

to think that such a goal is not out of reach, for we seem to see signs that the agenda is developing. The contents of this issue are a case in point.

Research interests which have developed independently seem to be converging. Thus, fallacy theory remains a focus of interest—and that in spite of several blows aimed at its solar plexus. In her article, Trudy Govier takes on several criticisms of fallacy theory, most important of which is Maurice Finocchiaro's article, "Fallacies and the Evaluation of Reasoning" which appeared in the *American Philosophical Quarterly*. Finocchiaro's piece was provocative, but so is Dr. Govier's rejoinder. The interest in fallacy theory is also evident in Leo Groarke's article about conventional accounts of the "Two Wrongs" fallacy and where they fall short.

Another item on the agenda, we think, is the project called "critical thinking" and how it relates to informal logic. In this issue, Mark Weinstein (who earlier contributed an article about the role of formal logic) discusses a way in which fallacy approach can be adapted to the teaching on critical thinking in the strong sense (cf. Richard Paul, "Teaching Critical Thinking in the 'Strong' Sense," *ILN*, iv.2 (May, 1982), pp. 2-12).

Paul Thagard's discussion note attempts to sketch a classification scheme of fallacies in the area of practical (means-end) reasoning—a topic new to these pages and one potentially on the agenda along with those mentioned before: the viability of fallacy theory, and the connection between fallacy theory and critical thinking.

William Maker's article deals with a situation which many of our readers may recognize: "getting stuck with the S%_&' informal logic"—an increasingly common experience as informal logic gets recognized as a legitimate subject in the curriculum (or an enrollment booster, or both). Maker relates the teaching of informal logic to mainstream philosophy teaching objectives in a way that calls to mind both Paul's and Weinstein's views on strong sense critical thinking.

The paper by Dale Moberg brings in another potential item for the agenda: the reconceptualization of argument. Moberg argues for in-context, dialectical appraisal of arguments, which ties in with connections between informal logic and rhetoric that are increasingly being made (cf. Toulmin, et al., *An Introduction to Reasoning*; Fahnestock and Secor, *A Rhetoric of Argument*; and Preston Covey's project at Carnegie-Mellon—just three examples of many that could be cited).

Finally, Ralph Pomeroy's article makes an interesting connection between Ryle and informal logic and helps bring into better perspective the historical impulses behind the development of informal logic.

All in all, we believe this group of articles not only suggests the shape of agenda but also manifests the range and vitality of research interests in informal logic.

We continue to tinker with the format of *ILN*. Beginning with this issue, we are printing the complete address of each contributor at the end of his or her submission so that any of our readers who might wish to write to the author may conveniently do so. (We have borrowed this idea from *Teaching Philosophy*.) In subsequent editions, we plan to institute a "Notes on Our Contributors" section so that our readers may know a little about our contributors. We

therefore ask that anyone submitting material for future numbers include a brief note (half a dozen lines or so) for that column.

We begin our fifth year of publication pleased with the support we have received and hopeful of more of the same in the future. ●

articles

Who Says There Are No Fallacies?

Trudy Govier

Believe it or not, some do. A new text by Lambert and Ulrich contends that various arguments alleged by authors of rival texts to exemplify informal fallacies have nothing in common with each other. And a recent paper by Maurice Finocchiaro, published in the *American Philosophical Quarterly*, alleges that fallacies, formal or informal, are very rarely actually committed by real people. I have a colleague who maintains that those who find fallacies in ordinary reasoning do so only by approaching that reasoning in an uncharitable way and failing to interpret it appropriately. Here, I shall try to grapple with these lines of thought, and I hope to show that there is as yet no warrant for wholesale revisionism about fallacies.

First, however, a few words about the concept of fallacy. A fallacy is a mistake in reasoning, a mistake which occurs with some frequency in real arguments and which is quite characteristically deceptive. That is, an argument which will seem like a good argument to many people much of the time. There are some points to attend to here. Since a fallacy is a mistake in reasoning, in order to commit one, a person must be reasoning—she must be using a statement or statements as rational support, inferential support, for further statements. Here, we can express this point succinctly by saying that if a person is to commit a fallacy, she must be arguing. To correctly allege that someone has committed a fallacy, we must have correctly interpreted her as having offered an argument. A fallacy is a mistake in reasoning, but not just any old mistake in reasoning: it is a mistake in reasoning which has some frequency in real arguments used by real people. The mistake cannot be so idiosyncratic that it could scarcely recur outside its original context. This aspect of fallacy

means that there is a tacit empirical claim in fallacies analysis. Some who have denied that there are fallacies suspect that no one ever really makes the various mistakes described in standard texts. The further tacit empirical claim regarding fallacies is that the mistake made is typically deceptive. If one invents a mistake in reasoning, and invents an example in which it occurs, one will not thereby have invented or discovered a fallacy—unless the so-called fallacy seems to many people at first blush not to be one.

From all of this one can see that there are many potential problems about fallacies. To say that an argument exemplifies one or another fallacy involves issues of interpretation, of classification, of logic, and (tacitly) of empirical frequency and psychological tendency to deceive. In order to say that the reasoning, as characterized, embodies a mistake, it may be necessary to invoke a standard of good reasoning. Thus it is no simple matter to demonstrate that someone has argued in such a way as to have committed a fallacy. And this point, which should be remembered, is of considerable pedagogic significance. It may be an important reason against trying to teach critical skill by teaching fallacies. But to say that identifying fallacies and justifying a judgment that a particular argument constitutes a fallacy is a tricky business is one thing—to suggest that there may be no fallacies at all, quite another. To accounts in support of this revisionist view, I now turn.

First, Lambert and Ulrich. Their account appears in the third chapter of their new text, *The Nature of Argument*. Lambert and Ulrich express no doubts that formal fallacies occur. Their problems are solely with those fallacies purported to be informal. They begin by stating that "Only two things can go wrong with an argument—it can be invalid or it can be unsound. If an argument is invalid, then it has a counterexample; whether or not it is also an instance of an 'informal fallacy' is beside the point."² It is important to see what view of argument this comment and the authors' subsequent analysis presupposes. The key presupposition is that the connection between the premises and the conclusion of an argument is to be appraised in one way, and one way only. The connection is a good one if the argument is formally valid, and otherwise it is not a good one. This view of argument entails that there are no good arguments which are classically inductive, and there are no good arguments from analogy. That is, it is a strongly deductivist view about argument to which Lambert and Ulrich are committed. A more pluralistic view about argument, one which acknowledged that there are non-deductive arguments which have some rational force, would necessitate a more complex account. For if there are acceptable and good non-deductive arguments, then the failure of some particular argument to exemplify a deductively valid form will not automatically qualify it as an inadequate argument because it is 'invalid'.

In working through Lambert and Ulrich's account, then, we should remember that we are working within a specific, and rather narrow, theory of argument. With this in mind, let us continue. The authors contend that what constitutes a mistake in reasoning is formal invalidity, and that any comment that a formally invalid argument also happens to contain an informal fallacy will be 'beside the point'. They continue:

Even when one learns to recognize alleged examples of the various "fallacies", it is difficult to see what common factor makes them all instances of the same fallacy.

Seeing the common factor is easy for formal fallacies, but hard for informal ones. Here, Lambert and Ulrich raise the classificatory issue. Given that two arguments both make mistakes in reasoning, when is it the case that they make the *same* mistake in reasoning? This, indeed, is an important question. The authors explore it with regard to the *ad hominem*.

They put forward an example in which someone uses a fact about character to discredit evidence. In the example, the conclusion is represented as a claim that what the attacked character said is false. (In fact, this would be questionable interpretation in many actual cases, I think, as *ad hominem* allegations are more often used to discredit evidence or testimony as *unreliable* rather than as *false*. I note this point because the matter of sensitive interpretation of actual arguments is one which looms large in Finocchiaro's article on fallacies.) The faulty argument used to illustrate the point is:

1. Mr. Jenner claims that evidence E is strong evidence that Mr. Nixon is guilty of obstruction of justice.
 2. Mr. Jenner was a member of a commission that recommended the legalization of prostitution.
- Therefore, 3. E is not strong evidence that Mr. Nixon is guilty.⁴

This argument, say Lambert and Ulrich, has the simple logical form:

A
B
Therefore, not-C

And clearly this form is not that of a deductively valid argument! So, conclude the authors, we can see from the formal representation that the argument—which supposedly exemplifies the informal fallacy of *ad hominem*—is not a good argument, and that what makes it not to be a good argument is its formal invalidity. To generate this result, the authors clearly assume that their particular way formalizing that argument is the correct way—that this representation captures all those features relevant for the logical task of assessing the connection between its premises and its conclusion.

It is quite possible to be sceptical about the authors' assumption here. Compare, for instance, their *ad hominem* argument with the following invented and trivial little argument of my own:

1. My table is brown.
 2. Everything which is brown is not green.
- So, 3. It is not the case that my table is green.

My little argument is also of the form A, B, not-C. It is deductively valid, for if both premises are true, it is logically impossible for the conclusion to be false. But yet, using the Lambert/Ulrich approach we could, it *seems*, conclude that this simple little argument is invalid. It has the very same logical form as the *ad hominem* argument, and that was said to be logically incorrect argument—one which was shown to be faulty because of its form.

Lambert and Ulrich point out that there are many arguments of the form 'A, B, therefore not C' which do not constitute *ad hominem* arguments, as these are standardly understood. They conclude from this that classifying a mistaken argument as *ad hominem* does not give a general characterization of the mistake in reasoning which that argument involves. But to presume that an argument characterizable by Lambert and Ulrich's formal representation

always involves a mistake is to presume that even my innocent argument involves a mistake. **And it doesn't.** That an argument is of the form 'A,B, therefore not C' will indicate that it depends on incorrect reasoning only if this formal representation is the only appropriate way of representing the reasoning used in the argument. It is, of course, due to the failure of this condition that my innocent argument is innocent. The example about my table is susceptible of various different formal representations, on some of which it will come out as a deductively valid argument. But then, Lambert and Ulrich offer an **ad hominem** example which might also be susceptible to various different formal analyses. These problems for Lambert and Ulrich's analysis arise even within their own deductivist framework. But if we move to a pluralistic theory of argument, things would become less promising for their analysis, for then even if we were to show somehow that an argument was deductively invalid on all feasible formal representations, it might nevertheless be based on good non-deductive reasoning.

Lambert and Ulrich's formal treatment does not give us a knockdown refutation of this particular **ad hominem** argument. It raises as many questions as it answers. The authors proceed to ask what an informal fallacies analysis might add to this supposedly complete formal analysis. They compare the argument about Jenner and legalized prostitution with another argument, which is:

- Therefore
1. Jones maintains that socialism is wrong.
 2. Jones is a rich stockbroker.
 3. It is not the case that socialism is wrong.

And they comment:

Someone who gave this argument would probably be trying to persuade us that socialism is not wrong by getting us to distrust or dislike Jones. This argument has the same logical form...

A
B
Therefore not-C

So it is indeed invalid...but this does nothing to characterize the informal fallacy of **argumentum ad hominem** because these two arguments also share the same form with

1. The sky is blue.
2. Grass is green.
3. Therefore it is not the case that tigers are carnivorous.

This argument, although it is an instance of the same formal fallacy, has nothing to do with attempting to discredit a person's views by discrediting his character. Thus, if there is a fallacy of **argumentum ad hominem**, there must be a way of characterizing it according to which the first two arguments above are instances but the third is not. **It is, however difficult to see that these two arguments have anything in common other than their logical form, and the fact that those who offered them had certain base motives, namely, to discredit someone's views by discrediting his character.**⁵ (My emphasis)

Let us focus our attention on the last sentence quoted here. It is allowed that as well as their logical form, the two arguments cited do have in common the feature that both attempt to discredit someone's view by discrediting his character. This is the precise further feature 'in common' selected by those who hold that there is such a thing as the informal fallacy of arguing **ad hominem**. Lambert and Ulrich most tendentiously refer to it as a 'common motive' behind the arguments. And yet it is also a feature of their content. Both **ad hominem** arguments include in their

premises a fact about a person, taken as constituting a disreputable fact and both have as their conclusion the statement that some view held by the person in question is false. Thus, there is something 'in common' in the content of the two arguments, and this feature is not shared by the other argument about tigers, grass, the sky, and so on. The common content has nothing to do with motives—for arguments having this content could be used in all sincerity by people intending the most admirable goals.

Lambert and Ulrich claim that this common feature of the two allegedly **ad hominem** arguments cannot serve to characterize a mistake in reasoning, because "some attempts to discredit a person's views by discrediting his character involve **valid** argument". And they promptly invent one such, which has as two of its premises the following statements:

If Jones is a rich stockbroker and he maintains that socialism is wrong, then he is lying.

If Jones is lying, then socialism is wrong.⁶

Thus, deductively valid arguments can be **ad hominem**, if an **ad hominem** argument is one in which the falsity of someone's view is derived from considerations which include reference to disreputable aspects of his character. Lambert and Ulrich take this as a kind of **reductio**—for in their framework, it would be absurd for an argument which was deductively valid to have anything wrong with it. However, what they see as a **reductio** strikes me as an obvious and fairly mundane consequence of the fact that the content of arguments can be arranged in various ways—and given the same content, one can set it out in various formally different ways. Given an argument which is based on what would strike one as an illegitimate connection (such as that between a man's character and the truth or falsity of his opinions) it is always possible to rearrange the claims on which such an argument depends in such a way as to construct a deductively valid argument. One particularly easy way of doing this is to do just what Lambert and Ulrich did—that is, construct premises which assert those very illegitimate connections which constituted the problematic aspect of the original argument. Then, **given** such premises, one can of course reach the conclusion sought in the original faulty argument. This shows, not that the **ad hominem** classification has no proper role in the understanding of natural arguments and their common mistakes, but rather that assessing arguments solely for formal deductive validity will sometimes tell you precious little about their merits.

In sum, it seems fair to say that Lambert and Ulrich fail to demonstrate their strong negative position about informal fallacies. As a final comment, I would add that what I have considered from Lambert and Ulrich's book is the part 'where they say it'. There is also the part where they appear to take it all back:

There may be errors in reasoning that have nothing to do with the arguments representing the reasoning, even though of course any logically invalid argument will correspond to some error in reasoning.

In the case of begging the question, they say that:

no such argument is fallacious but anyone who argued in this way would be making some kind of mistake.

We are not suggesting that there is no value in investigating the various sorts of mistakes in reasoning that people are prone to make; on the contrary, this is an area where interesting and fruitful discoveries are waiting to be

made. Rather, we are suggesting that until a general characterization of informal fallacies can be given which enables one to tell with respect to any argument whether or not it exhibits one of the informal fallacies, knowing how to label certain paradigm cases of this or that mistake in reasoning is not really useful for determining whether a given argument is acceptable.⁷

This, needless to say, is a less drastic conclusion than their analysis should warrant if it is correct. We now leave this account and turn to Finocchiaro.

In a paper entitled "Fallacies and the Evaluation of Reasoning", Maurice Finocchiaro puts forward several criticisms of the fallacies approach as a strategy for assessing reasoning in arguments in natural language. Unlike Lambert and Ulrich, Finocchiaro does not see standard formal deductive logic as the appropriate alternative to fallacies analysis. He begins his article by saying that, for the appraisal of arguments in natural contexts, expressed in natural languages the formal approach faces a difficulty, a difficulty

stemming from the well-known fact that formal validity is neither a sufficient nor a necessary condition for the favorable evaluation of an argument. It is not sufficient because it excludes neither question-begging arguments nor self-contradictory ones (i.e. arguments with inconsistent premises). It is not necessary partly because of the Toulmin-type objection that most good arguments most of the times (in the empirical sciences, legal contexts, humanities, and everyday life) are not formally valid, and partly because formal validity presupposes fully reconstructed arguments which in human reasoning are the exception rather than the rule.⁸

Finocchiaro, then, is working not with a deductivist theory of argument but rather with a more pluralistic theory. A fallacies approach is, in principle, compatible with such pluralism, and Finocchiaro begins by saying that one would expect the fallacies approach to be promising.

However, Finocchiaro notes, there are defects in many, if not all, textbooks accounts of fallacies. (Indeed this point was argued in great detail and very forcefully by Hamblin more than ten years ago.⁹) Finocchiaro's main complaint about standard texts is that these have too few actual examples of fallacies. He sees these defects in texts by Salmon, Kreyche, Cohen and Nagel, Fearnside and Holther, and Beardsley. It is easy to agree that this failing is a feature of a number of texts—let us grant this point. From it, Finocchiaro wishes to draw a very general conclusion:

The conclusion I wish to draw from such "consultations" is not that errors in reasoning are probably not common in real life, but that there are probably no common errors in reasoning. That is, logically incorrect arguments may be common, but common types of logically incorrect arguments probably are not.

The problem I wish to raise here is, do people actually commit fallacies as usually understood? That is, do fallacies exist in practice? Or do they exist only in the mind of the interpreter who is claiming that a fallacy is being committed?¹⁰

From the inadequacy of the examples cited in a number of textbooks, Finocchiaro is inferring that there are probably no common types of logically incorrect arguments, and that it is likely that fallacies exist not in practice, but only in the minds of some interpreters and critics of arguments.

Both these inferences are extremely weak. (Fallacious?) If examples in some range of texts on fallacies are contrived, unrealistic, or in some other way inadequate, then that may be because these are written by people not

primarily interested in fallacies as such. (This is true, actually, for the texts Finocchiaro sampled. He did not comment on Kahane, or Johnson and Blair.) But more significantly, even if all extant texts on argument by philosophers of all types were to contain contrived examples of fallacies, this deplorable inadequacy would not even make it very probable that "there are no common types of logically incorrect argument". For another very natural explanation of the phenomenon is available: philosophers are poor empiricists, are lazy about collecting examples from colloquial sources, and tend to use each other's examples, or make them up, rather than doing empirical searches. There is ample evidence from other areas of philosophy that this explanation of inadequate examples could be the correct one. Certainly, it is very important to show that there are actual, as opposed to contrived, examples of fallacies, if one is going to claim that an understanding of fallacies is important for the evaluation of natural reasoning. I entirely agree with Finocchiaro on this point. But his inferences from the inadequacy of some texts on this matter are quite unwarranted.

Finocchiaro's next criticism of the fallacies approach to argument is that texts are usually hasty in their provision of grounds for deeming the 'disputed practice' fallacious. He bases this charge on his own theory of the correctness of arguments, which goes like this:

If a fallacy is defined as a type of common but logically incorrect argument, the various types would have to be the following: (1) arguments claiming to be deductively valid but which are actually invalid; (2) arguments claiming to be inductively strong but which are actually inductively weak; (3) arguments claiming to have some inductive strength but which have none. There is no way for an argument to be a fallacy without falling into one of the three above-mentioned classes.¹¹

This theory of argument is put forward very briefly by Finocchiaro and is given no defense. The account does not accommodate question-begging arguments. Nor does Finocchiaro define the term "inductive" which has several importantly distinct current senses.¹² On this theory of argument, proposed criticism will almost certainly be a precarious business, because so much is to depend on whether an argument 'claims' to be deductively valid, inductively strong, and so on. Since these are philosophers' categories, we cannot realistically expect that reasoners in law, natural science, the humanities, and everyday life will in every case obligingly tag their arguments as to what kind of connection between premises and conclusion is claimed. Natural language has no reliable devices for indicating what sort of connection between premises and conclusion is intended, in any case. Thus, which of Finocchiaro's three levels of appraisal is appropriate to a given argument will often be quite unclear. Such unclarity would, I think, be a mark against the theory of argument. This point is worth remembering in the discussion which follows, for Finocchiaro uses the interpretive problems which his theory of argument demands that we solve in order to construct his case against those who find fallacies in natural arguments.

Finocchiaro points out that in order to see a person as committing the deductive, formal fallacy of affirming the consequent, one must interpret him as reasoning deductively—that is, as implicitly claiming that the conclusion he draws follows deductively from the premises used. An alternative interpretation in some contexts would be to regard a person as reasoning to the best explanation, as in "Q"; the fact that P would explain the fact that Q; therefore, no

other explanation of Q being available, we may presume that P." Here, contrary to his prior admonitions, Finocchiaro offers no example, but in principle we can see that such an interpretation would often be possible for some purported instances of the fallacy of affirming the consequent. Here, it is alleged, logicians find a formal fallacy by uncharitably interpreting arguers to be 'claiming' a stronger inference than they in fact claim. Maybe. But we should have some actual cases—both of the alleged error by logicians, and of the ordinary reasoning which is to be taken in one way or the other—or, might we suggest, in either?

Finocchiaro contends that the **post hoc propter hoc** also involves poor interpretation by logical critics. Both Salmon and Copi describe **post hoc** as a mistake in which one infers from the bare fact that B followed A, that A caused B. Finocchiaro says:

No justification is given why these interpretations are preferable to the following: "concluding that B was caused by A partly because B followed A", or "the inference that one event is the cause of another from the fact, among others, that the first occurs earlier than the second." These latter interpretations should be preferred because they are more accurate in the sense that they correspond more closely to a type of reasoning in which people actually engage.¹³

Here, we again need actual cases. Finocchiaro says that his interpretations would correspond more closely to a type of reasoning that people actually use. But which people? When? What background assumptions is one supposed to read into what context, and why? Whether people often engage in **post hoc** reasoning is not something which we can simply stipulate from our philosophical armchairs.¹⁴ Finocchiaro's allegation is that finding **post hoc** to be a fallacy necessarily involves regarding what is 'claimed to be' a weak inductive inference as a strong inductive inference, so that the fallacy will only emerge on the basis of contentious and less-than-sympathetic readings of people's actual reasonings. This could be true—but Finocchiaro offers no evidence that it is, and the issue is at least partly an empirical one.

A final allegation regarding the tendency of philosophers to interpret tendentiously is made with reference to such fallacies as appeal to force ad appeal to pity. Finocchiaro quotes Copi's descriptions as "appealing to force or the threat of force to cause acceptance of a conclusion" and appealing to pity for the sake of getting conclusion accepted'. But in such cases, Finocchiaro says:

these could non-prejudicially, but along the same lines, be described as 'appealing to force or to pity to cause acceptance of a certain proposition or to cause a certain action.' When so described, they can be seen to be methods, among others, of which giving an argument is one, in order to cause acceptance of a certain proposition... Being non-arguments, they cannot be logically incorrect arguments.¹⁵

The distinction here is between using a statement as a premise to win acceptance of a further statement as a supported conclusion, and using a statement to win acceptance of a further statement, which is **not** drawn from the first as a conclusion is from a premise. This is a subtle distinction which would be very hard to apply to actual cases, and a critique which depends entirely on the thrust of this distinction is not going to be very compelling.

However, Finocchiaro might have made his point in a much simpler way here. If a person is to commit a fallacy, he must be reasoning and offering an argument. But in

many contexts it is quite unclear, as a matter of interpretation, whether people are trying to support one statement with another, or whether they are simply asserting one thing, and then another. In fact, we can find a clear example of this problem in Finocchiaro's own paper. At one point he claims that despite problems with fallacies, finding errors in arguments offers more insight than finding that arguments are methodologically correct, and says "negative evaluation is methodologically more significant" than positive evaluation. Having given some reasons for this view, Finocchiaro then adds these two statements:

This corresponds to conclusions reached by other philosophers in other contexts. For example Karl Popper and his followers have stressed the primacy of falsification and criticism as opposed to confirmation and justification in science: Henry W. Johnston Jr. has argued that, in philosophy, critical arguments are more fundamental than constructive ones; and Imre Lakatos has stressed the methodological importance of refutation in Mathematics.¹⁶

Now, if these comments are intended to offer **support** for the asymmetry of negative and positive evaluation, we might be tempted to accuse Finocchiaro of the fallacy of misusing authority. But if they are just added comments—remarks made to add interest to the view—such an allegation would be inappropriate. In the former case, we would see Finocchiaro as arguing, in the latter not. Which interpretation is correct is certainly a moot point, and reasons can be adduced in support of both.

In practice it is often difficult to tell whether people are offering arguments or not, and whenever this interpretive issue is contestable, a comment to the effect that a fallacy has been committed will be similarly contestable. This problem arises very frequently, and is by no means restricted to the supposed fallacies of appealing to force and pity. It is entirely possible that some alleged appeals to force and pity are most plausibly interpreted in a way which does not make them out to be arguments. But with no examples, Finocchiaro provides no evidence for this extremely general claim.

Finocchiaro hypothesizes that there is a certain progressive pattern to philosophers' misinterpretations of natural reasonings: an inductive argument is mis-represented as deductive, a weakly inductive argument as strongly inductive, and a non-argument as an argument. The pattern, he says, "is that of exaggerating the strength of the conclusion claimed between various assertions or of creating one where none is claimed."¹⁷

But this critique of fallacies rests on a controversial and undefended theory of argument. It includes few examples. And it is based, in the final analysis on a very hasty inference from the fact that a small range of classifications have been in error to the claim that interpretations alleging a fallacy are always, or usually in error. Here, we have a premature and hasty analysis, yet Finocchiaro boldly states:

the conclusion to be drawn from the above discussion is that the concept of a fallacy as a type of common but logically incorrect argument is a chimera, since the various disputed practices usually referred to as fallacies are either not common or not logically incorrect or not arguments. 18

But this conclusion is simply not warranted by his discussion.

Nevertheless we can extract some interpretive advice from this account. Before charging that someone has committed a fallacy, we should look closely to see that we have properly

understood her. We should see that there is a fair interpretive basis for regarding her as having offered an argument, and we should try to get some sense for the certainty with which she wishes to assert her conclusion. Sensitive interpretation is a basic component of good argument assessment—and it is a skill under-emphasized in much standard pedagogy. But this does not show that there are no fallacies! The practical wisdom of Finocchiaro's admonitions about interpretation lend no force to his strong claim that "the concept of a fallacy as a type of common but logically incorrect argument is a chimera!"

There is, however, a principle which may link the demand for more sensitive interpretation with the conclusion that there are no errors in reasoning. This is the so-called Principle of Charity. Finocchiaro does refer approvingly to this principle later in his paper, and it is by means of this principle that my colleague is inclined to reach the conclusion that there are few, if any, fallacies which are actually committed by real people outside the pages of introductory textbooks in logic. A common source for this principle as it is applied to argument analysis is Michael Scriven's book, *Reasoning*. Scriven says:

Now it's time to introduce you to what we might call the ethics of argument analysis. The dominant principle here is what we can call the Principle of Charity. The Principle of Charity requires that we try to make the best, rather than the worst, possible interpretation of the material we're studying.

That is, even if as a matter of strict grammar, we could shoot the writer down for having said something that doesn't follow or isn't strictly true, it may be more charitable to reinterpret the passage slightly in order to make more "sense" out of it, that is, to make it mean something that a sensible person would be more likely to have really meant. 19

As we shall see, a major problem with this principle is that its advice to "make the best, rather than the worst, interpretation" is ambiguous in a significant way.

One may use the Principle of Charity to reach the conclusion that real reasoners never commit fallacies. The argument goes something like this: Every argument couched in a natural language and actually used by a person to try to convince himself or others of a conclusion is capable of several different interpretations. Every natural argument is capable of some interpretations on which it does not involve a mistake in reasoning. The Principle of Charity directs us to base our evaluation of an argument on the best interpretation of the argument. The best interpretation of any argument is that interpretation which makes it out to be the best argument, and the best argument is the one which contains no mistakes in reasoning. Thus, when charity is applied to natural arguments which are capable of several interpretations, it will yield the result that no natural arguments are based on mistaken reasoning. And this leads immediately to the conclusion that there are no fallacies—formal or informal—in naturally occurring arguments.²⁰

Now this account may seem plausible, but if it does, I suspect that it is largely because of the ambiguity of the crucial expression "best interpretation". We may mean by "best interpretation" that interpretation which is most sensitive to nuances of language, pertinent features of context, implicit assumptions shared by the author and her audience, and other such features. But we may also mean by "best interpretation" that interpretation according

to which the claims made by the arguer are taken so as to constitute the best argument which can be erected around them. Scriven and others have some tendency to use the Principle of Charity so that "best interpretation" is equivalent to "that interpretation which represents the material given as expressing the most sensible and cogent logical argument you can get out of it." I shall call charity in this sense **strong** interpretive charity. Now this principle is rather widely accepted, but I personally have serious doubts about it,²¹ and so am inclined to reject the conclusion (cited above) which some believe follows from it.

Before concluding, I should like to explore, at least briefly, an important matter raised in different ways in both the accounts I have examined. This is the matter of what various different arguments said to exemplify the same fallacy have in common. Finocchiaro contended that "there are probably no common errors in reasoning" and Lambert and Ulrich maintained that "even when one learns to recognize alleged examples of the various fallacies, it is difficult to see what common factor makes them all instances of the same fallacy." It might look as though there is a dilemma here so far as informal fallacies are concerned. One might contend that if two different arguments have some common feature, and that common feature has to do with the reasoning in both arguments, then that feature must be **formal**. And for any informal or nonformal approach, this will mean defeat. It is very natural to assume that whatever two arguments have in common by way of reasoning must, of necessity, be a formal feature. Whether this natural and pervasive assumption is true seems to me to be a fundamental and important issue in logical theory.

Assessment of this doctrine will depend largely on our view of what it is for a feature to be formal, as opposed to non-formal. And this is a difficult issue.

Two different arguments may obviously have an indefinitely large number of different things in common. If both arguments have a common feature, **F**, which pertains to the reasoning used, this will be because **F** concerns the relationship of support between the premises and the conclusions in these arguments. There are many ways in which the reasoning used in one argument might **resemble** that used in another.

In order not to proceed at a level of hopeless abstraction, I shall set out two arguments which do seem to me to share a feature, **F**, pertaining to the reasoning used in both.

The first was used by a professor in France who sought to defend philosophy programs against the accusation that they were not turning out competent graduates. He said:

Our degree is not recognized, but we have more students than ever. They come because they think they might learn something. Sure there are idiots. And I have given credits to them. There are bigger idiots in the government. Is it up to me to be more rigorous than the electorate? ²²

That is, he argued that his program was not appropriately criticized for turning out 'idiots' **because** there were 'even bigger idiots' in the government.

The second argument concerns the Canadian seal hunt, and is extracted from a letter to the editor which appeared in the *Globe and Mail* in 1979.

I am a Newfoundlander, and I cannot help but feel some animosity toward those people who approach the seal hunt issue from a purely emotional stance. Surely this is not the way they look in their butcher's freezer, when they are looking for pork chops. Yet the slaughtering method approved by the Department of Health officials for swine is hideous, and nowhere near as humane as the dispatching of a young seal. 23

In this passage, the writer argues that the seal hunt is not rightly criticized by its critics, for these people implicitly condone methods of killing animals which are less humane than those used in the seal hunt.

For convenient reference let us call the first argument the Idiot Argument and the second argument the Seal Argument. Obviously there are many, many resemblances and differences between the two arguments, even when one restricts oneself to the consideration of the reasoning involved. And this fact explains the obvious, and sometimes pedagogically frustrating fact, that one and the same argument will so often seem to exemplify a variety of different fallacies all at once. It all depends which aspect of the reasoning one attends to, and which other arguments one implicitly draws on for purposes of comparison. It is entirely possible that approaching natural arguments with some fallacies labels in mind will be positively misleading for beginners, as these labels will sometimes direct one's attention to marginally relevant aspects of the arguments, or produce faulty interpretation in attempts to find something that illustrates a category. I suspect, in fact, that these are more than possibilities. But this is a pedagogical issue and has no bearing on the more general question of whether fallacies exist or whether, given that they do exist, it is possible for them to be nonformal in some important sense.

For the Idiot Argument and the Seal Argument, we can specify the following feature, **F**, which does seem to characterize the reasoning used in both arguments.

F: From the existence and tacit acceptance of one wrong, it is inferred that another alleged wrong has been subjected to an inappropriate level of criticism.

In the Idiot Argument, the inference is that because the electorate implicitly condones incompetence in the government, the 'idiocy' of some philosophy graduates has been inappropriately attacked. In the Seal Argument, the inference is that because of the hideous slaughter methods condoned for pigs, attacks on the killing of seals are being approached from a purely emotional stance. The feature, **F**, abstracts from seals, pigs, and philosophy, to specify the direction of reasoning in a way sufficiently abstract that it characterizes both these arguments and could characterize many others.

The feature **F**, then, characterizes the reasoning of these two different arguments. It is, of course, not the **only** way of characterizing that reasoning—there are many others. Some will emphasize similarities between the two arguments; others will not. Now if the feature specified in **F** can be argued to specify a mistaken way of reasoning and if **F** is that feature of the reasoning in these arguments which really gets at the 'force' or 'direction' or 'point' of the arguments, then we can use **F** to contend that these arguments exemplify a fallacy. The one which seems most appropriate to this case is the fallacy of 'two wrongs make a right'.

The feature, **F**, does not suggest any formal mistake, and the 'two wrongs' fallacy is, of course, thought to be an

informal fallacy. But yet, if **F** is to specify a **general** mistake, in **reasoning**, some would think that this mistake must be formally characterized in order to be fully understood. This approach seems to be taken by John Woods and Douglas Walton, who seek an improvement in our understanding of so-called informal fallacies by developing formal models in order to 'deepen' and make more precise our understanding of the mistakes in reasoning which these fallacies involve.

The Idiot argument and the Seal argument do share a common feature, so far as their reasoning is concerned. Clearly, in specifying what this common feature is, we do use some of those words which are conventionally identified as logical: "and", "or", and "not", for instance. But just as clearly, the questionable line of reasoning which these arguments feature is not one in which these conventionally logical words play the crucial role—that is, it is not because of any supposition about how the conventionally logical words are connected or related that the inference is made. The inference is made on the supposition that the tacit acceptance of one wrong has some bearing on the appropriacy of criticizing a distinct alleged wrong. There is a fairly obvious sense in which any flaw these arguments might share is not formal, if formal flaws are those describable in conventionally logical terms using conventionally logical words such as **all**, **some**, **not**, **or**, and **possible**, **necessarily**, and so on, where these formal words play the 'starring role'—that is, where it is through faults in the way they are related that the error in reasoning is made.

In another sense, however, it is trivially possible to represent any such feature of reasoning as **F** in formal terms. We simply make the requisite stipulations. Let 'x' and 'y' range over items for which moral appraisal and acceptance are appropriate. Let 'Wx' mean 'x is wrong'; 'Tx' mean 'x is tacitly accepted'; 'Ay' mean 'y is alleged to be wrong', and 'Ly' mean 'it is inappropriate to allege that y is wrong'. Now **F** may be represented in the following formula:

$$(x) (y) [(Wx).(Tx).(Ay) \supset (Ly)]$$

In employing the reasoning they do, both arguments may be said to proceed as though the formal condition specified here is logically true.

Trivially, the shared feature **F** is **not** a formal feature. And yet trivially, the shared feature **F** is a formal feature. It is not the conventionally logical words which play the crucial role in **F**. But then, we might ask, what is the significance of being "conventionally logical"? It could be argued that with the development of epistemic, deontic, and temporal logics, the list of logical words is growing longer all the time. So perhaps "is wrong", "is tacitly accepted", "is alleged wrong", and the others could simply be added to the bottom of this growing list.

Let us reflect on the formal-looking principle which might supplant **F**. To show that the idiot argument and the seal argument are fallacies, and that they both commit the same fallacy, we have to show that **F** correctly and importantly characterizes the reasoning used in both and that the move described in **F** is a **mistaken** move—constitutes flawed reasoning. Now suppose that the formal statement given above could show—or even formally prove—that the inference used in the two arguments is faulty. If we could do this, there would then be reason to say that having a formal representation of the reasoning really did help to "make precise and deepen our under-

standing of the fallacy. But this if is obviously a very big if indeed. To satisfy the if, we would need a formal system for inferences about wrongs, tacitly accepted wrongs, legitimacy of criticism, and related notions. We would need a system incorporating these concepts in a precisely defined way, and setting out rules which were intuitively plausible and which would codify and facilitate inferences using these concepts in a crucial role. Now, given such a system, suppose that we could prove, in it, the logical falsity of the condition upon which both arguments were said to depend. This would, indeed, seem to improve our understanding of the fallacy. Obviously, however, no such system is in the offing. And too, the irrelevance of the acceptance of some wrongs to the legitimacy of criticizing some supposed others seems to be the kind of thing which would strike one as so clear and obvious that it would be at least as 'bedrock' as any logical intuition on which one's formal system might be constructed. My personal prediction for the feasibility or usefulness of such a formal system for this range of concepts would be rather pessimistic.

One further thought, relevant to all this. Most formal systems which are widely accepted and regarded as useful are systems of deductive logic. It was such a model of a formal system which I had in mind in the preceding discussion. The system supposed, for 'wrongs' and associated notions, would be a system for codifying deductively valid and invalid inferences using these concepts in a central role. To employ such a system in order to pin down the fallacy we allege in the Idiot argument and the Seal argument would be to suppose that those arguments were appropriately assessed by deductive standards. This is a debatable **nonformal** supposition.

For these reasons I am inclined to think that a re-writing of the shared feature, F, in apparatus resembling that of formal logic would not be a useful manoeuvre. A formal system in which the crucial concepts of wrong, legitimacy of criticism, acceptance and so on were central, formalized concepts would be a ponderous apparatus indeed in which to articulate a judgment to the effect the one kind of proposition is irrelevant to the truth of another. And it would not particularly help in the defense of that judgment, for the axioms and definitions of the system would be no more certain and obvious than the judgment in question—nor would it be perfectly clear that this system was the right kind of system to use.

I would be inclined to say that what makes the Seal Argument and the Idiot Argument both examples of fallacies is that, in both, the arguer reasoned from the tacit acceptance of a wrong to the inappropriacy of criticizing another quite distinct wrong. To defend my judgment that this is, indeed, reasoning from something **irrelevant** to my conclusion, I would have to defend claims to the effect that distinct actions should be appraised independently, and that the tacit acceptance of something by people does not show even that thing itself is right, much less that anything else is right—and that one should not push consistency to the point where it demands that one repeat mistakes from one context to another. Now all of this could rapidly lead me into topics in moral philosophy. I shall rely on some principles which are rather controversial, and I am unlikely to succeed in giving an account of my judgment of irrelevance which no philosopher would question. But far from the potentially contentious nature of my defense of a judgment of irrelevance showing that

we need formal theories for the various fallacies, I would contend that these controversies are themselves reasons against the development and use of formal systems in such contexts. Why? Because the development of formal systems tends to hide controversies rather than admit or resolve them; it buries controversial assumptions in definitions and technical apparatus. Formal representations disguise debatable principles and decisions, rather than eliminating them, and formal representations give the misleading impression that questions which have only been avoided have been conclusively and technically solved. For such cases as the 'two wrongs' fallacy, I fear that formal systems would give us only pseudo-precision, not real precision.

About the flawed reasoning which several different arguments may have in common, many more points could be made. However, I shall stop at this point, hoping to have convinced you that the elimination of fallacies is premature, and that the reduction of informal fallacies to formal ones would not obviously be an accomplishment, philosophically speaking.

Notes

1. This is a standard element in definitions of "fallacy". Compare, for instance, Woods and Walton in **Argument: The Logic of the Fallacies** (McGraw-Hill Ryerson, 1982): "a fallacy is an argument that is tricky deception because it is incorrect, even while it has a tendency to seem correct". See also C. Kirwan, **Logic and Argument** (London, Duckworth & Co., 1978), page 269, "in logical parlance fallacies are not false propositions but incorrect arguments (non sequiturs) which seem to be correct; and fallacy is not falsity but incorrectness". S.F. Barker in the third edition of **Elements of Logic** says "A fallacy is a logical mistake in reasoning. When there are premises and a conclusion that, through some logical error, is mistakenly thought to be proved by them, then, and only then, is there a fallacy in the logical sense." For empirical evidence that people commit a variety of inductive fallacies, see **Human Inference: Strategies and Shortcomings of Social Judgment**, by the social psychologists R. Nisbett and Lee Ross. (Prentice Hall, Englewood Cliffs, 1980)
2. Karel Lambert and William Ulrich, **The Nature of Argument**, (Macmillan, 1980), page 24.
3. *Ibid.*, page 24.
4. *Ibid.*, page 25.
5. *Ibid.*, page 26.
6. *Ibid.*, page 27.
7. *Ibid.*, page 28.
8. Maurice Finocchiaro, "Fallacies and the Evaluation of Reasoning", **American Philosophical Quarterly**, January 1981, pages 13–22. The quoted passage appears on page 13. My analysis of Finocchiaro owes much to comments passed to me by J.A. Blair in correspondence.
9. C.L. Hamblin, **Fallacies** (Methuen and Co., 1979).
10. Finocchiaro, *Op.cit.*, page 15.
11. *Ibid.*, page 15.
12. See the **Informal Logic Newsletter** for 1980 and 1981, containing pertinent discussions by Govier, Weddle, Fohr, and Hitchcock on this topic, and on general difficulties arising with regard to the distinction between inductive and deductive arguments.

13. Finocchiaro, *op.cit.*, page 16.
14. The psychologists Nisbett and Ross include a chapter on causal analysis in their recent empirical book about human inference strategies. They do not include written arguments in their data, as they obviously might have. Rather, they report considerable evidence from laboratory situations which causal errors people do commonly make.
15. Finocchiaro, *op.cit.*, page 15.
16. *Ibid.*, page 17.
17. *Ibid.*, page 16.
18. *Ibid.*, page 17.
19. Scriven M., *Reasoning* (McGraw-Hill, 1976), page 73.
20. Here I invent an argument which resembles arguments which I have heard orally on several different occasions, but which I have not yet seen in print.
21. Compare Ralph Johnson, "Charity Begins at Home" and Trudy Govier, "Uncharitable Thoughts about Charity", in the *Informal Logic Newsletter*, 1981.)
22. Cited in the C.A.U.T. Bulletin in September 1978.
23. From a letter to the editor which appeared in the *Toronto Globe and Mail* on January 3, 1979. ●

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When Two Wrongs Make A Right

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One of the argument forms discussed in contemporary textbooks on informal logic is that which constitutes the fallacy "Two Wrongs". The alleged fallacy occurs when an argument encompasses the notion that some wrong act legitimates another act which would otherwise be immoral. As Howard Kahane puts it in *Logic and Contemporary Rhetoric*:

Just as it is almost second nature for politicians to attack their opponents by means of *ad hominem* argument, so also it is natural for them to defend themselves against the charges of others by using the fallacious idea that **two wrongs make a right**. The erroneous rationale behind this fallacy is that if the "other side" does it, or some other evil, then it's all right if we do it also.¹

In a similar vein, Vincent Bary writes the "The fallacy of two wrongs is an argument that attempts to justify what is considered wrong by appealing to other instances of the same action."² Others adopt a similar point of view.³ Despite their agreement, however, there are good reasons to think that the standard analysis of two wrongs reasoning

is mistaken, or at least incomplete. For though there are occasions when a two wrongs defence of an action is not acceptable (and is perhaps despicable), there are other occasions when such a defence is appropriate and does legitimate an act which would otherwise be immoral. It is in these cases that two wrongs do "make a right", and it is important to distinguish them if we are to avoid dismissing arguments which can justify particular ways of acting.

II.

Before we turn to those cases where two wrongs reasoning is legitimate, we may note the kind of situation where it is fallacious. Suppose, for example, that some government accuses another of subjecting dissenters to torture and other abuses that contravene the United Nations charter on human rights. In response to such charges, one can imagine the government in question replying that the nation which has leveled the charges employs similar—or worse—practices in its treatment of dissent. Here we have a clear case of two wrongs reasoning which illustrates why such reasoning is sometimes illegitimate, for the government in question does not deny that it uses torture, and does not justify such practices, but simply directs attention to other cases. In reply, it may be said that even if its charges could be substantiated, this doesn't make abusive practices acceptable, and does not excuse the acts in question. At most, it shows that both governments are guilty of the wrongs such acts entail.

To provide another example of fallacious two wrongs reasoning, we may turn to Kahane's discussion, where he notes that:

Senator Robert Dole, then Republican National Committee Chairman, was guilty of **two wrongs make a right** when he defended President Nixon against charges of impropriety in the ITT case. (The charge was that ITT had received favours in an important anti-trust suit in return for their huge donation to Nixon's 1972 re-election campaign.) Dole's counterattack was to schedule a news conference to disclose "...improper activities involving the Democratic National Convention involving vast sums of money improperly received from big business". Dole hoped his attack would take some heat off Nixon, and it did until the Watergate scandal brought ITT back into the public eye.⁴

In response to Dole's defense of Nixon, it can simply be said that it is irrelevant, for it does not show that Nixon was not guilty of impropriety in receiving campaign donations, but at most shows that the democrats were guilty, too. Yet such considerations do not excuse or legitimate wrongdoing on Nixon's part, and it follows that Dole's attempt to excuse Nixon is fallacious.

Despite the merit of the standard analysis in such cases, there are problems with the notion of a two wrongs fallacy, for there are other instances where one wrong does legitimate an action which would otherwise be morally unacceptable. To see the problems that arise in this regard, we might first consider Johnson and Blair's claim that those arguments which appeal to the two wrongs line of reasoning are fallacious even if they amount to no more than attempts to mitigate blame or criticism. According to their analysis:

Two Wrongs is a fallacy because, at least in the paradigm versions, it is an attempt to do the impossible—to prove that a wrong act is not wrong. A wrong act, multiplied no matter how many times, cannot become right. The variations on the basic fallacy don't go quite as far. They are attempts to excuse, or to mitigate blame, or to block cri-