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978-1-107-04662-7 - Burden of Proof, Presumption and Argumentation

Douglas Walton

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Burden of Proof, Presumption and Argumentation

The notion of burden of proof and its companion notion of presumption are central to argumentation studies. This book argues that we can learn a lot from how the courts have developed procedures over the years for allocating and reasoning with presumptions and burdens of proof, and from how artificial intelligence has built precise formal and computational systems to represent this kind of reasoning. The book provides a model of reasoning with burden of proof and presumption based on analyses of many clearly explained legal and nonlegal examples. The model is shown to fit cases of everyday conversational argumentation as well as argumentation in legal cases. Burden of proof determines (1) under what conditions an arguer is obliged to support a claim with an argument that backs it up and (2) how strong that argument needs to be to prove the claim in question.

Douglas Walton holds the Assumption Chair in Argumentation Studies and is Distinguished Research Fellow of the Centre for Research in Reasoning, Argumentation and Rhetoric at the University of Windsor, Canada. His most recent book is *Methods of Argumentation* (Cambridge University Press, 2013). Walton's work has been used to prepare better legal arguments and to help develop artificial intelligence. His books have been translated worldwide and he attracts students from many countries to study with him. A festschrift honoring his contributions, *Dialectics, Dialogue and Argumentation: An Examination of Douglas Walton's Theories of Reasoning and Argument*, edited by C. Reed and C. W. Tindale (2010), shows how his theories are increasingly finding applications in computer science.

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DOUGLAS WALTON

University of Windsor, Canada



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32 Avenue of the Americas, New York, NY 10013-2473, USA

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www.cambridge.org

Information on this title: www.cambridge.org/9781107678828

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First published 2014

Printed in the United States of America

A catalog record for this publication is available from the British Library.

Library of Congress Cataloging in Publication data

Walton, Douglas N., author.

Burden of proof, presumption and argumentation / Douglas Walton,
 University of Windsor, Canada.
 pages cm

Includes bibliographical references and index.

ISBN 978-1-107-04662-7 (hardback) – ISBN 978-1-107-67882-8 (paperback)

1. Burden of proof. 2. Proof theory. I. Title.

K2263.W348 2014

347'.06–dc23 2014014939

ISBN 978-1-107-04662-7 Hardback

ISBN 978-1-107-67882-8 Paperback

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For Karen, with love.

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Acknowledgments

I would like to thank Springer-Verlag GmbH for permission to reprint three of my previously published papers. My paper “A Dialogical Theory of Presumption,” originally published in *Artificial Intelligence and Law* (16 (2), 2008, 209–243), now appears in revised form as Chapter 3 of this book. A substantially revised version of my paper “Metadialogues for Resolving Burden of Proof Disputes,” which appeared originally in *Argumentation* (21, 2007, 291–316), comprises parts of Chapter 6. My keynote lecture for the Sixth International Workshop on Argumentation in Multi-Agent Systems, originally published as “Burden of Proof in Deliberation Dialogs,” in *Argumentation in Multi-Agent Systems*, ed. P. McBurney, I. Rahwan, S. Parsons and N. Maudet, Berlin, Springer, 2010, 1–22, has been reprinted in substantially revised form in this book, making up parts of Chapter 7. Finally, I would also like to thank the editors of *Informal Logic* for their permission to reprint materials from my paper, “Burden of Proof in a Modified Hamblin Dialogue System,” which was originally published in *Informal Logic*, 31(4), 2011, 279–304.

I would like to thank Katie Atkinson and Tom Gordon for trenchant comments that were extremely helpful in making revisions. I would like to thank Henry Prakken for many detailed comments and corrections on technical matters in Chapter 2, and Erik Krabbe for helpful suggestions and comments on Chapter 5. I would also like to thank Joseph Laronge, Senior Assistant Attorney General of the State of Oregon, for drawing the ruling in the Lawson case to my attention, and for making many helpful comments and corrections.

The research for this book was supported by Social Sciences and Humanities Research Council of Canada Insight Grant 435–2012–0104: The Carneades Argumentation System. I am especially thankful to the members of the Centre for Research in Reasoning, Argumentation and Rhetoric (CRRAR) at the University of Windsor. They made many helpful comments when parts of some chapters were presented at CRRAR colloquia.