Cultural differences in the perceptions of strong and weak arguments

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In international arbitration, parties provide evidence for their own causes. The degree of success might depend on the extent to which parties are sensitive to how receivers from other cultural backgrounds react to their reasoning. Should arguments presented to a tribunal be framed in accordance to cultural norms? Should arbitrators write their decisions differently depending on the cultural background of the parties? Research has shown that culture indeed appears to affect people’s evaluations of arguments.

**Strong and weak arguments** – The quality of the arguments that are provided to convince an audience of a claim determines the extent to which this audience is persuaded. If people are motivated and able to process a message, high-quality arguments are more persuasive than low-quality arguments (e.g., Petty & Cacioppo, 1986). The question is what constitutes high-quality arguments? One way to distinguish between arguments is to start with the concept of evidence, “data (facts or opinions) presented as proof for an assertion.” (Reynolds & Reynolds, 2002, p. 429). The study of persuasive evidence has focused on the extent to which types of data affect people’s adherence to factual claims that describe (future) events, such as “Listening to classical music helps students to absorb a lot of knowledge in a short period of time”. Four types of evidence have generally been compared: statistical and anecdotal evidence in most cases (see Allen & Preiss, 1997), but also causal evidence (providing an explanation for the claim), and expert evidence (in which an expert underscores the claim) (e.g., Hornikx & Hoeken, 2007). In these comparisons, people judge the probability of different claims, which are supported by different types of evidence.

**Evidence quality and culture** – A given piece of evidence, say expert evidence, has a high quality when it respects the norms associated with the underlying argumentation scheme, in this case the argument from expert opinion (e.g., Walton, 1997). For this type of argumentation, just as for others, a number of critical questions have been proposed. For the argument from expert opinion, one of the critical questions addresses the relevance of the field of expertise in relation to the topic of the claim (Walton, 1997). In the study of persuasive evidence, variations in the quality of a given type of evidence have been compared (e.g., Hornikx & Hoeken, 2007; Hoeken, Timmers, & Schellens, 2012). Recently, evidence research has started taking a cross-cultural perspective by comparing the extent to which audiences from different cultural backgrounds are sensitive to evidence quality (e.g., Hornikx & De Best, 2011; Hornikx & Hoeken, 2007). Such research adds to our knowledge about the extent to which normative argument quality is important for persuasive success, and also deepens our insights into what quality criteria matter or do not matter in different cultures. In the last sixty years, most research on persuasive evidence has been conducted in the United States, which has led researchers to question “[w]hether other cultures with different expectations for forms of proof would reflect the same outcomes” (Allen & Preiss, 1997, p. 129).

**Review of cross-cultural studies** – Research addressing this question has a multiculturalist perspective, which argues that people from other cultures may evaluate...
evidence differently. Only a handful of studies have adopted this multiculturalist perspective in empirical research. In Hornikx (2008), Dutch and French participants ranked the four types of evidence for a number of claims in terms of how persuasive they expected these claims to be for other people (Dutch or French, respectively). No cultural differences were observed; participants’ ranking was: statistical (most persuasive for others) – expert – causal – anecdotal evidence. Hornikx and Hoeken (2007) measured the actual effectiveness of the four types of evidence for other Dutch and French participants (Study 1), and of high- and low-quality variations of statistical and expert evidence for these two cultural groups (Study 2). Cross-cultural differences were mainly found in the second study: Dutch participants were found to be sensitive to evidence quality (high-quality evidence was most persuasive), but French participants were not. In a follow-up study, Hornikx (2011) examined why the French were insensitive to the quality of expert evidence, which varied in the (ir)relevance of the expert’s field of expertise to the topic of the claim. Dutch and French students rated the expertise of professors and researchers with a relevant and an irrelevant field of expertise. French students were more obedient than the Dutch students, and more obedience predicted a smaller difference between the relevant and the irrelevant fields of expertise. Thus, the smaller difference in the weight of expertise observed for the French students was partially explained by their obedience, which has a parallel in the French and Dutch educational systems: the French educational system underlines teachers’ authority and students’ obedience more than the Dutch (Hornikx, 2011). Next, a study in a non-Western setting indicates that Indians are also more persuaded by high-quality expert evidence than by low-quality expert evidence, and more persuaded by (high-quality) statistical evidence than by (low-quality) anecdotal evidence (Hornikx & De Best, 2011). The findings in this study were highly similar to findings reported in studies with Dutch participants. Finally, Hornikx and Ter Haar (in press) report on two studies that examine the persuasiveness of high-quality and low-quality evidence in the Netherlands and Germany. As expected, Dutch participants were more persuaded by high-quality than by low-quality evidence. German participants were not sensitive to the quality of statistical evidence, and this finding could not be attributed to their understanding of the rules of generalization.

**Conclusion** – The cultural background of people may affect the degree to which they are sensitive to the quality of the argument provided. In this paper, it will be explored how these research results may resonate in the context of international arbitration.

**References** – parts of this abstract are taken from Hornikx and Ter Haar (in press)


Hornikx, J., & Haar, M. ter (in press). Evidence quality and persuasiveness: Germans are not sensitive to the quality of statistical evidence. *Journal of Cognition and Culture*


