On the Use of Narrative as Argument

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THE NARRATIVE

Narrative is an important genre of discourse. It consists of the telling of a story, with the story having a temporal sequence, characters, actions, and events. In psychological research, the narrative has received considerable attention with a wide range of issues being investigated. Such issues include children’s understanding of narrative (e.g., Stein & Glenn, 1979), causal reasoning (e.g., Trabasso, van den Broek, & Suh, 1989), inference generation (e.g., Graesser, Singer, & Trabasso, 1994), and models of comprehension and understanding (e.g., Kintsch, 1998).

The Narrative: General Characteristics

White (1987), and similarly McGuire (1990), distinguished three types of narrative, namely, historical, fictional, and fiction that is made to look like history. Historical narratives consist of the construction of accounts of past events, typically by historians, that are based on and derived from available
documents. Generally, readers assume such accounts are accurate, given the constraints of the evidence and the beliefs and cultural background of the historian, as well as perhaps the historian's proclivity toward exaggeration. The classic volume by Thucydides (1972) on the Peloponnesian Wars is an example of such an account. Essentially the same documentation may be used, however, to construct two different accounts of the same set of events. Cronon (1992) demonstrated this fact by comparing two accounts of the history of the Great Plains. Thus, historical narratives provide information about the past and often the present, and the background of the narrator is frequently regarded as important (Mink, 1987).

The fictional narrative consists of a "story" in which the reader generally assumes that there are no "real" people and that the events portrayed did not really happen. The story is assumed to be a function of the author's imagination, as conditioned by the author's experience. The "truth" of fiction thus lies in fiction's portrayal of the human condition, the beliefs, emotions, thoughts, and reactions of people.

The idea of making fiction look like history refers to the use of historical figures or situations that are employed to infer a type of historical legitimacy to the story and actions of the characters. What Sturken (1997) has termed the "docudramas" of Oliver Stone serve as an example. Sturken was critical of movies such as J.F.K. because of a preoccupation with conspiracy theory and paranoia. Such stories are different than historical fiction because they are not written to be evaluated by the criterion of historical evidence even though some components of the story may embrace historical "fact."

Narratives are used for many purposes. In addition to conveying information and contributing to storytelling, they are used to integrate pieces of information. This is apparent in historical narratives, in which the historian will weave events and actions into a historical account, thereby providing a sense of chronological continuity. But as Hayden White (1987) commented, narrative discourse "endows them [real events] with illusory coherence" (p. ix). Narratives are used to tell stories of myth and folklore, and to transmit cultural values from generation to generation. Indeed, in a social-cultural context, Foucault (1969/1972) argued that people in power use narratives to maintain power, and those out of power have alternative narratives that are usually suppressed. In this context, Epstein (1996) showed that African American children frequently learn different historical narratives at home than at school and Wertsch and Rozin (in press) discussed the "official" and "unofficial" narratives of history found in Russia.

Of importance to the present chapter is that some writers have discussed a parallel of history and courtroom procedure (Collingwood, 1946; Wine-
Whereas Collingwood spoke of the role of narrativity in both, such as when the prosecuting and defense attorneys describe their respective cases in narrative terms, Wineburg described the attorney as acting more like a historian whereas a reader of history was acting more like a juror. The prosecuting attorney, for example, analyzes the evidence, the testimony, and the presented documents in detail while the juror listens.

With respect to the present chapter, two aspects of the historical narrative, as related to the courtroom, are of particular interest. One is that the prosecuting and defense attorneys, much like the historians referred to by Cronon (1992), typically construct alternative narratives using the same evidence. In one case the attorney concludes the defendant is guilty; in the other, the conclusion is not guilty. Second, the goal, or at least an important goal, of the historians as well as of courtroom attorneys, is rhetorical; that is, the goal is persuasion. The historian generally wants to convince other historians and/or readers of the case being made, and the courtroom attorney wants to convince the jury. The idea that persuasion is being accomplished via use of a narrative brings us to the next issue.

NARRATIVE AS ARGUMENT

The use of the narrative by the historian or attorney to persuade essentially means that the narrative is being used as an argument component. Indeed, Aristotle (cited in McGuire, 1990) indicated that in the rhetorical context there are two types of argument, the enthymeme and the narrative.

Our position is that when the prosecuting attorney provides his or her statement, it has the general form of an enthymeme, that is, a claim supported by a reason. Thus, the statement “Capital punishment should be abolished because capital punishment kills innocent people” is an enthymeme. However, in the courtroom case, the reason supporting the claim is the narrative. Thus, the prosecuting attorney may state, “X is guilty because...,” and what follows the “because” is a narrative. Such a narrative usually tells how and why the crime happened and the defendant’s role in it.

The prosecuting attorney’s narrative, which is the supporting reason for the claim that “X, the defendant, is guilty,” is assumed to have two components. One is the “facts” of the case, the testimony and the exhibits provided in the case. The second component is the narrative. The narrative is used to weave the facts of the case into a story that demonstrates the guilt of the defendant and hopefully to persuade the jury. Thus, the narrative supports the claim of guilty to form the argument.
But how are arguments evaluated? One criterion for evaluating arguments is that the reason supporting the claim must be acceptable. The second criterion is that the reason must provide support for the claim. This criterion is on occasion called relevance. In addition, a third criterion sometimes stated is that counterarguments need to be taken into account (Angell, 1964). In a real courtroom case, this criterion would suggest that, for example, when evaluating the prosecutor’s case for the defendant's guilt, the defense attorney’s argument should be taken into account. However, in the present study, we limited ourselves to the prosecution’s side of the case. We therefore are concerned only with the first two evaluation criteria. None of these criteria is binary; reasons can be acceptable to different degrees, as can the support provided by the reason for the claim. Thus, reason acceptability and reason support for the claim could each be weak, moderate, or strong. For present purposes, it is assumed that the “jurors” base their evaluation on both criteria, that is, acceptance of the reason (narrative) and the support the reason (narrative) provides to the claim “X is guilty.”

In the present study, the facts of the case were held constant across different narrative conditions; that is, they occur in the narrative in each narrative condition. Given this, it would be expected that if the prosecutor provided a well-constructed narrative, and “jurors” were asked to rate the narrative for its quality, it would be rated as a “good” narrative. However, if the narrative were poorly constructed, it presumably would be rated of low quality. Important to note, the primary hypothesis of this chapter is that given that the facts are constant across different narratives, a well-constructed narrative should provide a relatively high rating of guilt, that is, be in agreement with the prosecutor’s position, whereas with a poorly constructed narrative, a relatively low rating of guilt should be obtained. In other words, if the prosecuting attorney provides a good narrative, a jury or whoever does the ratings should be likely to agree with the prosecuting attorney with a guilty verdict; whereas if the prosecutor’s narrative is poor, the guilty rating will be lower.

We have argued that the guilt ratings should be in agreement with the quality of the narrative of the prosecuting attorney. But how do you tell whether you have a narrative of high or low quality? Fortunately, there has been research on this issue. A number of historians were asked what characteristics they thought were found in a good narrative (Leinhardt, Stainton, Virji, & Odoroff, 1994). The following characteristics were indicated: coherence, completeness or exhaustivity (in the sense of using all available, related information), causality, chronology, and contextualization (the contents of a given narrative relate to a broader context of time
and place). In addition, Pennington and Hastie (1993), in their jury decision work, emphasized coherence, and also mentioned coverage (quite similar to completeness), uniqueness (which would suggest the highest quality narrative should be judged better and different from others), and goodness-of-fit.

Given the characteristics of a good narrative as described previously, it was hypothesized that if a narrative lacked one or more of these characteristics, as for example having relatively poor coherence, then the quality rating of that narrative should be relatively low. Further, as mentioned earlier, the rating of the accused's guilt should be lower than when the narrative has good coherence. The present study examined the impact of the quality of a prosecuting attorney's opening or closing narrative statement on juror acceptance of the statement and of the accused's guilt. Moreover, the jurors can be influenced by at least two factors, the facts of the case and the narrative that includes the facts. If, however, the facts are held constant, but the narrative is disrupted by a manipulation of one or more of the criteria for good narrativity, then (a) judgments of narrative quality and persuasiveness should be lower than for a condition with no narrative disruption, and (b) given a, guilty ratings should be less in agreement with the prosecutor's side of the case, because the narrative is written as support for the prosecutor's position.

Four hypothetical murder cases were employed with four respective manipulations of narrative content. One condition, the baseline condition, consisted of presentation of the baseline or standard narrative. In a second condition, items were deleted making it an incomplete narrative as compared to the baseline. This manipulation would test the completeness criterion of narrative quality and is termed the incomplete condition. In a third condition, while maintaining local coherence, the text was scrambled, although the contents were the same as the baseline version. This manipulation was designed to reduce coherence and chronology, two criteria of good narrativity. Both of these factors, coherence and chronology, were manipulated together because disrupting one typically disrupts the other. This manipulation constitutes the coherence/chronology disruption condition. The fourth condition was the causation disruption condition. The changes made in this condition were designed to soften the causal emphasis of the narrative by using wording and content that would produce some doubt concerning the defendant's guilt. The specific manipulations are presented in the next section.

An additional variable, manipulated before the reading of each narrative, consisted of presenting one half of the participants with an evidence list "obtained from witnesses" that provided information about the particular
case. The reason for including this manipulation was primarily in relation to the incomplete condition. If the participants were to be influenced by having incomplete information, then they would need to notice that the text was incomplete because some information they had been given would not be in the text.

EXPERIMENT

Method

Participants. Sixty-four college students participated in the basic experiment, with 16 serving in each of four conditions.

Design and Materials. The participants were asked to assume the role of a juror and to read the summary presented by the prosecuting attorney for each of four cases as they would find in a courtroom. Four narrative conditions were employed that were described in the preceding section. Four narratives were constructed, each having four versions. One version of each narrative was assigned to each of the aforementioned four conditions via a $4 \times 4$ greco-latin square. Each participant thus served once in each condition and was presented with each narrative one time.

As noted, four texts were used. One text and its changes in the various conditions is presented here to show the manipulations that were performed. The remaining two stories that were employed (one was eliminated) and their changes are found in Appendixes A and B. The baseline condition text for “The Car Accident” was as follows:

The victim, Roger Wilson, had dropped off his coworker, Susan Walker, at her home. He then was driving on Crawford Street in order to get to the freeway. As he was driving, a 6-year-old girl, Marjorie Moran, ran out from behind a parked car. Before Roger could stop, his right fender hit her and she fell to the ground. He quickly got out of his car to check on her and found that she was not seriously injured. Despite this fact, a number of neighborhood teenagers, who were standing nearby, began to push him around, saying things such as “Don’t you know how to drive?” Then someone from the crowd took a baseball bat and hit Roger in the head, killing him. This action was seen by a resident living across the street from the altercation, but he was unable to identify who had used the bat. When the police got to the scene of the crime, they took statements from several witnesses, and looked for the bat. In a few minutes, they found a baseball bat in the back seat of a car that was parked
nearby. The car belonged to Matthew Moran, the girl’s older brother. Matthew Moran had been among the crowd that attacked Roger Wilson. He was very protective of his younger sister, and sometimes got into fights with people he determined were trying to hurt her. Analyses later revealed that the victim’s blood and hair were on the baseball bat. This evidence indicated that Matthew Moran’s bat must have been the bat used to hit Roger Wilson. Furthermore, Matthew’s were the only fingerprints found on the bat. Matthew Moran claimed that his fingerprints were on the bat because he had used it earlier in the day to play baseball, but playing baseball could not have placed the victim’s blood and hair on the bat. The evidence indicates that Matthew Moran’s bat must have been used to hit Roger Wilson, and because there were no fingerprints on the bat besides those of Matthew Moran, he must have been the person who hit Roger Wilson with that bat. Matthew Moran, who had the motive, the means, and the opportunity, is guilty of killing Roger Wilson.

In the causality disruption condition, the changes made are given next. The first part of each item is what was in the original baseline text and the second part states the modified contents in the causality text. The basic facts of evidence were maintained. However, the phrasing is designed to reduce the causal impact of the text. Three changes softening the account were numbers 4, 6, and 7. Change number 5 provided an alternative interpretation to the evidence against the defendant. Changes 2 and 3 made some case-related information implicit, whereas Change 1 was a criticism on the victim’s character:

1. He quickly got out of his car to check on her and found that she was not seriously injured. → He quickly stepped out to check on his car and found that it was not damaged.
2. Despite this fact, a number of neighborhood. ... → A number of neighborhood. ...
3. This evidence indicated that Matthew Moran’s bat. ... → Matthew Moran’s bat.
4. Matthew Moran’s bat must have been the bat used to hit Roger Wilson. ... → Matthew Moran’s bat must have come into contact in some way with Roger Wilson. ...
5. Matthew’s were the only fingerprints found on the bat. ... → Matthew’s were the only fingerprints found on the bat, indicating that he had touched it and, that no one else could have touched it, unless they were wearing gloves. ...
6. ... had used it earlier in the day to play baseball, but playing baseball could not have placed the victim’s blood and hair on the bat → ... had used it earlier in the day to play baseball.
7. bat must have been used ... must have been the person... → bat was probably used ... he was probably the person. ... 

The omissions made as follows were those parts of the text deleted in the incomplete condition. Deletions 5, 6, and 7 could have had a bearing on the evaluation of the evidence:

1. his coworker
2. He quickly got out of his car to check on her and
3. but he was unable to identify who had used the bat.
4. When the police got to the scene of the crime, they took statements from several witnesses, and looked for the bat.
5. In a few minutes, they found a baseball bat in the back seat of a car that was parked nearby.
6. The car belonged to Matthew Moran, the girl’s older brother.
7. Matthew Moran claimed that his fingerprints were on the bat because he had used it earlier in the day to play baseball.

In the coherence/chronology disruption condition, the numbers of the baseline sentences that provided the order of sentences were: 7, second half of 17, 4, 3, 1, 5, 11, 13, 15, 14, first half of 17, 9, 10, 12, 16, 8, 6, 18, 19. This order with minor sentence modifications provided local coherence but took away chronological order. The contents, however, were identical to the baseline condition.

In the preliminary witness information condition, the list provided was “Body of victim found in the middle of a suburban street”; “Eyewitness accounts by neighbors: saw teenager attacking victim”; “Eyewitness account by one neighbor: saw an unidentified person hitting the victim with a baseball bat”; “Baseball bat found in back seat of nearby car, belonged to Matthew Moran, victim’s blood and hair present; also Matthew Moran’s fingerprints.”

Measures. After reading each narrative, each participant was asked to provide a rating on each of five 1–10 scales and answer three open-ended questions. The question of the first scale was “Do you think the accused is guilty?” (1 = definitely guilty, 10 = definitely not guilty). These numbers were reversed in the presentation of the data for ease of comparison with other data. The second question was “How confident are you in your decision?” (1 = not confident, 10 = very confident). The third question was “Please rate the overall quality of the summary statement” (1 = not at all
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good, 10 = very good). The fourth question was “How convincing or persuasive was this statement?” (1 = not at all convincing, 10 = very convincing). The fifth question was “How good of an argument did the lawyer make for the case?” (1 = not at all good, 10 = very good). Questions 3, 4, and 5 were all concerned with the narrative quality. The emphasis in each was different, however, with the respective foci on overall quality, persuasiveness, and the quality of the lawyer’s construction. Subsequently, the three open-ended questions presented were: “What was good about this argument?” “What was missing?” “How could this statement be improved?”

Results

Overall, the mean guilty rating (with 1 = definitely not guilty and 10 = definitely guilty) was equivalent for three of the four texts, 7.5, 7.5, and 7.4, respectively. The results of the fourth text yielded a less guilty mean and a different distribution of ratings than found in the other three texts, with six participants providing >6 not-guilty ratings, whereas in the other three text conditions there were one, one, and zero not-guilty ratings and only three <4 guilty ratings compared to 9, 10, and 14 for the other three texts. This fourth text was therefore deleted from analyses.

The first row of Table 14.1 presents the mean guilty rating for the four disruption conditions. As shown, the baseline and incomplete conditions showed the highest guilty ratings, with the causation disruption and coherence/chronology disruption conditions showing lower ratings. Comparisons via one-tailed t tests indicated the baseline judgments were significantly greater for the baseline than the coherence/chronology, t(94) = 2.68, p < .005, and the causation disruption conditions, t(94) = 2.11, p <

<table>
<thead>
<tr>
<th>Condition</th>
<th>Baseline</th>
<th>Incomplete</th>
<th>Causation Disruption</th>
<th>Coher/Chron Disruption</th>
</tr>
</thead>
<tbody>
<tr>
<td>Guilty Rating</td>
<td>8.0</td>
<td>7.9</td>
<td>7.0</td>
<td>6.6</td>
</tr>
<tr>
<td>Confidence</td>
<td>8.0</td>
<td>7.6</td>
<td>7.4</td>
<td>7.8</td>
</tr>
<tr>
<td>Narrative</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Overall Quality</td>
<td>7.8</td>
<td>7.8</td>
<td>6.9</td>
<td>4.9</td>
</tr>
<tr>
<td>Convincingness</td>
<td>7.6</td>
<td>7.9</td>
<td>6.9</td>
<td>5.3</td>
</tr>
<tr>
<td>Argument Stated</td>
<td>7.6</td>
<td>7.9</td>
<td>6.9</td>
<td>5.1</td>
</tr>
</tbody>
</table>
.015. The second row shows the mean confidence held for the guilty ratings. The greatest confidence was in the baseline condition, followed by the incomplete, causation disruption, and the coherence/chronology disruption condition. Confidence was generally high, although the baseline condition yielded significantly greater confidence than the causation disruption condition, t(94) = 1.65, p < .05.

The next three rows of Table 14.1 refer to judgments of the narrative. Row 3 presents the mean judgment for the overall quality of the narrative. The baseline and incomplete conditions again scored highest with the coherence/chronology disruption condition mean found considerably below the baseline mean, t(94) = 4.70, p < .005, and the causation disruption mean somewhat below that of the baseline, t(94) = 2.01, p < .025. For the next data row, convincingness, the disruption coherence/chronology condition mean was considerably below that of the baseline, t(94) = 5.60, p < .005, with the disruption causation condition mean also below, t(94) = 1.64, p < .05. The fifth row data indicate that the mean ratings for the strength of the prosecutor’s argument produced the same results as the narrative quality and convincingness judgments. The baseline was significantly greater than both the disruption coherence/chronology, t(94) = 4.15, p < .005, and the disruption causation, t(94) = 2.21, p < .015, conditions.

The results presented thus far indicate that the disruption in the causation and coherence/chronology conditions produced poorer judgments of narrative quality than found in the baseline condition, thereby supporting the hypothesis that these particular disruptions would produce such ratings. Furthermore, for these two conditions, guilt ratings were also lower than those found in the baseline condition, supporting the hypothesis that poorer narrative quality would be related to lower guilt ratings. The incomplete condition, however, produced neither lower narrative quality ratings nor lower guilt ratings than the baseline condition.

The results for the coherence/chronology disruption lend strong support to the idea that coherence is critical to narrative quality (Klettke, 1997; Leinhardt et al., 1994; Pennington & Hastie, 1993). The results of the causation condition are in some way more interesting, however, because although the factual evidence was maintained in both the coherence/chronology and causation conditions, the manipulation in the disruption causation condition consisted of making a number of issues less certain.

The incomplete condition results were compared to the incomplete condition plus the evidence list condition. None of the five comparisons shown by the rows of Table 14.1 approached significance. The representative ratings for the Row 1 to the Row 5 measures for the text alone and
text plus evidence list conditions, respectively, were: 6.4 and 6.3, 7.5 and 8.1, \( p < .025 \), 6.6 and 7.0, 6.6 and 7.1, and 6.6 and 7.0. These findings suggest that even when initially given a list of evidence items before reading the narrative, omitting text contents made no difference in the judgments, except to provide more confidence in the guilt ratings. The results therefore do not support completeness as a narrative characteristic that influences judgments of narrative quality or of guilt.

The results for the condition having the evidence list plus text were also comparable to the incomplete condition in the combined other three narrative conditions. The means over the five row measures of Table 14.1 for the incomplete condition alone and the incomplete condition plus information conditions, respectively, were: 6.8 and 6.9, 7.3 and 7.9, 5.2 and 5.6, 7.4 and 7.4, 7.6 and 7.5, and 7.6 and 7.7.

Open-Ended Responses. The open-ended questions yielded results that supported the ratings and provided a type of manipulation check. In the coherence/chronology disruption condition, 23 statements were made indicating that the prosecutor's statement lacked coherence, did not make sense, was hard to follow, or jumped around. In contrast, no one made such statements in the baseline disruption causation, or incomplete conditions. In the disruption causation condition five people stated, "You should not use the word probably so much." In contrast, this type of comment was never stated in the baseline condition. This finding supports the weakening of causality attempted in the causation disruption occurred in the way intended via the manipulation. In the incomplete condition, however, participants did not comment on any missing information. Instead, participants in all conditions made statements involving the need for witnesses or for proof. In sum, the answers to the open-ended questions were consistent with the rating data.

GENERAL DISCUSSION

The present study supports the idea that a narrative under particular circumstances may be viewed as a component of argument; that is, a narrative can be used as a reason that supports a claim in much the same way that a reason supports a claim in an enthymeme. Further, the present study distinguishes between support for a claim coming from the facts supplied in the narrative and the story created by weaving those facts together. With the facts held
constant, the quality of the story was manipulated, and this was related to judgments of narrative quality and guilt ratings.

The coherence/chronology and causation disruptions yielded significantly poorer ratings of narrative quality and lower guilty ratings than the baseline condition. But because the narratives in these three conditions contained the same facts, the results need to be attributed to how the critical information was presented. The rating results in the coherence/chronology disruption condition taken with the open-ended question results suggest participants were quite sensitive to the disruption of chronological order and lack of coherence found in this condition. These findings also support the historians’ emphasis on coherence (Leinhardt et al., 1994) and the conclusions about jury decision making stated by Pennington and Hastie (1993). Similarly, Klettke (1997) found that coherence in statements (non-contradictory vs. contradictory) was more important in judgments of guilt and plausibility than was the amount of evidence. Another type of explanation for the coherence/chronology results, suggested by Lorraine Higgen via personal communication (March, 1998), is that ethos may have lost its power. In other words, the prosecuting attorney has an authority role, but if she or he presents a somewhat incoherent narrative, the respect for that attorney’s competence would likely be lessened, and the rating of the convincingness and quality of argument would be relatively low. Correspondingly, the juror would likely be unconvinced by the presentation and would provide a relatively low guilt rating.

The causation disruption manipulation also produced significant differences of narrative and guilt ratings when compared to the baseline findings. As stated, the changes made in the causation disruption condition were designed to soften the causal emphasis of the narrative by using wording and content that would produce some doubt concerning Matthew Moran’s guilt. Similarly, in the causation condition of the other two narratives, the Hunting Incident and the Window Shooting, the change to a more probabilistic account is at least comparable to that of the Car Accident narrative, as shown in the Appendixes. The causation disruption condition results thus suggest that narrativity ratings and guilt ratings may be influenced by the use of probabilistic wording or wording that reduces causal certainty, especially when such wording provides a sense of doubt about some aspect of the accused’s role in committing the crime. Moreover, this happens even though the facts of the case are included in the narrative.

A point of contention could be that the content deletions may have had something to do with the low ratings in the causation disruption condition, especially if the content that was deleted was critical to the evidential
statements of the case. However, Table 14.2 outlines the basic elements of the case against the defendant, and all of the information present in Table 14.2 is present in all conditions. Thus, the components of the prosecutor's case were constant. Similarly, although ratings of coherence were not obtained, a reading of the causation disruption text contents suggests that at least on intuitive grounds the disruption causation condition was as coherent as the baseline.

The failure to find significant effects in the incomplete condition raises the question of how much and what would need to be deleted from a narrative for the narrativity and guilt ratings to be affected. Either enough material would likely need to be removed to reduce coherence or critical facts would need to be deleted such that doubt would occur concerning the guilt of the accused. This possibility points to the likelihood that a high-quality narrative could be constructed that would omit some critical facts, and that individuals would rate narrativity high but guilt low. In other words, narrative quality may be a necessary but not sufficient condition for high guilt ratings. Or, taking the point one step further, the present data do not answer the question of whether a prosecuting attorney could take a case with poor factual evidence and produce a high-quality narrative that would yield a guilty verdict, or whether a defense attorney could construct a high-quality narrative for the defendant that could override a substantial body of evidence. (Another question raised by the present findings is whether a person listening to a prosecuting or defense attorney will construct evaluations of the possible emotional status of the accused and how these influence judgment; see Özyürek & Trabasso, 1997.)

The present findings are related to those of Kuhn (1991), who asked people of various age and education levels questions such as why so many prisoners returned to prison after they were released. One type of evidence she obtained was defined as pseudoevidence, in which case a person did not

| TABLE 14.2 |
| Cases for and Against Matthew Moran |

<table>
<thead>
<tr>
<th>Prosecution Case</th>
</tr>
</thead>
<tbody>
<tr>
<td>Motive - R.W. hitting sister, fights in past, overprotective</td>
</tr>
<tr>
<td>Means - His bat: in his car, his fingerprints, victim’s hair</td>
</tr>
<tr>
<td>Opportunity - Opportunity to obtain bat; was in group</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Defense Case</th>
</tr>
</thead>
<tbody>
<tr>
<td>No one saw him hit the victim (not stated)</td>
</tr>
<tr>
<td>Someone else could have been wearing gloves</td>
</tr>
<tr>
<td>Fingerprints on bat from playing baseball</td>
</tr>
</tbody>
</table>
differentiate a description of the phenomenon in question from its explanation, and within this category, many of the answers were stories or narratives. This result suggests that when individuals are not aware of specific causes or perhaps are not trained to analyze issues in a specific cause–effect manner, they resort to telling narratives to support their point. Indeed, telling narratives to make a point has long historical roots and a wide range of application, as in literature, songs, folklore, and other phenomena.

The present study suggests that how facts are integrated and presented is important, and of special importance is the coherence and causal chain provided in the narrative. In the cognitive literature the narrative is privileged in a number of ways. Narratives are apparently easier to read, write, summarize, and remember than other text forms (Mandler & Johnson, 1977; Stein & Glenn, 1979), and the present study suggests that good narrative form can also influence the plausibility and persuasiveness of the information presented.

REFERENCES


14. ARGUMENTATIVE NARRATIVITY


APPENDIX A

PROSECUTING ATTORNEY'S
SUMMARY—THE HUNTING INCIDENT (BASELINE)

Paul Ryan and Rob Brown drove to DuBois together in Rob’s truck. For years they had driven there at the beginning of deer season and hunted together. During this hunt, however, Rob Brown was shot and killed by Paul Ryan. According to Paul, as he and Rob walked approximately 20 yards apart, he saw the head and antlers of a deer to his right. He then raised his gun, aiming at the deer, and fired. He claims that his shot missed the deer, but that he saw something else fall. He then ran to where this had taken place to see what he had hit, and found Rob lying in the grass, dead. Paul says that, fraught with grief, he immediately went to a nearby cabin owned by Jack Haskins where he contacted the police. He claims that this was all a terrible accident. However, the police investigation concluded that the area where Paul and Rob had been walking had only a few trees and a little brush and thicket, and that most likely, Rob was fully visible to Paul. Furthermore, during the investigation, Rachel Ryan (Paul’s wife) testified that she and Rob had been having an affair for over a year and a half. This was corroborated when Mary Jacoby, a friend of Rachel Ryan’s, testified
that Rachel had told her about the affair over a year ago. Mary also testified that directly prior to the fatal hunting trip, her conscience got the better of her and she had gone to Paul and told him all about his wife’s affair with Rob. Considering the fact that the police determined that Paul must have been able to see Rob with no difficulty when he was shot, and the fact that Paul had just discovered that Rob had been having an affair with his wife, it is clear that the death of Rob Brown was a premeditated murder, and not a freak accident. The discovery of the illicit affair was more than enough to enrage Paul, motivating him to kill. Paul should be found guilty of first degree, premeditated murder in cold blood.

Causal Version

- He claims that his shot missed the deer \( \rightarrow \) His shot missed the deer 
- Paul says that, fraught with grief, he immediately went to a nearby cabin \( \rightarrow \) Paul went to a nearby cabin 
- However, the police investigation concluded that the area where Paul and Rob had been walking had only a few trees and a little brush and thicket, and that most likely, Rob was fully visible to Paul. \( \rightarrow \) not included in causal condition

- Paul must have been able to see Rob with no difficulty \( \rightarrow \) Paul might have been able to see Rob with no difficulty 
- Paul had just discovered that Rob had been having an affair with his wife \( \rightarrow \) Paul had probably just found out from Mary that Rob had been having an affair with his wife 

Incomplete Version

- in Rob’s truck
- owned by Jack Haskins
- This was corroborated when Mary Jacoby, a friend of Rachel Ryan’s, testified that Rachel told her about the affair over a year ago.
- Mary also testified that directly prior to the fatal hunting trip, her conscience got the better of her and she had gone to Paul and told him all about his wife’s affair with Rob.

Sentence Number in the Baseline Condition That Provided the Order in the Incoherent Version. (numbered 1-16 in baseline) 4, 2, 9, 11, 1, 8, 10 (first half), 12, 3, 10 (second half), 7, 5, 14, 13, 6, 15, 16.
APPENDIX B

PROSECUTING ATTORNEY’S
SUMMARY—THE WINDOW SHOOTING (BASELINE)

Sam Fogarty, a man of 62 years, was sitting in the study, reading. It was about 11:00 P.M. and as he got up, probably to leave the room, he heard a noise at the window. He walked to the window, opened it, and saw a revolver pointed at him. The gun was fired, and Sam fell backwards into a crumpled heap. Sam’s wife, in another part of the house, heard the shot. She came quickly into the study and saw Sam’s body. She screamed and then went to the body, feeling for a pulse. There was none. She then phoned the police and they arrived within 10 minutes. The homicide team, led by Detective Ruskin, was notified and arrived 15 minutes later. A thorough analysis of the murder scene was conducted.

A gun was found outside the window and a ballistics analysis indicated that it was the gun used to commit the murder. Furthermore, fingerprints were found on the gun that belonged to Avery Haskins, the victim’s next-door neighbor. It was also established that the gun in question was registered to Avery Haskins, and was seen in his possession as recently as 2 days before the killing. Detective Ruskin interrogated other neighbors, and they indicated that there had been an ongoing feud between Fogarty and Haskins, with Haskins claiming that Fogarty had gotten Haskins fired from his job at the firm where they were both accountants. Fogarty claimed that there were no bad feelings between the two, and that they were, in fact, good friends.

Detective Ruskin also found that a neighbor living across the street, Minerva Polson, had her dog out for a walk the night of the killing at about 10:55 P.M., and she noticed a person that she identified as Avery Haskins was running from the Fogarty house. Avery Haskins was the owner of the murder weapon, he had motive and opportunity to kill, and he was seen heading from the crime scene just prior to the murder. Avery Haskins is guilty of premeditated murder.

Causal Version

- Fogarty claimed that there were no bad feelings between the two, and that they were, in fact, good friends. → not included in causal version
- ... Avery Haskins was running from the Fogarty house. → Avery Haskins coming out of his house, turning in the direction of the Fogarty house.
• ... he had motive and opportunity to kill ... → ... he may have had motive and opportunity to kill ...
• ... he was seen heading from the crime scene just prior to the murder. → ...
  he was seen heading toward the crime scene just prior to the murder.

Incomplete Version

• a man of 62 years
• She came quickly into the study and saw Sam’s body.
• She screamed and then went to the body, feeling for a pulse.
• There was none.
• ... and was seen in his possession as recently as 2 days before the killing.
• Minerva Polson

*Sentence Number in the Baseline Condition That Provided the Order in the Incoherent Version.* (numbered 1-19 in baseline) 12, 1, 17, 15, 2 (excluding time), 10, 5, 14, 7, 3, 16, 4, 6, 8, 13, 9, 11, 18, 19.