of qualification.

I believe that "It depends on" is a required component of an answer to most research questions concerning complex human behaviour. Thus, for purposes of my commentary, I would like to propose an anti-logos to what I believe to be the logos of Bailenson and Rips (Billig, 1987). They use their data to support a general law conclusion about argument behaviour. The rhetoric of their conclusion section suggests that they have reduced the uncertainty of the question by providing a tentative answer. That is, they have argued, as most researchers do, "The data show... ." Agreeing with Billig, I want to argue that research investigations in this area do not reduce uncertainty about the issue, but instead increase uncertainty by generating new problems—they lead to a growth of uncertain complexity, rather than a movement toward ultimate certainty (p. 72). I believe that this research study leads to such growth.

I choose to reveal possible needed qualifications and "depends on" clauses by asking certain questions about their research. If I am successful, then I argue that their study has succeeded in moving us forward in an important conversation—not by answering their research question—but by providing the seeds for further growth of uncertain complexity. So, let me pose a number of questions.

First, what is the basic general question they ask? It is, What are important determinants of the burden of proof for an audience in conversation arguments?

They choose to ask a question about a possible specific determinant, out of many possibilities: Does the order of presentation of claims influence the burden of proof? And more particularly, they ask whether there is an anti-primacy effect, defined as having the first claim in a particular argument interaction sequence being assigned the burden of proof—even when the set of claims are equally convincing. Even more specifically, they ask this question by asking: Is the sequence of claims, Conclusion A, Conclusion B, Reason 1A, Reason 1B, Reason 2A, Reason 2B judged differently by an audience in terms of burden of proof than the sequence of claims: Conclusion B, Conclusion A, Reason 1B, Reason 1A, Reason 2B, Reason 2A?

What is the conclusion? The first speaker is typically assigned more burden of proof than the second, even when the claims of the speakers are equally convincing, which they call the anti-primacy effect. They also conclude that claims made early in an argument receive lower strength than when made in isolation.

But don't these conclusions demand qualifications? First, the term "claims" is being used very broadly here, referring both to conclusions and reasons supporting conclusions. Thus, a more precise conclusion is: When a written communication presents conclusions followed by two reasons supporting each conclusion, which are embedded in a dialogue, and you average over different controversies, the first communicator is somewhat more likely to be assigned the burden of proof than the second speaker. Looked at this way, is it possible that findings may depend on a particular sequencing of claims—for example, is there an anti-primacy effect when conclusions are presented by themselves without accompanying reasons, or when three, or perhaps four, reasons are presented? Also, is it possible that the *content* of the controversy may be a highly relevant contextual variable? For example, did results differ substantially across controversies? If so, we must qualify the conclusion.

My next question is: Might results depend on the nature of the audience? To what audience populations are these findings generalizable? I presume that participants were college student volunteers. Are they typical of audiences who might attend to disputes such as those used in the study? Did participants care a lot about these issues? Does that matter? Getting the answers to these questions helps us move toward appropriate qualifications.

A further potentially helpful question is: How much do the results depend on the particular simplicity or complexity of the task presented? Might results depend on how complex the conclusions and reasons are, on how interested the audience is in the issues, or on the ethos of the presenter? Do the gains in control outweigh the loss in generalizability by removing so much of the context of the typical rhetorical situation?

Also, might findings depend on measures used and their context? For example, what did the phrase "Which of the two speakers has got more to do in order to prove he or she is correct?" mean to participants? Did it mean the same as, "Who has the weakest argument?" In addition, are strength of claim judgments made to conclusions different in important ways from such judgments made to reasons? Isn't there something fundamentally different in being asked to rate the strength of the claim, "Abortion should be legal," than judging the strength of the claim, "The freedom to make decisions about your own body is one of the most important rights a person can have?" Thus, what should we make of the fact that Bailenson and Rips found that strength judgments made to conclusions (first claims) were much lower than to reasons (second and third claims)? Could that mean participants were more confused about their position on a conclusion versus a reason—since the reasons do not directly take a position? Were the isolated judgments really "isolated," free of context? Or were they simply embedded in a different argument context? Does it not make sense to give a lower "strength" judgment to a conclusion when pro and con arguments are presented with it than when they are spread out in the context of other arguments? Furthermore, might results depend on participants' expectations? For example, did participants

think their decision mattered? Would they have behaved differently if they knew they were going to have to give a reason for their response?

A close focus on the measures also suggests the possibility that the anti-primacy effect found was an artefact of the particular response situation. Isn't "guessing bias" a possible alternative explanation of the results? That is, when participants could not decide, or were disinterested, might there have been a bias to circle the first option, in a manner similar to how we vote for people in elections when we do not know them or do not prefer any candidate. Are there not often order effects in voting behaviour?

In summary, Bailenson and Rips have provided us with some interesting findings to ponder. I have attempted to consider a variety of possible contextual influences that need to be considered in addressing their basic question. I hope the process has shown how a study like theirs can move a conversation forward by suggesting new problems to solve and new arguments to consider. And my answer to their question, Who has the burden of proof? *It depends on the situation*!

References

Billig, M. (1987). *Arguing and thinking*. Cambridge: Cambridge University Press.

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