Which of the Fallacies are Fallacies of Relevance?

DOUGLAS N. WALTON

Department of Philosophy University of Winnipeg Winnipeg, Manitoba R3B 2E9 Canada

ABSTRACT: This paper looks around among the major traditional fallacies — centering mainly around the so-called "gang of eighteen" — to discuss which of them should properly be classified as fallacies of relevance. The paper argues that four of these fallacies are fallacies primarily because they are failures of relevance in argumentation, while others are fallacies in a way that is more peripherally related to failures of relevance. Still others have an even more tangential relation to failures of relevance. This paper is part of a larger research project on dialectical relevance in argumentative discourse, currently underway in collaboration with Frans van Eemeren and Rob Grootendorst.

KEY WORDS: *Ad baculum, ad hominem, ad misericordiam, ad populum,* argumentation, critical discussion, emotions, fallacies, relevance, threats.

The textbooks vary widely on how they classify the major informal fallacies as failures of relevance.' Copi and Cohen (1990) classify all twelve of the major, traditional fallacies "outside language" as fallacies of relevance.[2] Most texts select out a smaller subset of these as fallacies of relevance.

Another problem is that the fallacy of *ignoratio elenchi* (Aristotle's category of "ignorance of refutation") is often frankly treated as a "wastebasket" or "ragbag" category in which to throw any or all fallacies that appear to resist any better explanation.[3]

Of course, classification of fallacies, as has often been pointed out, is an improfitable and *ad hoc* activity, at this stage of the development of fallacy theory. But even so, the current developments in the analysis of fallacies suggests some provisional hypotheses and directions which could contribute parts of a basis for the future development of some system of classification.

With some of the fallacies, like *petitio principii,* the failure is not, at least primarily, one of irrelevance. Generally, in fallacious circular arguments, the offending premise is relevant to the conclusion to be argued for — the problem generally is that it is somewhat "too relevant". With other fallacies like *post hoc, ad ignorantiam,* many questions and *ad verecundiam,* irrelevance is tangentially
involved, but it is not the main problem that defines the fallacy as a distinctive type of argumentation technique used well or badly.

Of course, all such classifications depend on how you define relevance, what your criteria are. One proposition *A* is *topically relevant* to another proposition *B* where *A* and *B* share some common subject-matter overlap. One proposition *A* is

Argumentation ***6:*** *237-250,* 1992.

probatively relevant to another proposition *B* where *B* can be proved from *A.* Probative relevance is discussed more fully under the name 'pertinence' in Walton (1982, pp. 63-65).

Now a circular argument that commits the fallacy of *petitio principii is,* in its simplest and most basic form, an argument of the form `A, therefore A.' In such a case, clearly A is topically relevant to itself, given that the relation of subject-matter overlap is reflexive – see Epstein (1990, p. 62). But in such a case, is *A* probatively relevant to *A*? This depends on what you mean (more precisely) by probative relevance.

Following are two more precise definitions of probative relevance.

(D1) A is *probatively relevant* to *B, if,* and only if, A is a premise that gives some evidence or reason to accept *B* as true.
(D2) A is *probatively relevant* to *B if,* and only if, *A* is a proposition such that if A were true, then *B* would be true too.

The second definition defines a kind of hypothetical (conditional) notion of probative relevance, whereas the first one is much stronger. It defines a substantive kind of relevance, one which actually shifts a burden of proof towards proving that *B is* true. By contrast, according to (D2), *A* is relevant to *B if* it would tend to prove that *B is* true, *if A* were true. But this does not necessarily shift a burden *of* proof to the truth of *B* because A could be false (or *of* no evidential value to fulfil the required probative function).

Clearly then, much depends on how you define relevance. And there could be different kinds of relevance, or criteria *of* relevance at work in a particular case. Even so, generally, irrelevance is not the main problem with arguments that commit the fallacy of *petitio principii.* The main fault lies elsewhere – see Walton (1991).

Notably with four of the traditional major fallacies, however, failure *of* relevance seems to be the main problem, or is at least essentially associated with the source of the problem. These four fallacies can also be classified in another category – they are the emotional fallacies – the *argumentum ad misericordiam,* the *argumentum ad populum,* the *argurentum ad baculum,* and the *argumentum ad hominem.* In these four fallacies, the emotional aspect and the aspect of relevance are combined together to pose the problem of the fallacy, to generate the *modus operandi* of the fallacy as a deceptive technique, and to provide the key to the analysis and evaluation of the fallacy as an incorrect type of argumentation.

Copi and Cohen (1990, p. 103) classify the *ad populum, ad misericordiam* and *ad baculum* together under the heading of appeals to emotion. They diagnose the common fault as failure of relevance.

> These three fallacies, although common enough, are also so evidently fallacious as to require little explanation here. In each case the premises are plainly not relevant to the conclusion, but are deliberately chosen as instruments with which to manipulate the beliefs of the listener or reader.

Clearly, the presumption is on the side of these arguments being fallacious, for Copi and Cohen.

Although the *ad hominem* has distinctive features in its own right as a separate type of fallacy, clearly it also is strongly associated with appeal to emotion and also with failure of relevance.

Given the space limitations of this paper, we will concentrate on the positive side of showing why and how these four fallacies are primary fallacies of relevance. The negative burden of showing that failure of relevance is not the primary problem in diagnosing the fallacy, in the cases of the remaining fallacies, requires more lengthy consideration. However, some idea of what some of the main problems are, in analyzing these remaining fallacies, can be gotten by looking at the treatment given them in Walton (1989). And it is not too hard to be convinced that these problems mainly center around things other than simply failure of relevance.

In this paper, relevance will be understood as a pragmatic notion. To say that a something is relevant in an argument means that it occurs as part of a speech act used in argumentation in a critical discussion in such a way that it serves to contribute to the goal of resolving the conflict of opinions in the discussion. A participant in a critical discussion has the obligation (burden) of arguing for, or questioning, a particular thesis. Any move that does not contribute to the fulfilment of this obligation can be judged as irrelevant, at least from the normative point of view of the critical discussion as a model of reasoned argumentation.

1. THESIS ONE: DEFAULT ARGUMENTS

Traditionally there has tended to be a perceived dichotomy between logical argument and argument based on emotional appeal. According to this tradition it was a sufficient refutation to say of an argument, "Your argument is based on emotional appeal and is, therefore, not a logical argument." Hence, it is easily taken for granted that any emotional appeal in argumentation can be presumed to be fallacious or erroneous. This assumption is reflected in the traditional treatment of emotional fallacies in the logic textbooks, where it is generally presumed that not much argument is needed to dismiss *ad baculum, ad misericordiam* and *ad populum* arguments, in particular, as fallacies .[4]

However, this assumption may only have been plausible in the past because of a deductivist orientation which set the standard for a good (successful) argument unrealistically high, and the exclusive choice for the criterion of formal validity with regard to attempting to analyze fallacies. Many common arguments, we now recognize, are based on a defeasible weight of presumption that enables a conclusion to go forward in a dialogue as provisionally acceptable as a basis for action in a given situation where knowledge or hard evidence that would definitely resolve the conflict of opinion is not (practically) available.[5] In such cases, setting of reasonable burden or proof in nonmonotonic reasoning can

rightly define a target of success which makes the argument presumptively reasonable (correct, for practical purposes), subject to default at some future point in the dialogue if an opponent can bring in new evidence to refute it.[6] As a use of practical reasoning[7] in a framework of dialogue, an argument based on emotional appeal could be presumptively reasonable, even if it is (in itself) weak and defensible. In a situation where hard evidence is indecisive, or cannot be bought to bear, an appeal to emotion could be a reasonable guide to prudent action in deciding how to proceed.

The presumption here is that there is a distinction between a weak argument and a fallacious argument. Another presumption is that an argument can be weak, in an absolute sense, yet be successful to fulfil requirements of burden of proof as a reasonable, provisionally acceptable argument in a context of dialogue.

What is meant by saying that an argument *is weak* in this context is that the premises provide some support to the conclusion, but not very much, so that there can also be good reasons that would go against the conclusion, or the open possibility that such reasons may come to be discovered in the future. A weak argument is open to critical questioning and doubts, but it is not necessarily so bad that it ought to be rejected or refuted as inherently erroneous or incorrect.

By contrast, a fallacious argument is inherently erroneous or incorrect, meaning that it ought to be rejected as a bad argument. The phrase `This argument is fallacious' is a strong kind of condemnation or refutation of an argument. It is a serious charge that needs to be backed up by showing that the argument being criticized is in worse shape than merely being weak, in the sense above.

Generally speaking then, the blanket presumption that emotional appeals in argumentation are inherently erroneous or irrational needs to be questioned and challenged.

Thesis 1: There is nothing wrong (fallacious, irrational) about emotional appeals per se in argumentation. These arguments can be reasonable.

When an emotional appeal is spotted in an argument passage, a critic should not be permitted to leap directly to the conclusion that a fallacy has been committed. There should be a presumption in place that an appeal to fear, pity, or whatever emotion could be a legitimate argument. While identifying an emotional appeal is a good clue in evaluating argumentation, as an initial point for identifying a kind of argument tactic, it does not follow automatically that the argument is fallacious. Restraint needs to be shown, in leaping to this kind of conclusion. A good case in point is the *argumentum ad misericordiam.*

Case 1: In a letter soliciting funds to support medical research for a particular disease, a picture of a young boy is enclosed, showing the pathetic nature of his bruises, injuries, and

> suffering. A letter, in the boy's handwriting makes a pathetic appeal.

One can say a lot about this case, and the appeal to pity has to be looked at in context. Is the appeal to pity being used to cover up a lack of information on why medical research on this disease really needs funding? How do we know that the funds solicited will really be spent on medical research, and not on "administration"? But, in principle, it seems that the appeal to pity is not illegitimate in such a context. After all, it is a charitable appeal, an appeal to our emotions and human instincts to help others who are suffering and in need of help. Can we presume to conclude that the use of the *ad misericordiam* argument in this case is a fallacy? I think not.

In such a case, an emotional appeal can be a reasonable way to argue because it can be helpful in breaking a tie on whether to go for one practical line of action or another opposed line of action, in a situation where the available knowledge is insufficient to clearly resolve the problem. By practical reasoning, you may either have to do something or nothing (or one thing or another) in a given situation. But you may not have time to conduct an inquiry and collect enough knowledge to be able to decisively decide which is the most prudent line of action. In such a case, appealing to emotional arguments or "gut feelings" could swing a burden of proof one way or the other, even though the arguments on both sides are weak and inconclusive.

Another case in point is the *argumentum ad populum.* Political speeches are often used to illustrate this fallacy. Copi and Cohen (1990, p. 103) write that the *ad populum* is the device used to appeal to "patriotric frenzy" by propagandists and demagogues, even citing the speeches of Hitler as the "classic example." But can we presume, in a democratic system of government, that a political argument that appeals to the opinions, accepted beliefs, or enthusiasms of a majority of the population is a fallacious argument? I do not think so, and indeed it would seem that to so argue would go against the basic principles of the democratic system. Of course, lashing a crowd into tumultuous enthusiasm instead of looking at the relevant evidence on both sides of the issue to be discussed is something else again. But in principle, an *ad populum* argument that appeals to popular sentiments should not be discounted, or classified as fallacious, for that reason alone.

Another often-cited culprit of the textbooks is the commercial advertisement message. Copi and Cohen (1990, p. 103) are typical among the logic textbooks denouncing commercials as users of the fallacious *ad populum* argument.

> Those who rely most heavily upon arguments *ad populum* are now to be found in advertising agencies, where the use of that fallacy has been elevated almost to the status of a fine art. Every attempt is made to associate some product being advertised with things of which we can be expected to approve strongly, or which excite us favorably. The breakfast cereal is associated with trim youthfulness, athletic prowess, and vibrant good health; whiskey is associated with luxury and achievement, and beer with high adventure; the automobile to be sold is associated with romance, riches, and

> sex. Every device, appealing to sight and sound and smell, is brought to bean the men who use the advertised product are clear-eyed, broad-shouldered and distinguished; the women are slim, lovely, very well-dressed – or hardly dressed at all. Advertisers, as we know well, often sell us daydreams and delusions of grandeur. So clever and persistent are the ballyhoo artists of our time that all of us are influenced in spite of our resolution to resist.

This condemnation may seem a little naive, however, when you ask the question: what is the purpose of a commercial supposed to be? Is it supposed to present a balanced critical discussion of the strong or weak points of the product? Is it supposed to be a scientific investigation of the product to prove the product is satisfactory? Is it supposed to be expert or reliable advice to show you that buying the product would be a wise policy? Anyone who thinks the answer is `yes' to any of these questions is very naive. For we all know that the purpose of a commercial is unabashed, partisan selling of the product. The basic goal seems to be to attract the potential buyer's attention, and convey a positive attitude in favor of the product. Who is to say that these goals are inherently illegitimate, or that carrying them out using argumentation is "plainly fallac*ious" per se?*

Copi and Cohen retreat somewhat from making this unconvincing claim outright, by conceding that an emotional appeal in a commercial is not necessarily an argument (p. 103):

> Of course, the mere association of the product and the emotion is, by itself, no argument – but an argument *ad populum* commonly lies not far beneath the surface. When advertisers make claims about their product designed to win our emotional approval, and when it is suggested that we ought to make the purchase *because* the item in question is "new" or "sexy" or "best-selling," or is associated with wealth or power – the implicit claim that this conclusion follows from those premises is plainly fallacious. The widespread appeal of certain products does not prove them to be satisfactory; the popular acceptance of a policy does not show it to be wise.

But even where an appeal to emotion in a commercial message is an argument, it should by no means be straightforwardly taken for granted that it is fallacious because it does not prove that the product is satisfactory, or that it does not show that buying the product is a wise policy. To hold commercials to such lofty standards of success and failure is not only unconvincingly idealistic, it seems to miss the point of what commercials are all about. They are partisan appeals meant to sell products in a frankly biased way, and people generally are quite aware of that. They are not expecting *Consumer Reports* or `wise policies' in commercials. Everyone knows, or ought to, that there is a difference between a program like *Marketplace,* that offers consumer advice on products that have been tested, and commercials that promote a product. To hold the one type of dialogue to the standards of the other is a kind of pragmatic shift or confusion between different types of discourse.

Arguments based on popular opinion or sentiments have two sides. They have often been condemned by philosophers who have said, "Popular opinion is always changing. At one time, people believe one thing, and then ten years later,

they believe the opposite thing. Especially in North America, popular opinion on what is acceptable or right changes very fast, and often unpredictably." According to this sceptical view, popular opinion could be compared to the *herd* concept, a kind of headlong rush to fall in with whatever is "trendy", unguided by any real intelligence or rational thought.

But there is another side. In the absence of hard knowledge, it is often presumptively reasonable to act in accord with the popularly accepted way of doing things, if you have no good reason for departing from it. For example if you are going to a football game in a foreign city where you can't read the signs at the railway station, it may be a good idea to follow the crowds who are all heading to one end of the station. If you have no other information readily available, it may be prudent to follow the crowd, on the assumption that many of them are also going to the game. Of course, so to proceed would be on the basis of a weak (defeasible) argument that could be wrong. But in the circumstances, based on considerations of burden of proof and the practical need for action, the argument could have a reasonable basis.

The worth of popular opinion is always debatable. But as a defeasible kind of argumentation, the *argumentum ad populum* is not so inherently bad or erroneous in itself that it should be declared fallacious whenever used. An emotional argument can be helpful in resolving a conflict of opinions on what is the best course of action in conditions of uncertainty. Even if it is a weak argument and defeasible, still it may be relevant, because it provides a reasonable basis for making a presumption as a provisional guide to prudent action.

The following conclusion can be drawn from our discussion and defence of Thesis 1.

Conclusion 1: When arguments, like the *ad misericordiam* and *ad populum*, that appeal to emotions, are said by a critic to have been used wrongly, the critic should have to show why.

This conclusion shifts the burden of proof onto the critic to distinguish between the fallacious and nonfallacious instances of uses of emotional appeals in argumentation.

2. THESIS TWO: THE PROBLEM

Although there is nothing wrong *per se* with emotional appeals as arguments, there is a problem. Because these arguments are subject to default, sometimes they turn out to be stronger than we thought, once the evidence comes in, and other times weaker than we thought. It requires care not to overestimate or underestimate the weight of commitment that should be rested on one of these arguments. Appearances can be misleading.

When emotions are heightened in argumentation, it becomes easier to give

into bias, according an argument more or less weight than it really deserves. Relevance is an important factor here. An emotional appeal may be an argument with little or no real relevance that bears on the issue of a discussion, but because of its emotional impact on the respondent, the respondent may be inclined to presume that it is relevant. Because of the emotional impact, the respondent may try to respond to the argument as though it were relevant, even though if he were to take time to think twice, he might be able to see that the appeal is of questionable relevance. Such arguments, therefore, often appear relevant when they are not.

The general nature of the practical problem with the use of emotional appeals in argumentation is expressed in Thesis 2.

> *Thesis 2:* When emotions are heightened in a dialogue exchange, irrelevance in argumentation is less likely to be perceived as a dialectical failure by someone involved in the exchange.

Arguments that are beside the point, but have emotional appeal, are likely to carry more weight than they deserve. This factor is a question of how an argument appears, to someone who is involved in a dialogue in which that argument occurs. An emotional appeal often creates an aura of urgency, so that the respondent somehow feels obliged to respond to it strongly. This often has a discombobulating effect on a discussion, and veers it away from the real issue.

Thesis 2 is a practical explanation of how emotional appeals of the four species cited here can be fallacies, in the sense of arguments that can deceptively seem to be correct when they are not. Part of the problem with fallacies is the practical one of teaching students how they function as successful deceptive tactics that are commonly and effectively used to fool people in argumentation.

However, thesis 2 is not purely descriptive or psychological in nature. It is a functional question of learning how the fallacies are used as tactics of persuasion in a context of discourse. Once we learn this, we can raise a "red flag" or warning signal when we encounter these tricky types of arguments that may indicate the presence of a fallacy. One needs to be alert that in certain types of situations, it is easy to be trapped, to be caught up in an apparently appealing and attractive, but dangerous line of argumentation.

A good case in point here is the *argumentum ad hominem.* An *ad hominem* attack brings an argument to a personal level, and the respondent attacked may feel compelled to reply strongly, or else he may be appearing to concede guilt. However, once the argument is brought to the personal level, it is often very tempting for the respondent to reply *tu quoque,* with another *ad hominem* attack posed against the attacker. Once this happens, however, the sequence of argumentation often descends, by a kind of *glissement* or gradual shift, into a quarrel.

The trouble is that the original argument may quite rightly have been supposed to be a critical discussion of some particular issue, according to the agreements the participants originally made. Once personal attacks begin to

predominate, however, there may be no longer have been any real discussion of that issue taking place. Personal quarrelling is generally an inefficient way of conducting a critical discussion of some (relatively impersonal) issue. However, such a shift away from relevant argumentation that would contribute to the resolution of the conflict of opinions in the critical discussion may not be perceived for what it really is. The reason — the emotional personalization of the argument may be very colourful, interesting and stimulating. Its value as entertainment may mask its dubious relevance as a contribution to the thread of argumentation in the discussion that the participants are supposed to be engaged in. In the case below, Wilma and Bruce are engaged in a critical discussion of whether abortion is morally right.

Case 2:

Bruce: Well, what about you, Wilma? You had an abortion last year. And you argue that abortion is not right?

Wilma: You are in no position to comment on these things. You are a man, and a man cannot experience an unwanted pregnancy.

Bruce: You're just trying to cover up your own lack of integrity on this issue.

In this case, things are getting worse as the argument gradually shifts away from a discussion of the abortion issue towards a personal quarrel between the two participants. Bruce's initial move is not an entirely unreasonable type of circumstantial *ad hominem* argument, put in the form of a question. Wilma's reply escalates the quarrelsome element, however, by using *a poisoning the well* type of *ad hominem* argument that suggests that Bruce is inevitably and inescapably biased on this subject. This move has the effect of closing off the discussion by the tactic of barring Bruce from taking any further credible part in it. Bruce's second move escalates the personal element a step further by accusing Wilma of being dishonest, using the abusive (direct) type of *ad hominem* attack. As the quarrel becomes more personal, it becomes more and more difficult for the participants in the dialogue to get back to the critical discussion.

Caught up in this type of emotional exchange it becomes more difficult for an arguer to perceive such emotional arguments as irrelevant, and less difficult to give them more weight than they really deserve. The fallacy is tricky to spot in such cases because the emotional argument was initially not unreasonable as a move in the dialogue. But then, as things got rolling, the sequence of dialogue was deflected more and more away from resolving the conflict of opinions in the original critical discussion.

Diagnosing the problem in such a case is partly a matter of shifting appearances. Personal attack is not inherently fallacious per se in argumentation, but it can often go wrong, while still seeming to be right to the participants in a dialogue, because there has been a subtle and gradual shift.

The conclusion to be drawn from our discussion of Thesis 2 is that in

emotional appeal arguments like the *ad hominem*, the fallacy or failure is to be diagnosed by evaluating a straying away from the point of the original dialogue. It is a failure of pragmatic relevance.

Conclusion 2: In arguments based on emotional appeals, the fallacy or failure may be tricky to diagnose because it involves a shift, which can be gradual, away from contributing to the goals of a discussion the participants were supposed to be engaged in.

Such a shift can explain the traditional idea that a fallacy is an argument that seems to be valid. An emotional exchange can seem to be legitimate and appropriate as part of a dialogue interaction like a quarrel. But appearances can be misleading here, as the argumentation really needs to be evaluated by the standards of the type of dialogue the participants were originally supposed to be engaged in, like a critical discussion.

3. THESIS THREE: DIAGNOSING THE PROBLEM

Emotional appeals can be made for various purposes in argumentation. For example, in a speech at a funeral to honour someone recently deceased, appeal to emotion is not out of place. In a scientific proof in the context of a scientific inquiry or demonstration, however, appeals to emotion are not generally in keeping with the goals and methods of this type of argumentation. In a critical discussion, arguments based on appeals to emotion can often carry a presumptive weight which is legitimate in contributing to the goal of resolving the conflict of opinions, but they have a way of shifting, or becoming irrelevant when too much weight is put on them. This brings us to our third thesis concerning the four emotional fallacies we set out to study.

Thesis 3: The four emotional fallacies need to be evaluated by seeing them as pragmatic failures. You have to look at the context of dialogue.

Typically, the problem with these four fallacies stems from the fact that the context of dialogue is that of a critical discussion of some particular issue, and the emotional appeal is not relevant, within the framework of the rules for that critical discussion. To judge relevance in a particular case, however, we have to evaluate the argument as a speech act that has a place in the larger framework of the critical discussion.

The argumentum *ad baculum is* type of case in point. An *ad baculum* argument is typically a threat, but in some cases, an appeal to fear, or use of scare tactics, can also be called a type of *ad baculum* argument without there being a threat made — such arguments could perhaps be called *ad metum* or *ad phobiam*, but they can be classified as subspecies of *ad baculum* argument.

However, in the typical case of *argumentum ad baculum* a threat is made by a proponent to a respondent in dialogue, and it is very often an indirect threat, which has the surface appearance of a warning. In such cases, the argument is put forward in the form of an indirect speech act that is overtly a warning, but covertly a threat.

In the following case, the speech event is the meeting of a section group in a corporation, called by the administrative head of the section. He is putting forward a proposal for a re-organization of the section, and in his speech, he is arguing that his proposal would be a good thing for the company, trying to convince the section members in the group that his proposal is a good plan.

Case 3: *Section Head: As* part of this plan for re-organization, some jobs will have to be re-structured. Of course, all of you should be warned that your jobs could be vulnerable, and if any of you disagrees, or fails to vote for my new proposal, it could be your job that gets cut[5]

In this case, the frightening thing for the employees is that they know, or have good reason to think, that the section head may have the power to fire them. Therefore, from their point of view, they see his "warning" as a threat. Overtly, his speech act is a warning, but the employees (with justification) interpret it as a covert threat Indeed, in this case, the threat is so transparent that it is some-what heavy-handed and even ludicrous.

But a threat is not a fallacy. Indeed in negotiations, for example between union and management bargaining units, indirect threats are a commonplace part of the bargaining, e.g., "If management doesn't back off on that one, the picketers will be out on the line tomorrow." Overt threats are generally not allowed in such negotiations, but covert threats are plentiful, and are generally accepted a part of the negotiations, at least in many cases.

However, in case 3, the problem is that the section head is supposed to be convincing his audience that his proposal is right, presumably based on good evidence to the effect that his plan would be good for the company. This type of speech can be construed as a type of critical discussion. But the problem is that the threat cuts off the employees' ability to contribute in an unhampered way to the continuation of that critical discussion. Indeed, the threat has the effect of closing off the critical discussion altogether. It is a kind of unilateral cutting off of the flow of critical discussion by impeding the argumentation of the *contra* side.

In this case, the critical discussion is used as a normative model of the kind of discourse the participants were supposed to be engaged in. At least we can say this to the extent of what we know or can presume from the given information in the particular case. But the fallacy is not viewed exclusively in the light of the critical discussion.

As noted, indirect threats are a commonplace part of bargaining in negotiations between union and management bargaining units. In such a context, an

indirect threat is not only a kind of practical argumentation that is normally expected, but it is also not necessarily a fallacy either. Rather, the threat is fallacious from the point of view of the critical discussion.

The explanation of how the indirect *ad baculum* functions as a deceptive argument that has some plausible or expectable appearance of seeming to be nonfallacious lies in the shift from the critical discussion to the negotiation dialogue. The negotiation dialogue supplies a given ambience or context in which the threat appears less obviously outrageous or inappropriate than if it were to occur in a case where the argument had no semblance of a negotiation.

Hence it is the combining of the two perspectives that explains how the *ad baculum* argument functions as a plausible deceptive tactic.

It is precisely in this type of case then that we can justifiably say that an *ad baculum* fallacy has been committed. The threat has no place in the critical discussion. As a move in the critical discussion it is irrelevant, and even goes contrary to the goals of the critical discussion by inhibiting its proper progress. But what made the *ad baculum* argument fallacious was not merely the fact that a threat was made — however immoral, illegal, impolite or nasty such a threat might be. What made it fallacious was the indirect speech act, a tactic used in this case to shift the line of argumentation away from fulfilling the goals of the critical discussion.

The conclusion to be drawn from our discussion of this case is that a certain kind of evidence is needed to support the conclusion that the use of an emotional appeal is fallacious in a given case. The first step was to determine what type of dialogue the participants were supposed to be engaged in. The second step was to look at how the speech act was actually brought forward in the given case, and used in relation to the goals for that type of dialogue. The third step was to look under the surface, to see whether at a covert level, there was a shift away from contributing to the legitimate goals of the dialogue.

Conclusion 3: In evaluating uses of appeals to emotion in argumentation, the evidence required to prove an argument fallacious has to come from the context of dialogue.

The problem of evaluation in such cases turns on an examination of how the speech act was used as a part of a larger context of dialogue in which that speech act has a functional place. However, when there is a shift, especially a covert shift, away from the original context of dialogue, we get the right conditions for fallacies and deceptions.

4. CONCLUDING REMARKS

Based on the three theses advocated above, and the conclusions drawn from the discussions of these theses, it would seem to be a good working presumption for fallacy studies to proceed on, at least tentatively, that these four fallacies can be

classified both as emotional fallacies, and also as fallacies where failure of relevance plays a key, leading role.

Although there is not enough space to argue for it here, another thesis could also be vouched for, namely that in some cases, the primary fault is failure of relevance, but the fallacy is not to be identified as one of the four emotional fallacies outlined above. This type of problem occurs in a kind of case where the proponent in a critical discussion keeps trying to force the line of argument off onto another issue (other than the one that is supposed to be the subject of the discussion). There may be various reasons for such a tactical manoeuvre — for example, the proponent may want to shift over to an argument where she has a stronger basis for presenting a convincing argument, thereby covering up the lack of real evidence given to support her thesis in the critical discussion. But in this type of case, the emotional appeal may not be the main problem, or the basis of the fallacy. It may be a simple case of irrelevance. It would be a useful recommendation that the general category of *ignoratio elenchi* (irrelevant argument) be preserved for this type of case.

ACKNOWLEDGEMENTS

This work was supported by a research grant from the Social Sciences and Human Research Council of Canada. The author would also like to thank Frans van Eemeren and Rob Grootendorst for comments that were very helpful in improving an earlier draft.

NOTES

[1] See Hamblin (1970, chapter 1).
[2] Copi and Cohen treat *ad populum, ad misericordiam* and *ad baculum* as a subgroup under the same heading but with separate numbers (fallacies nine, ten and eleven). And they treat *ignoratio elenchi* as a separate fallacy (number twelve).
[3] See Hamblin (1970, p. 31).
[4] *Ibid,* chapter one, and see the quote from Copi and Cohen (1990, p. 103), above.
[5] Pollock (1991).
[6] Reiter (1987).
[7] Walton (1990).
[8] A somewhat similar case can be found in Irving M. Copi, *Introduction to Logic,* 7th ed., New York, Macmillan, 1986, p. 128 (exercise question number 29).

REFERENCES

Copi, Irving M. and Carl Cohen: 1990, *Introduction to Logic,* 8th ed., Collier Macmillan.
Eemeren, Frans H. van and Rob Grootendorst: 1984, *Speech Acts in Argumentative Discussions,* Foris, Dordrecht.
Epstein, Richard L.: 1990, *The Semantic Foundations of Logic,* Vol. 1, *Propositional Logics,* Kluwer, Dordrecht.

Hamblin, Charles L.: 1970, *Fallacies,* Methuen, London.
Pollock, John L.: 1991, 'A Theory of Defeasible Reasoning', *International Journal of Intelligent Systems* ***6,*** 33-54.
Reiter, Raymond: 1987, 'Nonmonotonic Reasoning', *Annual Review of Computer Science 2,* 147-186.
Walton, Douglas N.: 1982, *Topical Relevance in Argumentation,* John Benjamins, Amsterdam.
Walton, Douglas N.: 1989, *Informal Logic: A Handbook for Critical Argumentation,* Cambridge University Press, Cambridge.
Walton, Douglas N.: 1990, *Practical Reasoning: Goal-Driven, Knowledge-Based, Action-Guiding Argumentation,* Rowman and Littlefield, Savage, Maryland.
Walton, Douglas N.: 1991, *Begging the Question: Circular Reasoning as a Tactic of Argumentation,* Greenwood Press, New York.
Woods, John: 1987, *'Ad Baculum,* Self-Interest and Pascal's Wager', in Frans H. van Eemeren, Rob Grootendorst, J. Anthony Blair and Charles A. Willard (eds.), *Argumentation: Across the Lines of Discipline,* Foris, Dordrecht, pp. 343-349.