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A Brief Comparison of Argument Modeling with Carneades[1] and DCIT[2] Using *Pierson v. Post*

[1]Carneades Argumentation Framework based on Walton's Theory of Argumentation

[2]Defeasible Class-Inclusion Transitivity

Joseph A. Laronge
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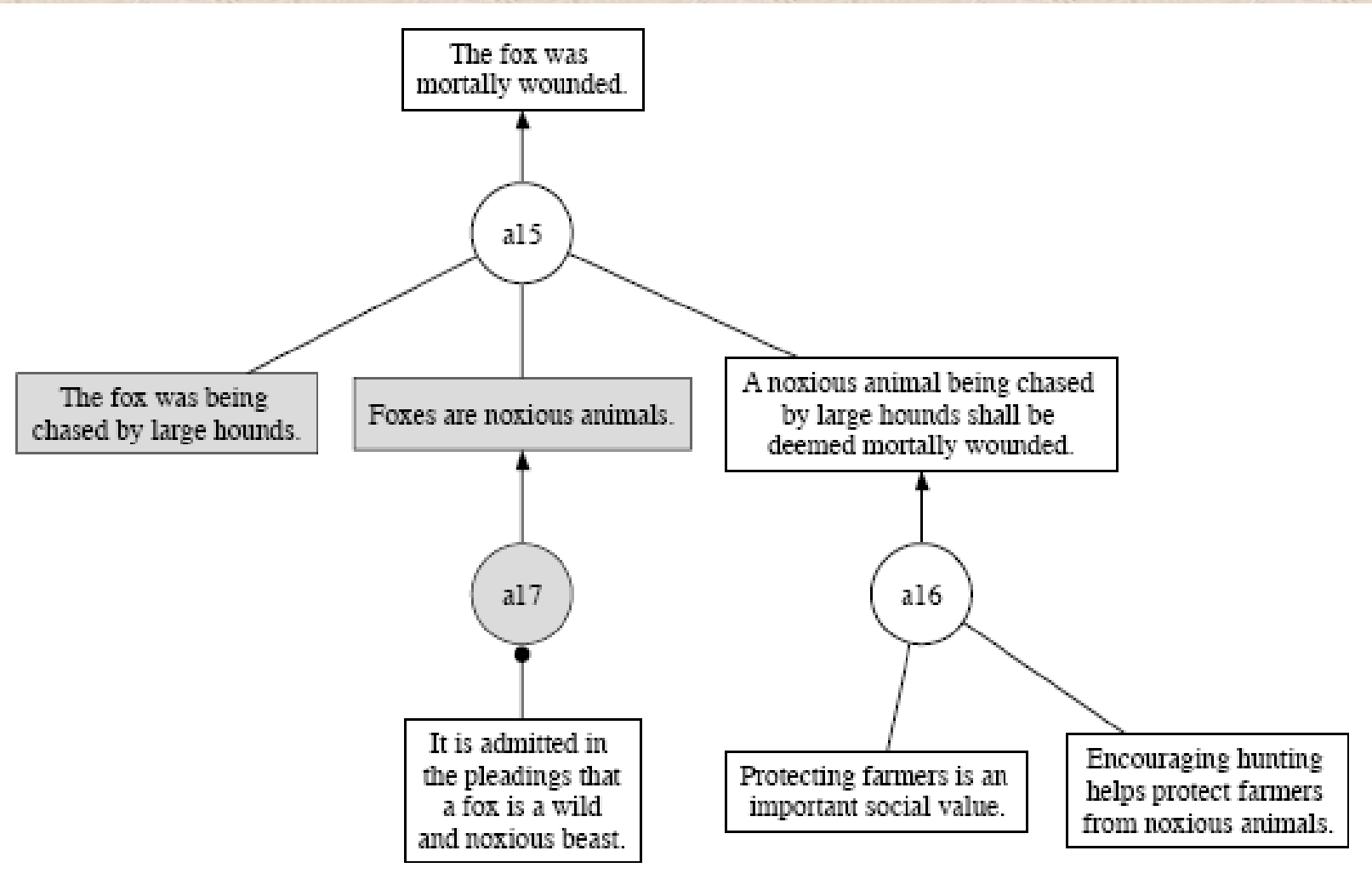
joseph.laronge@gmail.com

Carneades (Justice Livingston dissent)



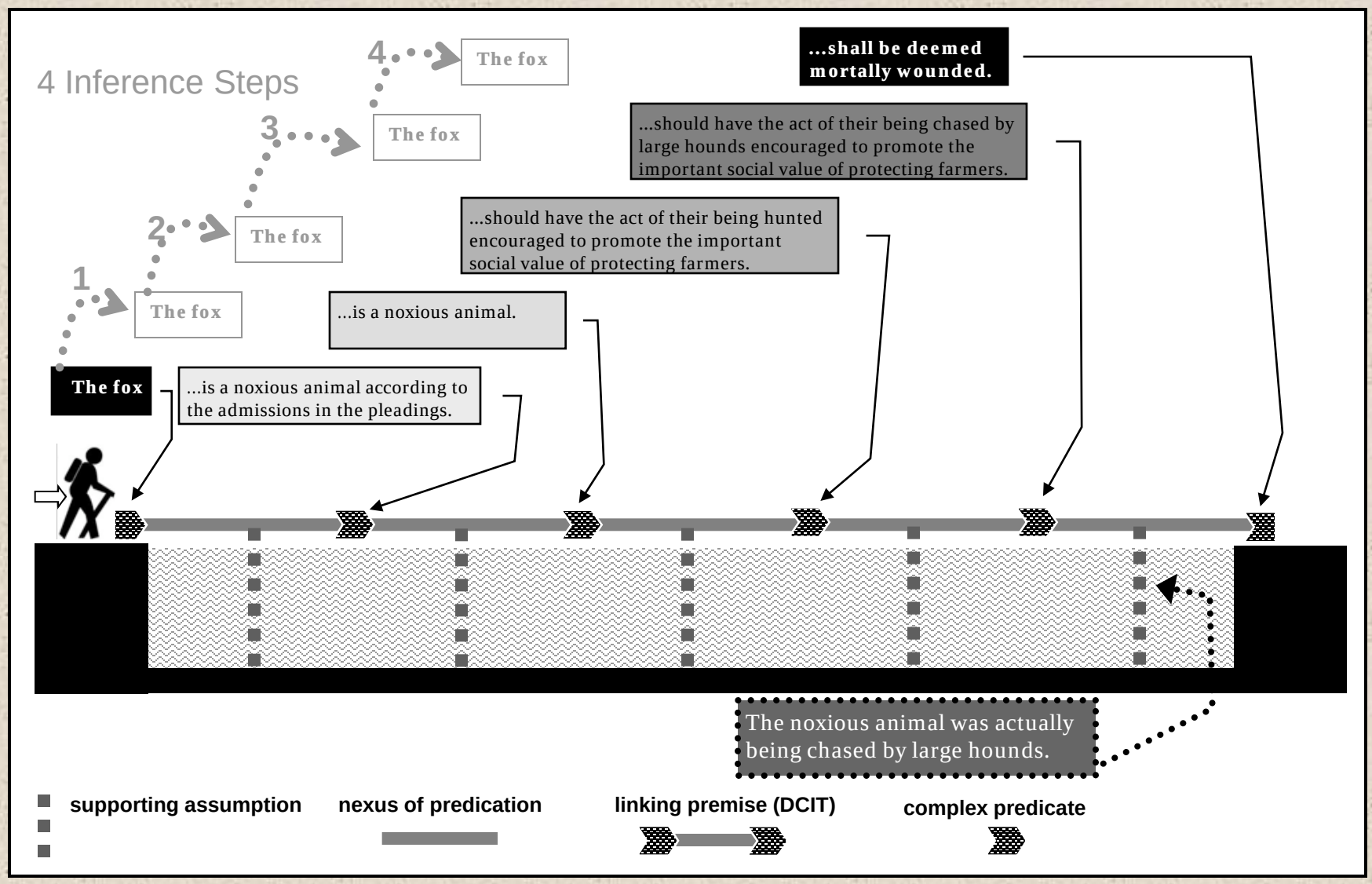
Gordon, T. F., and Walton, D. Pierson vs. Post revisited — a reconstruction using the Carneades Argumentation Framework. In Proceedings of the First International Conference on Computational Models of Argument (COMMA 06) (Liverpool, 2006), P. E. Dunne and T. Bench-Capon, Eds., IOS Press
http://www.tfgordon.de/publications/files/GordonWalton2006b.pdf?attredirects=0

DCIT Template (Justice Livingston dissent)

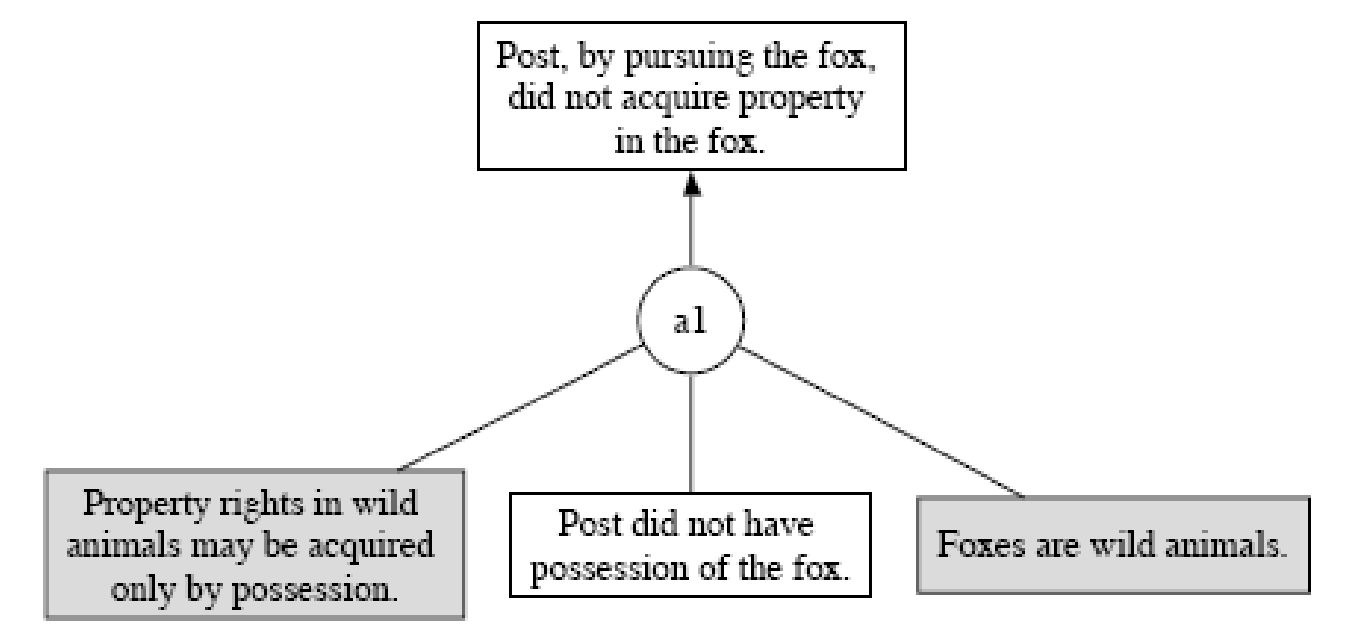
Linked Premises of Line of Reasoning (DCIT)			
1	**START**	**The fox...**	...is a noxious animal according to the admissions in the pleadings.
2	Any such that...	...is a noxious animal according to the admissions in the pleadings...	...is a noxious animal.
3	Any such that...	...is a noxious animal...	...should have the act of their being hunted encouraged to promote the important social value of protecting farmers.
4	Any such that...	...should have the act of their being hunted encouraged to promote the important social value of protecting farmers...	...should have the act of their being chased by large hounds encouraged to promote the important social value of protecting farmers.
5	Any such that...	...should have the act of their being chased by large hounds encouraged to promote the important social value of protecting farmers....	**...shall be deemed mortally wounded.**
		CONCLUSION	
	FINISH	**The fox...**	**...shall be deemed mortally wounded.**

	Ancillary Supporting Assumptions for Each Linked Premise
5	The noxious animal was actually being chased by large hounds.
4	
3	
2	
1	

DCIT Map (Justice Livingston dissent)



Carneades (Justice Tompkins main argument)



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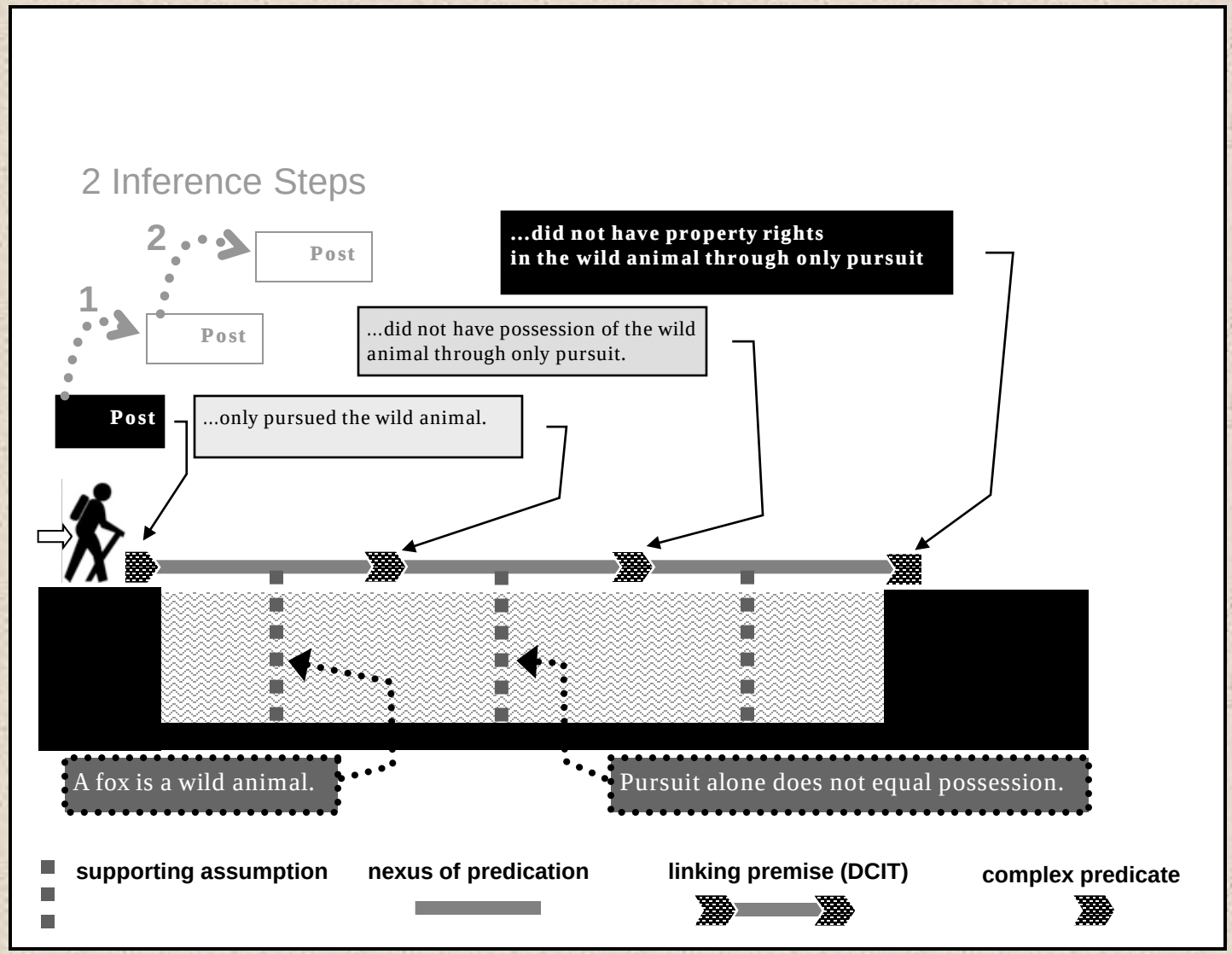
DCIT Template (Justice Tompkins main argument)

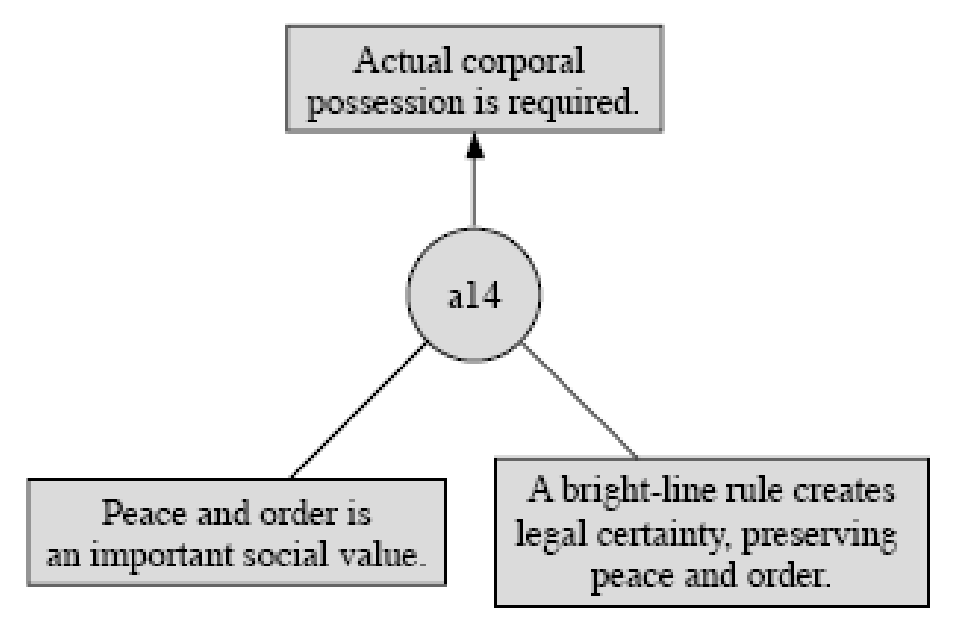
Linked Premises of Line of Reasoning (DCIT)			
1	**START**	**Post...**	...only pursued the wild animal.
2	Anyone who...	...only pursued the wild animal...	...did not have possession of the wild animal through only pursuit.
3	Anyone who...	...did not have possession of the animal through only pursuit...	**...did not have property rights in the wild animal through only pursuit.**
CONCLUSION			
	FINISH	**Post...**	**...did not have property rights in the wild animal through only pursuit.**

	Ancillary Supporting Assumptions for Each Linked Premise
3	
2	Pursuit alone does not equal possession.
1	A fox is a wild animal.

DCIT Map (Justice Tompkins main argument)



Carneades (Justice Tompkins teleological argument)



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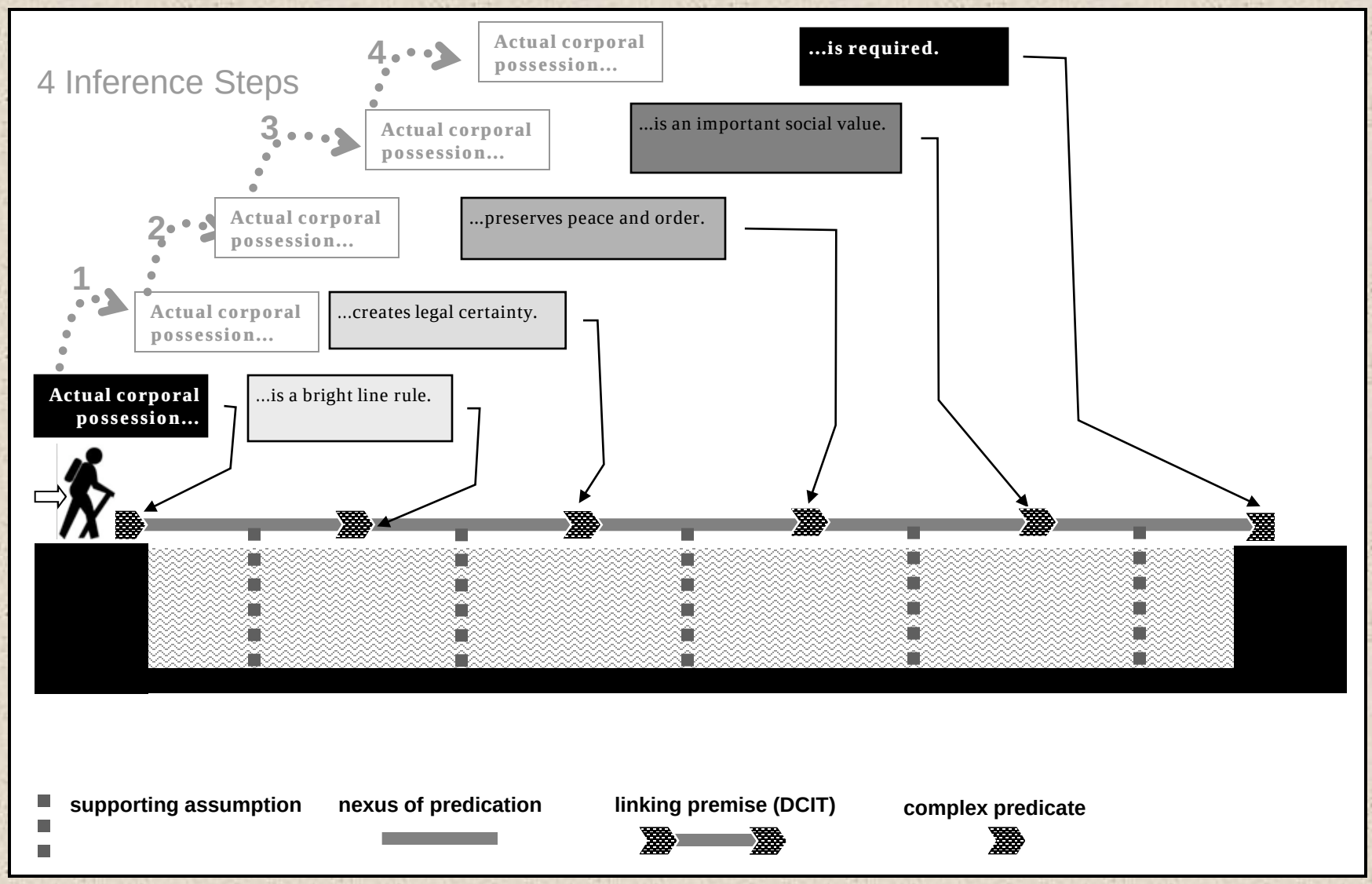
DCIT Template (Justice Tompkins teleological argument)

Linked Premises of Line of Reasoning (DCIT)			
1	**START**	**Actual corporal possession…**	…is a bright-line rule.
2	Anything that…	…is a bright-line rule…	….creates legal certainty.
3	Anything that…	….creates legal certainty…	…preserves peace and order.
4	Anything that…	…preserves peace and order…	…is an important social value.
5	Anything that…	…is an important social value.	**…is required.**
		Actual corporal possession…	**…is required.**

	Ancillary Supporting Assumptions for Each Linked Premise
5	
4	
3	
2	
1	

DCIT Map (Justice Tompkins teleological argument)



Some Distinguishing Attributes: DCIT compared to Carneades

- Uses a single mode of inference that is familiar, recognizable, and acceptable in court.
- Provides a definitive “start” and “finish” for each line of reasoning to show the path of probative force.
- Prevents any implicit linking premises.
- Establishes logical relevancy by making the logical connection between each linked premise apparent.
- Makes apparent the number of inference steps.
- Ensures a well-formed structure with scaffolding.
- Aligns metaphorically the visual grammar with kinesthetic descriptions of argument (e.g., inference leap, probative weight, etc.).

References

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Joseph A. Laronge A Generalizable Argument Structure Using Defeasible Class-inclusion Transitivity for Evaluating Evidentiary Probative Relevancy in Litigation Journal of Logic and Computation Advance Access published on December 2, 2009, DOI 10.1093/logcom/exp066.
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