ANALOGICAL ARGUMENTATION IN ETHICS

Jack Weir
Hardin Simmons University

Introduction

Moral case reasoning is a particular type of analogical argumentation. This kind of reasoning begins with a paradigm case (or cases) and by analogy applies it (or them) to another case. The paradigm case may be obtained from many different sources, including folklore, history, law, literature, medicine, moral philosophy, mythology, personal experience, psychology, religion, sociology, and so on. The paradigm case (or cases) functions as the premiss (or premisses), and the case receiving the application functions as the conclusion. Although the application usually is to a contemporary case, it can be to a past case as an evaluation of that past case. Moreover, the influence derived from the paradigm case (or cases) sometimes is a moral universalization applying to all similar cases. Because universalizations apply to all similar cases, they necessarily are stated in the form of general moral principles rather than specific case applications.

Since antiquity philosophers and logicians have studied analogical argumentation, and they have discovered general criteria governing its usage.[1] Recent logicians have formulated these criteria as six rules.[2] The purpose of this paper is to reformulate these criteria specifically for case reasoning in ethics.

The table below reformulates the six logical rules into their corresponding moral rules.

	Logic	Morality
Rule 1:	Number of Entities	Number of Paradigms
Rule 2:	Premiss Dissimilarity	Paradigm Dissimilarity
Rule 3:	Premiss-ConclusionSimilarity	Paradigm - Application Similarity
Rule 4:	Premiss-Conclusion Dissimilarity	Paradigm - Application Dissimilarity

Rule 5:	Relevance of the Premisses	Relevance of the Paradigms
Rule 6:	Scope of the Conclusion	Scope of the Application

Because analogical argumentation is inductive, the conclusion cannot be proved. Rather, the conclusion is more or less probable, as indicated by the six logical rules. Similarly, case reasoning in ethics never yields proof and certainty. Applications can only be assessed as better or worse, more or less probable, as indicated by the six moral rules.

Rule 1: Number of Paradigms

Generally, the greater the number of paradigm cases inferring the application, the more probability the application has. For example, numerous paradigm cases against murder can be cited, all the way from the murder of Abel (Gen. 4:8-17) to the murder of John Lennon. These paradigms can be used to infer the wrongness of any particular case of murder, or they can be used as the warrants for a moral universalization against all cases of murder.

Rule 1 tends to correct ad hoc case reasoning. Cases can function as a kind of "prooftext" method for justifying particular moralities. Whenever a paradigm case (or cases) can be cited for an action, the action seems prima facie to be morally well-founded. Abuse occurs when such "prooftexts" are used to justify preconceived, biased, and ad hoc moralities. Rule 1 corrects such exploitations by giving higher probability to applications inferred from numerous cases. Citing one "prooftext" case is easier than citing several, and Rule 1 calls for citing several.

How many paradigm cases are needed? This question has no absolute answer because the number will vary from issue to issue. The point of Rule 1 is that the greater the number of paradigms, the higher the liklihood. However, the more difficult issues in ethics often lack clear and numerous paradigm cases. If numerous paradigms clearly applied to these cases, they would not be hard cases. Although Rule 1 emphasizes numerous paradigm cases, it does not rule out applications derived from single paradigms. Inferences from single paradigm cases are not necessarily wrong, but they do lack the higher degree of probability produced by several cases.

Paradigm cases can also conflict. For example, two well-known Western traditions are the myth of Santa Claus and the Old Testament book of Job. All children know the point of the

Santa Claus myth: if they are good, they will receive gifts. But the theme of the book of Job is that doing good does not guarantee rewards--the righteous often horribly suffer, as Job did.

When paradigms conflict, how can the conflict be resolved? Analyzing the paradigms to discover their consistencies with ethical theories does not seem ultimately to resolve the problem. For example, the Santa Claus myth presupposes a teleological, pragmatic ethic (namely, acts are right when they produce rewards); whereas, the book of Job presupposes a deontological ethic (namely, actions are right or wrong regardless of consequences). Because the theories themselves conflict, this theoretical analysis resolves the problem only for those who already have theoretical commitments. Perhaps the paradigms and theories both indicate more fundamental differences in human moral intuitions. One's theoretical alignment may result from the theory's agreement with one's pretheoretical acceptance of deeply embedded paradigms.

Rule 1 suggests that the conflict can be settled by citing more paradigm cases. An impasse might still be reached if additional paradigm cases can be cited for both alternative actions. Yet, most persons will probably find one set of paradigm cases more persuasive or satisfying.

Finally, moral paradigm cases may infer moral universalizations that are falsifiable by counter-cases. When a counter-case can be cited, these universalizations must be either rejected or qualified. For example, the George Washington cherry tree legend and the Pinnochio fable teach that lying is always wrong. Because numerous examples can be cited where lying is necessary to prevent a greater evil, the universalization needs to be qualified: lying is usually wrong.

Rule 2: Paradigm Dissimilarity

Rule 2 applies only when more than one paradigm is used to derive an application. Increasing the dissimilarity among the paradigm cases will usually strengthen the inference as long as the application is left unchanged and is derived from all the paradigms. This increases the probability that at least one of the paradigm cases fits the case in the conclusion.

Rule 2 is simialr to Rule 1, which stresses the number of paradigm cases. Rule 2 specifies that when these numerous paradigms (Rule 1) are different, except in regard to the application or conclusion, then the probability for that application is high.

For example, one might argue against capital punishment by asserting that if the practice is continued today, innocent persons occasionally will be executed. Numerous different past cases can

be cited--from Socrates and Jesus to modern America. These differ radically in socio-historical, political, legal, and penal backgrounds. These differences in the paradigm cases strongly support the inference that innocent persons will also be executed today.

When the paradigms are numerous and the contexts are divergent, a universalization may be warranted. For example, that slavery always is wrong is inferred by numerous ancient and modern cases as found in history and literature. These cases range from the Hebrews in ancient Egypt (Exod. 1-13) to Uncle Tom's Cabin. The point of Rule 2 is that several dissimilar cases inferring the same application increase the strength of the argument.

Rule 3: Paradigm-Application Similarity

For clarity, Rule 3 will be stated twice, for single and multiple paradigms. First, when applying a single paradigm case, the better moral arguments are those with a high number of similarities between the paradigm case and the application. And, when applying two or more paradigm cases, if the number of similarities of these cases both to each other and to the application is high, then the probability for the inference is high.

The parable of the Good Samaritan (Lk. 10:30-37) illustrates using a single paradigm. The parable can be applied today to numerous cases. Consider the specific case of helping a fellow-motorist whose car has broken down. Although differences are obvious (such as, cars instead of donkeys), the important similarities are human need, ability to help, proximity to the need, and absence of risk and danger. These similarities make the application highly probable. As Rule 5 below explains, irrelevant differences can be disregarded.

When several paradigms are used, Rule 2 will apply more often that Rule 3 because the paradigms will usually differ in some respects. Rule 2 concerns only multiple paradigms; whereas, Rule 3 concerns both single and multiple paradigms. When the differences between the paradigms and the application inhibit the inference, Rule 4 applies, not Rule 2. Rule 5 stresses that the similarities and differences, if they affect the probability of the argument, must be relevant.

Rule 4: Paradigm-Application Dissimilarity

As with Rule 3, Rule 4 relates to both single and multiple paradigms. For single paradigms, the greater the dissimilarity

between the paradigm case and the application, then the less probable is the inference. For multiple paradigms, the greater the number of respects in which the paradigm cases are similar to each and dissimilar to the application, the less probable is the inference. The circumstances found in the application that are not in the paradigm case (or cases) make the application unlikely.

For example, paternalism in medicine is based on the paradigm case of parents making decisions for their children who are too ignorant and inexperienced to decide for themselves. By analogy, health care providers are educated and experienced in medicine, and therefore they should decide for their patients. The difference between medical paternalism and the paradigm case is that the adult patient is not a child. Adults have the right to decide for themselves. Moreover, medical decisions often involve questions of morality and values that are not strictly scientific and medical, and hence not strictly within the expertise of health care professionals.

Contrasting Rule 4 to Rules 2 and 3 may help clarify the principles involved. Rule 3 stresses the number of similarities of the paradigm cases both to each other and to the application whereas, Rule 4 stresses the similarity of the paradigm cases to each other and their joint dissimilarity to the application. The point made by Rule 4 is that the new circumstances found in the application make the inference unlikely.

How much dissimilarity is permissible? The exact amount of permissible dissimilarity is impossible to specify in general for all cases because dissimilarity varies from case to case and from application to application. The point of Rule 4 is that the greater the difference, the less likely is the application.

Rule 5: Relevance of the Paradigms

Rule 5 is often the most important rule because it concerns the relevance of the paradigm case (or cases) to the application. The similarities (or dissimilarities) must be relevant. One relevant similarity or dissimilarity outweighs numerous irrelevancies.

Numerous irrelevant similarities and dissimilarities almost always can be found. For example, it is sometimes argued that the contemporary American immigration policy should be like that of the nineteenth century. Irrelevant similarities between the immigrants of both eras are numerous because people in all ages have basic similarities: married and single, children, hopes and dreams, desire for prosperity, and so on. Numerous irrelevant dissimilarities can also be listed: modes of transportation, clothing styles, languages, ethnic identities, and so on. What are the

relevant similarities and differences? Relevant similarities include such things as the poverty of the immigrants, the need for unskilled labor, oppression in foreign lands, the American ideals of liberty, equality, and opportunity for all, and so on. Relevant dissimilarities include: the size of the American population, the unavailability of land, American unemployment, worldwide inflation, and so on.

L Logicians have no formal procedures guaranteeing that all and only the relevant factors have been considered. Exactly what constitutes relevancy is not known.[3] Yet, because the most important relevancies seem to be causal, causal factors should be given major attention. In order to do this, as the paradigm case is analyzed and applied, care should be taken to identify and isolate causes and effects. If the similarity between the paradigm and the application is an effect, a cause analogous to the one in the paradigm also must be found in the application. When analogous causes are present in both the paradigm and the application, the paradigm and application are relevantly similar. But, when the cause is present in the paradigm and absent from the application, the paradigm and application are relevantly dissimilar.

Consider again American immigration policy. The analogical case argument is that the immigration policy of the nineteenth century was morally right, and therefore continuing the policy today is morally right. The main causes for the success of the nineteenth-century open-door policy were the availability of land, America's relative underpopulation, and industry's need for labor. Because these causal factors no longer exist, the nineteenth-century paradigm is relevantly dissimilar, and therefore the old immigration policy probably should be revised.

R Rule 5 is an expansion of Rules 3 and 4. Rule 5 specifies that the similarity (Rule 3) or dissimilarity (Rule 4) must be relevant.

Rule 6: Scope of the Application

A persistent problem in analogical case reasoning is the scope of the application. Rule 6 is: The more limited the application, the greater the probability of the inference. For example, prohibitionists and teetotalers argue that, because many persons become alcoholics, no one should drink. Numerous paradigm drunks can be cited, ranging from commoners to celebrities. The weakness of this analogical argument is its scope, which is made clear by comparing the alcohol argument to similar arguments regarding speeding and gluttony.

Alcohol:

Because many persons become alcoholics, therefore no one should drink.

Speeding:

Because many persons speed, therefore no one should drive.

Gluttony:

Because many persons overeat, therefore no one should eat.

The conclusion in all three arguments is made reasonable by narrowing the scope to moderation in drinking, driving, and eating. The probability of analogical inferences is increased by narrowing the scope of the application.

Conclusion

The six rules for moral case reasoning proposed above make explicit the logical nature of analogy and provide guidelines for assessing better and worse applications. Using these six rules helps make explicit the amounts and kinds of necessary similarities and permissible differences between paradigm cases and applications. Thereby applications can be evaluated as strong or weak relative to a particular rule or rules.

NOTES

1. See Aristotle, The Organon, Prior Analytics, II, 24; John Stuart Mill, A System of Logic, 8th ed. (New York: Harper & Brothers, Publishers, 1888), pp. 393-97, 553-58; A.H.Mellone, Elements of Modern Logic, 2nd ed. (London: University Tutorial Press, 1945), pp. 211-26; Howard Kahne, Logic and Philosophy: A Modern Introduction, 4th ed. (Belmont, CA: Wadsworth Publishing Co., 1982), pp. 255-57; and Irving M. Copi, Introduction to Logic, 6th ed. (New York: Macmillan Publishing Co., 1982), pp. 389-408. For formal discussions of analogical argumentation in the natural sciences, see Mary B. Hesse, Models and Analogies in Science (Notre Dame, IN: Notre Dame University Press, 1966); David B. Burrel, Analogy and Philosophical Language (New Haven, CT: Yale University Press,

1973); W. H. Leatherdale, The Role of Analogy, Model and Metaphor in Science (New York: Macmillan Publishing Co., 1979).

2. See Copi, pp. 397-400; Robert Baum, Logic, 2nd ed. (New York: Holt, Rinehart & Winston, 1981), pp. 424-38; and Charles W. Kegley and Jacquelyn Ann Kegley, Introduction to Logic (Columbus, OH: Charles E. Merril Publishing Co., 1978), pp. 350-53.

3. Baum, p. 437.