

# A Particularist Theory of Arguments by Analogy

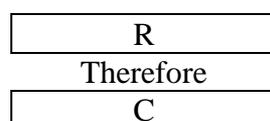
## I

In what follows I will defend what I call a “particularist theory of arguments by analogy”. Therefore, this paper deals with arguments in which an analogy plays a non-trivial role in giving support to a claim. This excludes both non-argumentative uses of analogy, as “figurative analogies” (Waller 2001, p. 200), and cases where the analogy is not part of the reason put forward, as in arguments *for* an analogy. Nor will it deal with reasoning by analogy, understood as the psychological process attributed to an agent making analogies.

By analogy I will understand “a comparison between two objects, or systems of objects, that highlights respects in which they are thought to be similar” (Bartha 2010, p. 1). I will call these objects or systems of objects “source” and “target” cases. My understanding of analogy puts special emphasis on systematicity –broadly understood. In particular, it rests on the notion of “parallelism of argumentative relationships”, not only because I am concerned with arguments by analogy, but because, as we shall see, I argue that the source and the target in the sort of analogies I am interested in are themselves arguments. It is therefore essential to outline here the theory of argumentation that I am going to work with, namely the so-called “argument dialectics”, developed by Hubert Marraud (Leal and Marraud 2022).

The starting point is the following definition of arguing: “To argue, in its most general sense, is to present something to someone as a reason for something else” (Marraud 2021, p. 11 –translation is mine). This practice of giving –and receiving– reasons can be approached from different perspectives. Standard practice is to take the classical trichotomy as a reference and distinguish three viewpoints: rhetoric, which conceives of argumentative exchanges as communicative processes centred on the purposes of the arguer –usually persuasion; dialectics, which studies argumentation as a procedure subject to a series of conventional rules aimed at achieving goals shared by discussants, and logic or theory of arguments, which studies the products of argumentation, i.e., arguments and their relationships. Here I will adopt a fundamentally logical approach.

Since arguments are products of argumentation –as distinct from processes of persuasion and procedures of discussion–, and to argue is to exchange reasons with others, we can characterize them as compounds of two elements, the consideration presented as a reason and that for which that consideration is a reason (i.e., the claim). I will refer to the statements that together comprise a single reason as “premises” and to the statements that comprise the claim as “conclusion”. To depict an argument, I will use the system of diagrams used in (Leal and Marraud 2022). A single argument (i.e., one that puts forward a single reason) is depicted by two rectangles joined by the connector “therefore”:



When we argue, then, we give others reasons to defend a certain claim. But not only that: in arguing we also make commitments. Whoever presents an argument “*R*, therefore *C*” agrees that it is the case that *R* –suppositional arguments aside– and that, given *R*, there is a reason for *C*. The second commitment can be expressed in isolation by resorting to the conditional “if *R*, then *C*”<sup>1</sup>. During a discussion, our interlocutor may ask us to justify these elements, and this gives rise to a “chaining of reasons” and a “warrant”. A chaining arises when we give a reason to justify a consideration that we had previously presented as a reason, and a warrant is a general principle or rule that justifies the conditional associated with an argument, i.e., it tells us that cases like *R* generally function as reason for cases like *C*. If someone argues, for example,

[1] You said that you would go to the cinema, so you ought to go to the cinema,

they may be asked to present evidence that this was said or to justify the conditional ‘if you said that you would go to the cinema, then you ought to go to the cinema’ (e.g., by appealing to a principle such as “promises must be kept”). The warrant may in turn be justified and that results in a chaining-like structure called “backing”. Although chainings, warrants, and backings are not part of arguments in the same sense as reasons and claims are –as we can argue without them, but not without a reason or a claim– they play a fundamental role in the logical evaluation of arguments.

A good argument from a logical point of view is one that puts forward a good reason, and a good reason is one that stands up to criticism. From the perspective of argument dialectics, logical criticisms are raised through counterarguments –this is what explains the term “dialectics” in the label (*Ibidem*, p. 283-284). A counterargument to an argument *A* is an argument whose conclusion is incompatible with some element or commitment associated with *A*. If someone presents [1], we can imagine at least three replies: (a) “that’s not true, in this recording it can be seen that I didn’t say that”; (b) “I said what I said only because you threatened me”, or (c) “it’s true, I made that promise, but a friend of mine has just had a car accident and I have to go to the hospital”. In (a) we give a reason to defend that a premise in [1] is not true; in (b) we mention an exception to the principle “promises must be kept”, which might be seen as a justification of the conditional associated with [1], and in (c) we give a stronger reason to do something incompatible with previous action. They are an “objection”, a “rebuttal” and a “refutation”, respectively. If an argument withstands objections and rebuttals, we say that it is “correct”, and that it puts forward a *pro tanto* reason. If it also resists refutations, we say that it is not only correct, but also “conclusive”, and that it puts forward a relatively strong (or all-thing-considered) reason. Conversely, if an argument does not resist objections or rebuttals, we say that it is “incorrect”, and if it does not resist refutations, we say that, although it is correct, it is not conclusive (i.e., it puts forward a worthwhile reason, but a relatively weak one). Chainings and warrants can be seen as responses to (possible or actual) criticism towards an argument.

Now we can tentatively characterize an argument by analogy: it is one in which a comparison between two objects or systems of objects (i.e., an analogy) is used as a reason for assigning to one of them (target) a property of the other (source). There are two possible readings of the relation between the comparison and the property to be transferred: (1) depending on the elements compared, the property transferred will vary;

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<sup>1</sup> These conditionals express the relationship between the premises and the conclusion of a particular argument, but they do not add anything to that argument. That is, they are neither a premise nor a warrant in the sense I am about to say, but rather an expression of what the arguer does in presenting something as a reason for something else.

or (2) depending on the property to be transferred, the comparison will highlight different aspects of the source and the target cases. Although I think (1) and (2) can be seen as complementary approaches, I will stress the latter: in arguing by analogy, we hold that a claim is supported by reasons because the case parallels another case in which it is assumed that a claim is supported by other reasons. So, what we are interested in are comparisons between relationships of a certain kind and not comparisons between objects. My proposal is that this idea may help us design a particularist theory of arguments by analogy. But before going into details, let us look at the debate between what I am calling particularist and generalist theories of analogy.

## II

“Generalism” and “particularism” comes from the theory of normative reasons. They are opposite answers to the question of what role principles play in moral reasoning. Generalism is the thesis that “the very possibility of moral thought and judgement depends on the provision of a suitable supply of moral principles” (Dancy 2004, p. 7). To use our toy example: to say that it is wrong for me to tell you that I will go to the cinema and then not show up, I need some general principle such as “promises must be kept”, “commitments create duties” or whatnot. These principles may be understood in different ways, and that gives rise to different varieties of generalism (*see* Mckeever and Ridge 2005), but the common idea is that principles are necessary for moral reasoning and judgement. Particularism rejects this thesis and argues that, although principles may sometimes play an important role in moral reasoning, they are not necessary.

I will apply these labels to the study of arguments by analogy. When I speak of generalism and particularism, I will understand them as opposite answers to the question of whether arguments by analogy need principles to support their claim. In this context, it is generally assumed that there are two types of principles, generalizations (“most things that have x, y, z are W”) and universalizations (“all things that have x, y, z are W”). The discussion has been focused on the latter, understood as substantive rather than purely formal principles, so I will do the same here<sup>2</sup>. Generalism argues that principles of this sort, which subsumes the cases compared and guarantees the conclusion of the argument, are required, so that they must be included in the analysis as implicit premises (Beardsley 1975 [1955]; Waller 2001; Shecaira 2013). Trudy Govier nicely explains the intuition behind this position. She characterises arguments by analogy as those that “draw a conclusion about one thing on the basis of a comparison of that thing and another” (Govier 1985, p. 350) and distinguishes two types: “inductive”, where the cases compared are real and the conclusion is a prediction, and “*a priori*”, where the source may be hypothetical and the conclusion is a decision on how to classify the target. For the latter, she proposes the so-called “articulated model”:

1. A has x, y, z.
2. B has x, y, z.
3. A is W.
4. Therefore, B is W.

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<sup>2</sup> Another question is how we interpret these universalisations. As I will explain below, I hold that they correspond to warrants, so I broadly subscribe Toulmin’s account of universal premises (Toulmin 2003, pp. 105-110).

This scheme intentionally leaves the door open to the question of whether similarities  $x$ ,  $y$ ,  $z$  are relevant for  $W$ : “Whether two cases are alike in all relevant respects is something that is always open to further discussion” (Govier 1989, p. 143). However, someone might think that these arguments presuppose a premise such as (p) “it is in virtue of  $x$ ,  $y$ ,  $z$ , that  $A$  is  $W$ ”. From this “modest supplementation of the articulated model” (*Ibid.*, p. 143) there is a very short step to a universal statement such as (p’) “all things that have  $x$ ,  $y$ ,  $z$  are  $W$ ”. If we include (p’) as an implicit premise, we kill two birds with one stone: we solve the problem of similarity relevance at a stroke, and we explain arguments by analogy as simple deductions. This is what I call “plain generalism”, and it is defended by authors such as Monroe Beardsley.

The main problem with plain generalism is openly pointed out by Beardsley: “What makes an analogical argument plausible is always a hidden generalization; but when we make that generalization explicit, we can throw away the rest of the analogy” (Beardsley 1975, p. 113). In Govier’s scheme, if we include (p’) as a premise, we can deduce 4 without any information about the source case. It turns out that generalist recasting explains analogy so well that it makes it disappear. Another problem is that, in practice, arguers rarely state such a principle, and attributing it to them as an implicit premise is problematic, if not outright fallacious. Govier argues that this reconstruction is *ad hoc*, “appearing to be due only to a desire to look at argument through deductivist goggles” (Govier 1989, p. 145), as well as uncharitable, since it holds the arguer responsible for a principle that is generally less plausible than the conclusion of the argument (*see also van Laar 2014, p. 92*). A third problem is strength variations. Two things can be more or less similar to each other, so it seems reasonable that arguments by analogy are more or less strong depending on the relevant similarities and differences between the source and target cases (Guarini 2004, p. 159). But, if we conceive of arguments by analogy as deductions in disguise, variations in strength are, by definition, out of the picture. Finally, this position relies upon “the assumption that particular cases have to be known by having universal generalizations applied to them” (*Ibid.* p. 145), and this is problematic to say the least, for it makes the origin of such “generalizations” a sort of mystery (Wisdom 1991, p. 47-48; Marraud 2020, p. 5)<sup>3</sup>.

Other scholars have developed more elaborate analyses that attempt to solve these problems. Fabio Shecaira, for example, proposes the following reconstruction:

1. It is true that  $a$ .
2. The most plausible (i.e., the best) reason for believing  $a$  is the principle  $C$ .
3. Therefore, it is true that  $C$ .
4.  $C$  implies  $b$ .
5. Therefore, it is true that  $b$  (Shecaira 2013, p. 429).

As can be noted, arguments by analogy are no longer single arguments, but structures composed of two arguments. The first is an abduction in which source case  $a$  is presented as a reason for principle  $C$ , and the second is a deduction in which target case  $b$  is entailed from principle  $C$ . This analysis seems to solve the problem pointed out by Beardsley, since the source information is not superfluous. Moreover, it can accommodate variations

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<sup>3</sup> Jonathan Dancy makes a similar point regarding moral principles: “We certainly cannot hope to extract principles from our judgements about particular cases, because that sort of judgement is supposed to be based on principles. If judgement is subsumptive, it needs principles to start from, which cannot be got from further judgement on pain of a regress. But how else are we to distinguish true principles from false ones? It is not attractive to suppose that the true principles will somehow bear truth on their face, so that one only has to contemplate them long enough to tell that they are true. Nor is it attractive to suppose, as the subsumptive option does, that particular cases can never be tests for principles” (Dancy 2004, p. 5).

in strength, because the first part of the scheme is a non-deductive argument that can lend its conclusion different degrees of support. But a challenge remains: Although there is no doubt that these complex structures may be interesting on their own right, no comparison between source and target cases is made in them, so why should we conceive of them as arguments *by analogy*?

The issue of principle reconstruction is addressed by Bruce Waller. For him, arguments by analogy are based on an appeal to consistency: by resorting to the source case, a principle shared by interlocutors is elicited and from there the target case is deduced, which requires the same treatment for both cases. However, this does not imply that principles are “eternal verities set in stone, awaiting our certain discovery” (Waller 2001, p. 206). On the contrary, they can be refined and modified as particular cases arise that do not conform to previous formulations, something that Waller calls “thoughtful mutual adjustment”. This makes principles allegedly underlying arguments by analogy more flexible and sensitive to variations depending on the context and, thus, more plausible. Furthermore, it sheds light on the process by which such principles are reached: there would be no epistemic priority of them over particular cases, but a constant thoughtful mutual adjustment. But again, problems remain: it makes no sense to speak of joint reconstruction of an already shared principle and, at the same time, of rational persuasion (Guarini 2004, pp. 155-156). In addition, once we recognize –as Waller and Shecaira do– that cases can function as reasons for principles, and that this does not in turn presuppose any principle as an implicit premise, a legitimate complaint arises: why should these universal principles be necessary in arguments by analogy?

The task for the particularist is then to propose a theory that dispenses with these principles in the explanation of arguments by analogy. In the face of this challenge, two questions arise: if we get rid of principles, (1) on what do we base arguments by analogy? And (2) is there any other role for principles in arguments by analogy?<sup>4</sup>

### III

I have said that an analogy is a comparison between two objects or systems of objects that points out features in which they are thought to be similar. This characterisation encompasses two ways of understanding analogies. On the one hand, some contend that an analogy is a sort of aggregation of similarities between objects: the more properties two objects share, the more likely they are to be similar in other respects. On the other hand, others argue that analogy is not a comparison of objects, but of relationships, i.e., it is a parallelism of relationships. In the words of Paul Grenet, analogy is “a *resemblance of relationship* rather than a *relationship of resemblance*” (cited in Perelman and Olbrechts-Tyteca 1971, p. 372). Here I will adopt this second position. The question, then, is what kind of relationships are compared in an argument by analogy? Let us take a short detour to clarify this issue.

In cognitive sciences, Keith Holyoak and Paul Thagard have also defended a theory of analogy based on the notion of parallelism. They argue that analogical thinking is to

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<sup>4</sup> For reasons of space, I have had to leave out two interesting particularist proposals. First, there is Lilian Bermejo-Luque, who responds to the challenges posed by Waller and Shecaira with her Linguistic-Normative Model of Argumentation. This model combines an adaptation of Toulmin model with the notion of modal qualifiers and makes it possible to defend a deductive yet non-principled scheme of arguments by analogy (Bermejo-Luque 2012, 2014). Secondly, André Juthe proposes a relational model based on a one-to-one correspondence between elements in the source that determine the predicate to be transferred and elements of the target. This allows him to account for arguments by analogy without recourse to principles (Juthe 2005, 2016, 2019).

“reason and learn about a new situation (the *target* analog) by relating it to a more familiar situation (the *source* analog) that can be viewed as structurally parallel” (Holyoak and Thagard 1997, p. 35). The process by which two situations are compared is called “mapping”, namely “the construction of orderly correspondences between the elements of a source analog and those of a target” (Holyoak and Thagard 1989, p. 195). To understand what these elements are, it is necessary to pay attention to the work of Dedre Gentner, who first proposed a structure-mapping theory of analogy. She makes a twofold syntactic distinction that is relevant here. On the one hand, she distinguishes between “object attributes”, predicates that takes one argument (e.g., “María is Spanish”), and “relationships”, predicates that takes two or more arguments (e.g., “John is *taller than* Peter”). And on the other hand, she distinguishes between first-order relationships, which takes objects as arguments (as in the previous one), and higher-order relationships, which takes propositions (e.g., “John will be selected for the basketball team *because* he is taller than Peter”, or “María has a better CV than John, *so that* she will receive the grant”). According to these authors, what differentiates analogy from mere similarity is that in analogy the comparison operates on higher-order relationships. Take the classic Platonic analogy: Just as a ship needs a captain to direct her course, so a state needs a good leader to set its agenda. Following Cameron Shelley (2004), we can analyse it using this table:

<i>Ship (source)</i>	<i>State (target)</i>
Ship	State
Captain	Leader
Course	Agenda
Crew	Citizens
Well-being	Well-being
Need (ship, captain)	Need (state, leader)
Direct (captain, course)	Set (leader, agenda)
Enjoy (crew, well-being)	Enjoy (citizens, well-being)
Because (need, direct)	Because (need, set)
So-that (direct, enjoy)	So-that (set, enjoy)

Here the source and target cases appear in different columns. With respect to rows, three levels are set corresponding to objects, first-order relationships, and higher-order relationships. In light of this analysis, it is easy to see that Plato’s analogy rests not so much on the similarities between objects –a ship and a state bear little resemblance to each other–, but on the parallelism of relationships between the element of both cases. The more relationships and the higher their order, the better the analogy, according to these theories.

So, we have that an analogy is a comparison between two systems of relationships, and that an argument by analogy is one in which that comparison is used as a reason for assigning to one of them a property of the other. On the other hand, I have suggested that in arguing by analogy, we hold that a claim is supported by reasons because the case parallels another case in which it is accepted that a claim is supported by reasons. How can we combine these ideas? My suggestion is that by understanding higher-order relationships as argumentative relationships (*see* Marraud 2007). By argumentative relationship I mean the relation between the consideration that is presented as a reason and that for which that consideration is a reason. If we take this step, then we have that arguments by analogy are meta-arguments, i.e., arguments about other arguments, since

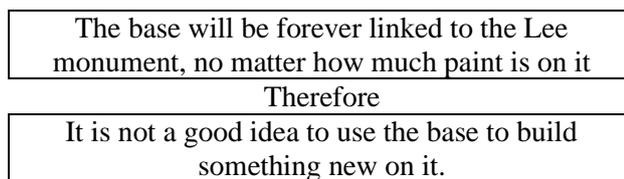
the source and target cases are themselves arguments (*see* Woods and Hudak 1989; Marraud 2007; van Laar 2014, or Stevens 2018)<sup>5</sup>.

An example may shed light on this idea. In a report on the decision of the Supreme Court of Virginia (USA) to remove the statue of Confederate General Robert E. Lee, reporter Gregory S. Schneider collects the testimony of Janice Hall Nuckolls, a citizen who lives near the statue. Asked what to do with the base on which the statue stands, she defends that it should be removed too, and argues:

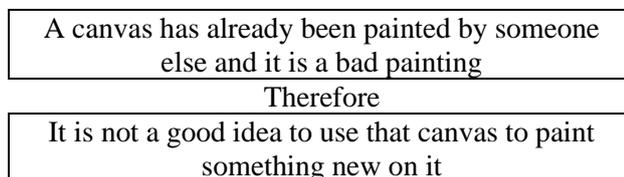
“The base will be forever linked to the Lee monument, no matter how much paint is on it,” she [Janice Hall Nuckolls] said. “Having to start with that would be like being given a canvas to paint but being told to work with the painting that has already been started by someone else. And it’s not a good painting”. Gregory S. Schneider, “Virginia Supreme Court clears way for Lee statue in Richmond to come down”, *The Washington Post*, 02/09/2021<sup>6</sup>.

In the first line Nuckolls gives a reason for removing the base of the statue. Then, to show the appropriateness of that reason, she appeals to a parallel case: that of the canvas which has already been painted. We can reconstruct both arguments as follows:

*Argument-source:*



*Argument-target:*



What Nuckolls is trying to do here is to defend that the consideration presented for removing the base is a worthwhile reason, because it parallels the consideration presented for not using the canvas –which is supposed to be an obviously worthwhile reason. We have then an argument about other arguments. However, it should be noted that Nuckolls is not interested in all aspects of these arguments: it makes no difference, as far as the analogy is concerned, whether there is in fact a canvas that has been painted or whether it should not actually be painted on it (note that it is a hypothetical case). What is important are the relationships between the considerations presented as reasons and the claims those consideration favour. As I said, we can represent these relationships by resorting to conditionals. Thus, we have a simplified version of Nuckolls’ argument:

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<sup>5</sup> A question arises here: are all arguments by analogy meta-arguments? Although I am not very interested in the terminological wrangling, I think it could be useful to reserve the notion of arguments by analogy for this type of arguments and to use “arguments by comparison” as a more general category that encompasses other forms of arguing by making comparisons (*see* Juthe 2005, p. 7, and Stevens 2018, p. 441, note 17).  
<sup>6</sup>[https://www.washingtonpost.com/local/virginia-politics/lee-statue-richmond-court-removal/2021/09/02/4a2ee794-0bee-11ec-a6dd-296ba7fb2dce\\_story.html](https://www.washingtonpost.com/local/virginia-politics/lee-statue-richmond-court-removal/2021/09/02/4a2ee794-0bee-11ec-a6dd-296ba7fb2dce_story.html)

If a canvas has already been painted by someone else and it is a bad painting, then it is not a good idea to use that canvas to paint something new on it.

The case of the base is analogous to the case of the canvas:

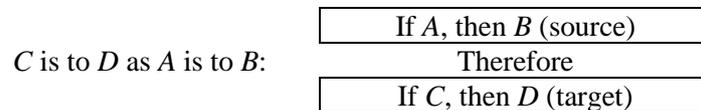
Therefore

If the base will be forever linked to the Lee monument, no matter how much paint is on it, then it is not a good idea to use the base to build something new on it.

If we use Shelley’s table, we can appreciate the similarity with Plato’s analogy:

<i>Canvas (source)</i>	<i>Monument (target)</i>
Canvas	Base
Bad painting	Controversial statue
Painter	Sculptor
New painting	New statue
Bound-to (bad painting, canvas)	Bound-to (controversial statue, base)
Not-paint-on (painter, new painting, canvas)	Not-build-on (sculptor, new statue, base)
Because (not-paint-on, bound-to)	Because (not-build-on, bound-to)

Now we can answer the question arisen at the beginning of this section: the relationships compared in an argument by analogy are argumentative relationships. I will call this “argumentation by parity of reasons” and propose the following (simplified) scheme:



#### IV

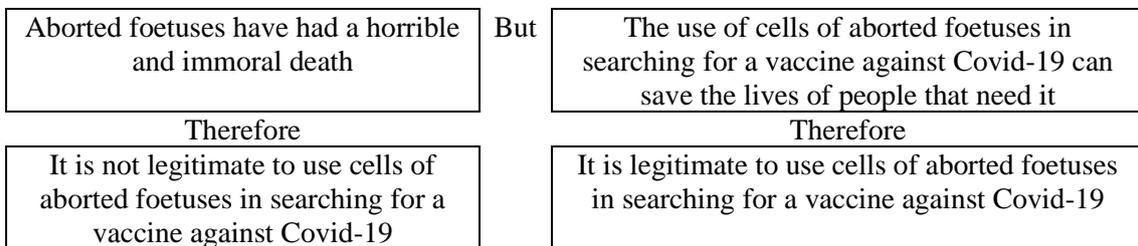
Arguments by analogy are thus based on a comparison of argumentative relationships. But this is not the whole story. They may be more complex and also operate upon what I will call “inter-argumentative relationships”, i.e., relations between arguments. Let us consider another example:

“Well, I have just had a pang of regret, yes: since Cardinal Cañizares said the other day that cells from aborted foetuses are being used to make a vaccine against Covid-19. [...] Respected Monsignor, imagine that you have just spiritually assisted a youngster who has been “legally” executed, horror, and that in a hospital bed there is a person whose life depends on the youngster’s heart, or his kidneys. Would your eminence authorise the transplantation of his organs? [...] I think so. Does not your eminence not find any similarity between the youngster’s corpse and the aborted foetuses? I do, with apologies” (Agapito López Villa, “El diablo y las vacunas” [The devil and the vaccines], *Hoy*, 21/06/2020 –translation is mine)<sup>7</sup>.

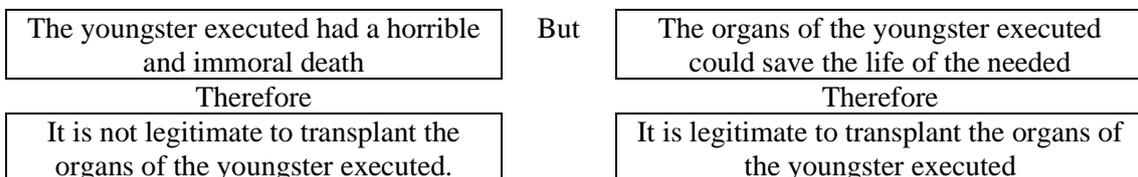
<sup>7</sup> <https://www.hoy.es/extremadura/diablo-vacunas-20200621112832-nt.html>

Here Agapito López Villa answers to Cardinal Cañizares’ complains about the use of stem cells from aborted foetuses in the search for a Covid-19 vaccine. He does not directly state his position but uses a hypothetical case: the situation in which a youngster has been executed and another person needs his organs. To the question of whether it is legitimate to authorise the transplant in such circumstances, he answers that it is. Once that verdict is taken for granted, analogy is posed by the second rhetorical question. In presenting both cases as analogous, he means that the same verdict applies to the case of vaccines. We may reconstruct his position as follows: “it is true that aborted foetuses have had a horrible and immoral death, but the use of their cells in searching for a Covid-19 vaccine can save lives, so it is legitimate to use them”.

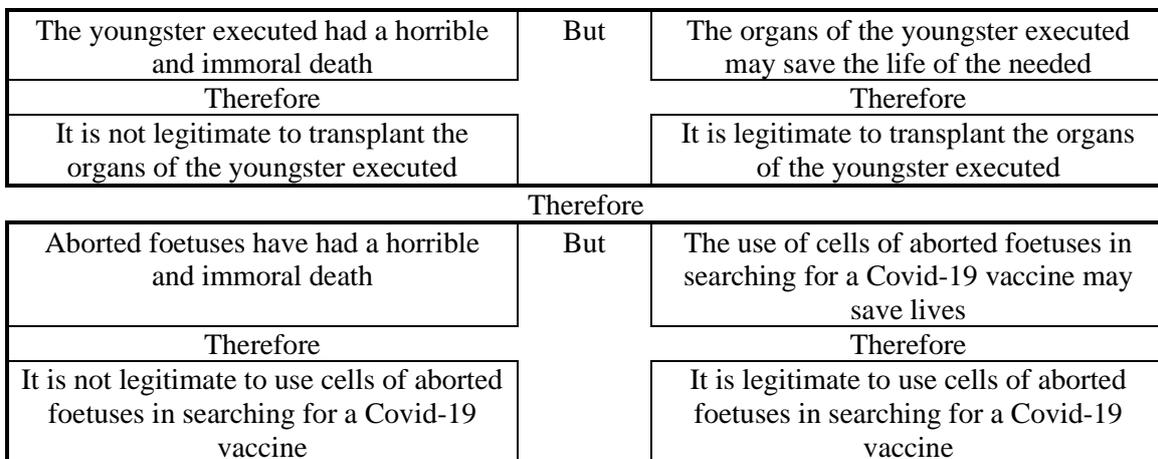
What is interesting here is that the subject of the analogy is not arguments, as in Nuckolls’ case, but weighings of reasons for opposite claims. When I presented counterarguments, I said that this is precisely what happen in refutations: two reasons for incompatible claims are weighed against each other and more weight is attributed to one of them, imposing its claim. Connectors such as “but”, “however”, or “although” are often refutations marks. Using “but”, we can depict López Villa’s position:



As we have seen, he justifies this weighing by relying on the hypothetical case of the executed youngster, which can be represented as follows:



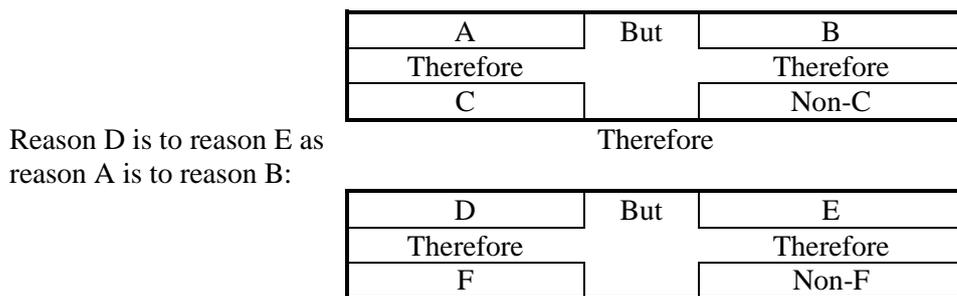
The following diagram depicts López Villa’s argumentation:



We can appreciate the difference with Plato’s and Nuckolls’ examples by adding an extra level of rows to Shelley’s table (I am interested in the level of relationships marked by the “buts”, and not so much in the accuracy of my analysis).

<i>Execution (source)</i>	<i>Foetuses (target)</i>
Youngster executed	Aborted foetuses
Horrible death	Horrible death
Organs	Cells
Lives	Lives
Transplant	Search
Have (youngster executed, horrible death)	Have (aborted foetuses, horrible death)
Save (organs, lives)	Save (cells, lives)
Be-legitimated (transplant)	Be-legitimated (search)
Not-being-legitimated (transplant)	Not-being-legitimated (search)
Because <sup>1</sup> (not-being-legitimated, have)	Because <sup>1</sup> (not-being-legitimated, have)
Because <sup>2</sup> (being-legitimated, save)	Because <sup>2</sup> (being-legitimated, save)
But (Because <sup>1</sup> , because <sup>2</sup> )	But (Because <sup>1</sup> , because <sup>2</sup> )

I call these second variety of arguments by analogy “argumentation by parity of weighings”. I propose the following scheme:



## V

Both argumentation by parity of reasons and argumentation by parity of weighings are arguments about other arguments. In both varieties it is argued that a claim is supported by reasons because the case is parallel to another –hypothetical– case in which a claim is supported by reasons. The difference is that while in Nuckolls’ case it is argued that the claim is supported by a worthwhile reason, in Lopez Villa’s case it is argued that the claim is supported not only by a worthwhile reason, but by one that is stronger than a reason against. In other words, while in Nuckolls’ case the property transferred from the source to the target is “to pose a *pro tanto* reason” (assuming the truth or acceptability of what is presented as a reason), in López Villa’s case it is “to pose a stronger reason”.

This requires some clarifications. As I said, from the perspective of argument dialectics an argument is correct and poses a *pro tanto* reason if it withstands objections and rebuttals, and it is conclusive and poses a relatively strong (or all things consider) reason if it also resists refutations. As we have seen, an objection is an argument whose conclusion is incompatible with some premise of the criticised argument; a rebuttal is an argument whose conclusion attacks the relationship between the premises and the conclusion of the criticised argument, and a refutation is an argument that gives a stronger

reason for an incompatible conclusion. So, both “to be a *pro tanto* reason” and “to be a stronger reason” are properties that are defined with respect to an argumentative context. In this sense, argumentation by parity of reasons can be seen as the reverse of rebuttals, and argumentation by parity of weighings as the reverse of refutations. In the first variety, it is argued that the target argument resists rebuttals, because it parallels the source argument which –it is taken for granted– does so. And in the second variety, it is argued that the target argument resists refutations, because it parallels the source argument which –it is taken for granted– does so.

As can be seen, this account is clearly particularist. It does not resort to any principle that covers the source and target cases and turns the argument into a deductive one, neither full nor partial. By conceiving arguments by analogy as based on a parallelism of relationships, we maintain the comparison as the core of the reason put forward; and by differentiating types of relationships according to their order, we provide a more accurate analysis of how people justify their positions by making analogies.

## VI

Arguments by analogy are therefore case-to-case arguments based on a parallelism of relationships. We can recognise similarities between ways of arguing and use them as reasons to justify our own arguments. However, someone might reply that what I have just presented is an analysis, but that generalism and particularism are theories of appraisal. The question would not be so much whether these arguments are principled, but whether they can be evaluated without recourse to principles of any kind. To answer this question, I will build on Govier’s suggestion that, although “the universal claim might be implied by the argument” (Govier 1989, p. 147), “we can evaluate [it] without raising the issue, just by sticking to the cases at hand” (Ibid, p. 148).

Let us start with the basics, what would these principles look like? One thing that sets me apart from many of those who have discussed this issue is that I advocate a meta-argumentative approach. In my view, when we argue by analogy, we contend that a claim is favoured by reasons, because the case is parallel to a case in which we assume that another claim is favoured for other reasons. This meta-argumentative character allows me to incorporate analogies into the logical evaluation of arguments. Take Nuckolls’ case. She claims that the argument

The base will be forever linked to the Lee monument, no matter how much paint is on it
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Therefore

It is not a good idea to use the base to build something new on it.
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raises a worthwhile reason, in the sense that the relationship between the premises and the conclusion is beyond doubt. As we have seen, to do so she relies on the comparison with the canvas case. But if we take a closer look at it, it will dawn on us that this is precisely the job of warrants<sup>8</sup>. Instead of arguing by analogy, Nuckolls could have said “because if something is forever linked to a negative idea, it is better not to use it as a starting point for a new thing”. In short, arguments by analogy thus understood can be

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<sup>8</sup> As is well known, Toulmin characterises warrants as “general, hypothetical statements, which can act as bridges, and authorise the sort of step to which our particular argument commits us” (Toulmin 2003, p. 91).

regarded as a substitute for the warrant. However, there are two readings of this idea, which reproduce the debate between generalists and particularists (Marraud 2020, p. 5):

1. Two arguments are analogous because they follow the same principle or rule, or
2. Two arguments can be considered as following the same principle or rule because they are analogous.

Of course, both positions are open to nuance. Generalists might say that warrants are implicit in some way and, in any case, can be refined and modified on the fly; and particularists might argue that we often –or even mostly– argue using warrants, but that there are argumentative practices that do not require them, and arguments by analogy are part of those practices (*see* Lamond 2005). The problem is the same with argumentation by parity of weighings, but at a higher level: now we have principles or rules that attribute more strength to one reason than to another. In fact, a particularist might take advantage of this specificity and argue that, although at the level of warrants generalism has some plausibility, a universal principle of the second type is a hard pill to swallow, because the strength of reasons is largely determined by contextual factors (*see* Bader 2016). But this is not the point here.

The question is then how to evaluate these arguments without resorting to warrant-like principles. My answer is quite simple: by looking for relevant differences between the cases compared. But what is a relevant difference? Well, the same as a relevant similarity but in reverse. In the first section I advanced the idea that depending on the property to be transferred, the comparison will highlight different aspects of the source and the target cases. Something similar happens with differences. If the arguer contends that a claim is favoured by worthwhile reasons, then relevant differences will be those considerations that show either in the source or in the target that this does not really happen. This is done, in argument dialectics, by looking for rebuttals to the reasons posed by the source and target arguments<sup>9</sup>. On the contrary, if the arguer contends that a claim is favoured by relatively strong reasons, then relevant differences will be those considerations which reverse the strength attributed to the reasons weighed, either in the source or in the target case. Here we are looking for refutations or contextual factors that alter the strength of reasons. Thus, the evaluation process would go along these lines:

1. An analogy is put forward as a reason for a claim.
2. We identify the variety by looking at the arguer's claim.
3. We search for counterarguments:
  - 3.1. Should it be the first variety, search for rebuttals either to the source or to the target.
  - 3.2. Should it be the second variety, search for refutations or contextual factors that alter the strength of reasons considered either in the source or in the target.
4. We set the outcome:
  - 4.1. Should it be any counterargument, the argument is incorrect and fails to pose any reason
  - 4.2. Should it be no counterargument, the argument can be considered correct and that it poses a *pro tanto* reason.

In short, we have a process that does not resort to general principles or rules and therefore avoids generalism problems. This process is case-driven: depending on the property to be

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<sup>9</sup> Note that rebuttals have been defined as counterarguments that attack the relationship between the premises and the conclusion of the argument criticized, and that this does not presuppose a warrant, as in Toulmin's account, where conditions of rebuttal indicate "circumstances in which the general authority of the warrant would have to be set aside" (Toulmin 2003, p. 94). For more on counterarguments see (Leal and Marraud 2022, pp. 305-322).

transferred in the case at hand, the analogy will highlight some relationships or others, and that gives us the key to look for relevant differences, i.e., adequate counterarguments. Of course, these are only broad guidelines and so it should be: at the end of the day, particular cases rule and, to crib from Govier again, whether two cases are similar –or different– in relevant respects is something that is always open to further discussion.

## VII

But here a last question arises. In what sense is the universal principle *implied* by the argument? Govier does not make it easy. She contends that the universal principle, which she calls “U-Claim”, is neither a background assumption (an example being the principle of non-contradiction in deductive logic), nor an implicit premise. And yet it is somehow implied by the arguer: “the use of an argument by analogy does commit the arguer to some U-claim in the sense that if what she says in her argument is right, then some U-claim must be true” (Govier 1989, p. 148). My position on this is that, if the argument by analogy is good (in the sense I have just outlined), then it can be seen *as a reason for* a general principle or rule covering cases compared. In other words, principles should be seen as a by-product of good analogies, not the other way around<sup>10</sup>. This qualifies Govier’s claim in two ways. First, good arguments by analogy do not strictly imply but are reasons for general principles or rules, i.e., they can be defeated or overcome by stronger reasons. And secondly, arguments by analogy need not always lead to a defence of a principle, as the verb “to imply” might suggest; sometimes we simply move at the level of cases without any intention of generality.

## VIII

Generalism and particularism give opposite answers to the question of whether arguments by analogy need principles to support their claim. For generalism, these arguments presuppose a principle that attributes the property to be transferred to any object having the features shared by the source and target cases, which makes the argument a deduction, either full or partial. Particularism rejects this position and argues that arguments by analogy are case-to-case arguments based on the similarities and differences between the source and target cases. Here I have defended a particularist position.

First, I have shown that arguments by analogy operates on a parallelism of relationships. These relationships are argumentative in nature, which turns arguments by analogy into meta-arguments, i.e., arguments about other arguments. I have shown that argumentative relationships may be of different sorts, giving rise to different varieties of arguments by analogy. Here I have distinguished two varieties: argumentation by parity of reasons and argumentation by parity of weighings. Second, I have shown that at this meta-argumentative level principles correspond to Toulminian warrants. Generalists contend that every argument, including arguments by analogy, require a warrant in order to be evaluated, while particularists argues that there are argumentative practices that indeed require warrants, but others that do not, and arguing by analogy may be part of the latter. Finally, I have proposed a procedure for evaluating arguments by analogy without

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<sup>10</sup> It goes without saying that principles or rules can be created in other ways, e.g., by simply postulating them. Here I am just referring to them in connection with arguments by analogy. Ultimately, this is the idea, not at all exotic outside argumentation theory, that analogies have a certain “creative” character. Bermejo-Luque seems to suggest something similar when she describes analogies as “cognitive proposals” (*see* Bermejo-Luque 2012, p. 8)

recourse to warrant-like principles, and have argued that, rather than being a requirement of arguments by analogy, they can be seen as a by-product of good analogies.

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