Searching For the Roots of the Circumstantial *Ad Hominem*

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ABSTRACT: This paper looks into the known evidence on the origins of the type of argument called the circumstantial *ad hominem* argument in modern logic textbooks, and introduces some new evidence. This new evidence comes primarily from recent historical work by Jaap Mansfeld and Jonathan Barnes citing many cases where philosophers in the ancient world were attacked on the grounds that their personal actions failed to be consistent with their philosophical teachings. On the total body of evidence, two hypotheses about the roots of the circumstantial *ad hominem* are considered. One is that it came from Aristotle through Locke. The other is that it may have had separate roots in these ancient philosophical writings that criticized philosophers for not practicing what they preached.

KEY WORDS: *ad hominem* argument, argument against the person, character attack, consistency, ethical conduct, fallacies, integrity, logic, personal attack, rhetoric, virtue

Many of the traditional informal fallacies of the logic textbooks can be traced back to their origins in Aristotle's list of fallacies. The *ad hominem* is not in that list, and the assumption for quite a while, for lack of better evidence, was that it came into the textbooks as a common fallacy after its appearance in Locke and Galileo. From the evidence known at the time of (Hamblin, 1970), it seemed that the *ad hominem* argument probably came into widely used logic textbooks like Watts' *Logick* from its origins in Locke and Galileo (Finochiarro, 1980; Van Eemeren and Grootendorst, 1993). Now there is evidence that the origins of the *ad hominem* argument can be traced even further back through the logic textbooks and manuals of the Middle Ages to roots in the writings of Aristotle (Nuchelmans, 1993). Another historical question of some interest is how what is known as the circumstantial type of *ad hominem* came into modern logic, as a subtype distinct from the main direct, or so-called 'abusive' *ad hominem*. It may seem natural to assume that the circumstantial subtype was added on later, as a variant, because the early textbooks tended to be more sketchy on identifying this fallacy, while the later textbooks have been much more careful to distinguish between several distinct subtypes (Krabbe and Walton, 1993).[1] But there is a new development suggesting that the circumstantial *ad hominem* argument was known to philosophers before Locke and Galileo.

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This new development, shown below, is that there is independent evidence of knowledge of the circumstantial type of *ad hominem* in the ancient world, as a distinctive type of argumentation in its own right. This evidence is found in many philosophical writings in the ancient world cited by Mansfeld (1994) and Barnes (1997) in which a philosophers is attacked for not practicing in personal life what he preaches in his philosophical principles. This evidence shows that the circumstantial *ad hominem* was clearly recognized and used as an important type of argumentation in philosophical and ethical discussions. The existence of such evidence raises many new questions about the historical roots of the *ad hominem.* Did the circumstantial type have separate ancient origins that came to be included under the general category of the *argumentum ad hominem* along with the abusive and other subtypes? Or was the circumstantial subtype an outgrowth of the Lockean version of the argument, which probably came from the ancient world through origins in the writings of Aristotle?

I. TRACING THE ROOTS OF THE *AD HOMINEM*

The historical origin of the *ad hominem* as an identifiable type of argument was traced back to Locke by Hamblin (1970, pp. 159-160). In a short passage in (some but not all editions of) his *Essay,* quoted by Hamblin, Locke calls *ad hominem* the type of argument when one party 'presses' another with 'consequences drawn from his own principles or concessions.' Finocchiaro (1980, p. 131) cited a passage where Galileo wrote about a type of argument in which one arguer derives a conclusion not acceptable to an opponent from premises that are acceptable to him. The history outlined by Hamblin (1970, pp. 160-174) begins with Locke's remark (1690) that 'to press a man with consequences drawn from his own principles or concessions' is a form of argument 'already known under the name *argumentum ad hominem'.* Where did Locke get it from? According to Hamblin (p. 161), he got it from *On Sophistical Refutations* (177b33), and later at 178b17, where Aristotle distinguished between solutions directed against the man, and solutions directed against the argument. But how did the *ad hominem* get from Locke's version supposedly into the modern textbook version? Hamblin (p. 163) calls the eighteenth century a 'Dark Age for Logic'. The next link he finds (p. 164) is the account in Watts' *Logick* (1725), where *ad hominem* is described as the argument 'built upon the profest Principles or Opinions of the person with whom we argue'. This Lockean version of the *ad hominem* appears in many modern logic textbooks - see the detailed account of the textbook treatments in (Walton, 1997). But then Hamblin (p. 174) takes us ahead to the influential account given by Whately (1826) in which *ad hominem* is much more broadly defined to include arguments 'addressed to the peculiar circumstances, character, avowed opinions, or past conduct of the individual.' This much

broader account, which is also much closer to the accounts of the modern textbooks, includes not only the Lockean conception, but much else as well, including arguments addressed to an arguer's character (direct *ad hominem* arguments) and arguments based on an arguer's 'circumstances'. The latter notion of 'circumstances' can be taken quite broadly, and was so taken by many of the modern textbook accounts of *ad hominem.*

Hamblin's hypothesis that Locke got the *ad hominem* from Aristotle has been supported by new evidence finding intervening links through the historical work of Nuchelmans (1993). Nuchelmans' historical research traced the roots of the *ad hominem* type of argument right back through the treatises of the middle ages to Aristotle. A key passage in Aristotle cited by (Nuchelmans, p. 37) is the reference to *peirastikoi logoi,* arguments designed to test out or probe a respondent's knowledge, by examining views held by that respondent *(On Sophistical Refutations* 165a37). But there is a twin root of the *ad hominem* in Aristotle, according to Nuchelmans. Another key source of the notion of the 'argument against the person' is the passage in *On Sophistical Refutations* (178b17) in which Aristotle contrasts directing a solution at a sophistical refutation with directing a solution against the person who has put forward that refutation. According to Nuchelmans, this same type of *ad hominem* argument, which would be called the direct or 'abusive' type today, can also be identified in the *Topics* (161a23) when Aristotle wrote that it is sometimes necessary to attack the speaker instead of attacking his thesis.[2] Aristotle contrasted two modes of argument. One is the proper way of handling a sophism, by directing a refutation against the argument *(pros ton logon).* The other is to direct the refutation against the person of the questioner *(pros ton anthropon).* The twin roots theory is Nuchelmans' explanation of how these pasages in Aristotle led to two versions of the *ad hominem* appearing in medieval logic textbooks - the peirastic version and the arguing against the person version. Nuchelmans (p. 43) also cites a passage right at the beginning of the *Rhetoric* (but he does not give the actual line), where Aristotle cited the person of the disputant as a factor in debate lies outside of the case, meaning that it should not be treated as a substantive factor in the case. Certainly it is clear from Aristotle's *Rhetoric* that he was highly familiar with the *ad hominem* form of argumentation generally, because the notion of ethotic argument, meaning an argument based on the perceived character of the speaker, is central to Aristotle's rhetoric (Brinton, 1985). What is less clear is how the *ad hominem* argument grew from its Aristotelian roots into the forms of argument it has taken in modern logic.

As indicated in (Walton, 1998, pp. 21-27), the situation is complicated by several factors. One is that there has been a confusion between what is now called argument from commitment and the modern meaning of *argumentum ad hominem,* which is taken to refer to personal attack arguments. Argument from commitment is the form of argument described by Locke and Galileo. Following this usage, modern commentators often define the

ad hominem argument as being identical to argument from commitment (Barth and Martens, 1977).[3] But *ad hominem* in the modern sense is something else, both in everyday usage and in its main usage in logic textbooks. It is the use of personal attack by one party in order to try to refute another party's argument (Brinton, 1995). In this sense, the attack alleges that the arguer has some kind of defect of ethical character, like dishonesty for example, and then uses that allegation to try to suggest to an audience that the arguer's argument should be discounted. This type of personal attack argument involves much more than just argument from commitment (Walton, 1998). Nuchelmans' proposed system of classification of the different types of *ad hominem* argument is to distinguish between this type of argument and what he calls the *argumentum ad personam* (Nuchelmans, 1993, p. 46). Krabbe and Walton (1993) have already gone on record as disagreeing with the recommendation that *argumentum ad hominem* should be kept apart from *argumentum ad personam.* In the Krabbe and Walton view, the different subtypes of *ad hominem* form a spectrum with enough family resemblance to justify being called by one name. This general approach has also been followed in the classification system proposed in (Walton, 1998), where the *ex concessis* type of argument is not classified as *ad hominem* at all, but as being a form of argumentation called argument from commitment. In the system proposed in (Walton, 1998), the circumstantial type of *ad hominem* argument is said to be based on argument from commitment, but is not said to be identical to it (as the Lockean account appears to indicate). Thus the analysis of the *ad hominem* given in both (Krabbe and Walton, 1993) and (Walton, 1998) disagrees with the proposed terminology and system of classification proposed by Nuchelmans.

Another complicating factor is that Nuchelmans appears to equate the *ad hominem* argument with the type of argument called peirastic by Aristotle. It is a bit of mystery what peirastic arguments are, but they do not seem to be quite the same things as *ad hominem* arguments. They are what might be called examination arguments, used for example when testing out a person's knowledge. Peirastic arguments are significant in their own right, but they do not seem to be the same thing as *ad hominem* arguments.

This is not the place for detailed criticism of Nuchelmans' interpretation of the key passages he cited in Aristotle, but both Erik Krabbe and David Hitchcock have indicated (by E-mail, in comments on this paper) that they have some problems with Nuchelmans' translation of lusis as 'refutation' instead of the more usual meaning of 'solution' ('refutation' is commonly used to translate *elenchos).* According to Krabbe, the *lusis pros ton anthropon (solutio ad hominem) is* based on the argument actually presented by the other party. Hitchcock suggests that if you look at 177b33-34, there is a distinction between a solution in relation to the questioner and a solution in relation to the argument. Hitchcock doubts that this text

supports the identification of 'solutions in relation to the man/questioner' with the abusive *ad hominem* argument. Hitchcock reads the text of Aristotle as contrasting a solution (of a fallacious argument) directed to the person with a solution related to the argument. According to this interpretation, solutions directed to the person depend on the interlocutor granting a certain proposition, while solutions directed to the argument do not. Interpreting the passage this way, it looks very much like solutions directed to the person are the same as Lockean *ex concessis* arguments that press an arguer with consequences drawn from his own concessions. This interpretation appears to make the 'solution in relation to the man/questioner' argument in Aristotle the same as the form of argumentation called argument from commitment in (Walton, 1998).

A related controversy is the issue of whether the circumstantial *ad hominem* argument is a subspecies of the direct or so-called 'abusive' form of *ad hominem* argument (the 'personal attack' type). In (Walton, 1998), the classification system makes the circumstantial *ad hominem* a subtype of the more basic direct type. But it appears that some (including possibly David Hitchcock) disagree with this analysis. Thus there are doubts about whether the passage in Aristotle's *On Sophistical Refutations* at 178b17 can be interpreted to express or include the modern notion of *ad hominem* as personal attack - the so-called 'abusive' *ad hominem.* This way of reading Aristotle suggests the hypothesis that the circumstantial *ad hominem* found in the modern textbooks evolved from the Lockean sense of the *ad hominem.*

2. THE CIRCUMSTANTIAL AD *HOMINEM* ARGUMENT

Most modern textbook draw a distinction between the direct personal attack type of *ad hominem* argument, often called the `abusive' type, and the circumstantial type. In the circumstantial subtype, a conflict is alleged between what the person says and his personal circumstances (often his actions), and then this alleged conflict is the basis of the attack on his argument. The circumstantial *ad hominem* argument, unlike the direct one, is always based on an allegation of inconsistency. Typically this allegation takes the form of an assertion or suggestions that the arguer `does not practice what he preaches'. The classic case (Walton, 1998, pp. 6-11) is the smoking example. In this case, a parent tries to convince her child that he should not smoke, because smoking is unhealthy. The child replies, `What about you? You smoke. So much for your argument against smoking!' The basis of this *ad hominem* argument against the parent is that the child observes an inconsistency - the parent argues against smoking, but the parent herself smokes. Citing this inconsistency as a basis, the child moves to reject the parent's argument. The smoking case is tricky to evaluate (Walton, 1998). Although the child is not wrong to question the

parent's credibility as a spokesperson for an anti-smoking argument, he is wrong to reject what may be a good argument against smoking.

The form of the circumstantial *ad hominem* argument can be represented by the following argumentation scheme (Walton, 1998, p. 219). The small letter a stands for an arguer, the Greek letter α stands for an argument, and the capital letter A stands for a proposition. There are two initial premises that lead to a subconclusion. Then this subconclusion (3.), now acting as a premise in a second subargument, leads to a final conclusion.

Form of the Circumstantial Ad Hominem *Argument*

1. a advocates argument α, which has proposition A as its conclusion.
2. a has carried out an action or set of actions that imply that a is personally committed to not-A (the opposite of A).
3. Therefore, a is a bad person.
4. Therefore, a's argument α should not be accepted.

Applying this argumentation scheme to the smoking case, it needs to be asked how the subconclusion 3 really applies to the case. The question at issue is whether the child is really asserting that the parent is a bad person, as part of the argument? In this case, although the child makes no such explicit assertion, it may be assumed that he is suggesting something or drawing some kind of inference about the parent's sincerity. Presumably, the argument has force because it suggests by inference that the parent is not sincere in what she advocates, based on the premise of the apparent inconsistency observed by the child. Unless such an inference can be taken to be part of the child's argument, it would be not be proper to categorize it as a genuine type of *ad hominem* argument, according to the analysis given in (Walton, 1998).

Much more, of course, needs to be said about how the circumstantial *ad hominem* works in actual cases other than the smoking case. Many other cases have already been analyzed in (Walton, 1998). These cases are taken to show that circumstantial *ad hominem* attacks draw an intermediate conclusion that the target of the attack is an bad person, in the sense of having some ethical defect of character. But David Hitchcock (personal correspondence) has expressed some reservations about this analysis, suggesting that circumstantial *ad hominem* attacks are directed at the right of the target to make a certain assertion or recommendation. Thus in the cases of the circumstantial *ad hominem* attacks on the ancient philosophers who supposedly did not practice what they preached, the argument was that because their lives did not match their professed opinion, they really had no right to profess such a position.

Hitchcock's analysis is different from the one given in (Walton, 1998), in which the circumstantial *ad hominem* argument is always seen to be a subspecies of the direct *ad hominem,* which is an attack on the ethical character of the target person. On this analysis, the perceived conflict between

deed and position is taken as evidence of some ethical fault of character. The target person is attacked as being hypocritical, deceptive, dishonest, or otherwise having some fault of character that is relevant to his argument. Why is such an ethical attack relevant in cases of the circumstantial *ad hominem* argument? The hypothesis proposed in (Walton, 1998) is that the circumstantial *ad hominem* argument is relevant in cases where the original argument was dependent on the arguer's credibility as a spokesman for his argument. For example, in a case of witness testimony, if these is no direct empirical evidence of the facts, the argument may be based only on the credibility of the witness. In the case of the circumstantial *ad hominem* attacks on the ancient philosophers, the assumption is that these philosophers are writing about virtue, and how to live a good life. If such a person messed up his own life, committed all kinds of crimes and abused his own friends and family, or showed a pattern of stealing, lying and cheating all his life, what kind of credibility would he have in giving others advice on how to live a virtuous life? None at all, we would say, and rightly so, by the standards of the ancient world. The *ad hominem* attack, in such a case then, is analyzed as an attack on the credibility of the target person, via the intermediate conclusion that he is a bad person, in the sense of having ethical character defects.

3. USE OF CIRCUMSTANTIAL AD *HOMINEM* AGAINST PHILOSOPHERS IN THE ANCIENT WORLD

The idea was taken for granted in the ancient world that philosophy was about how to live a good life. A corollary of this view is that a genuine philosopher or 'sage' should act in accord with the tenets of his philosophy. A further implication is that if a philosopher is observed to be acting in a way contrary to the dictates of his philosophy, then that would be grounds of criticism. The problem would be that if he is not living up to his own principles, then there are doubts raised about how sincere an advocate that philosopher is concerning his philosophy. This notion of comparing philosophy with personal conduct appears to have lost a lot of its force in the modern era. We seem to think that a philosopher or social theorist's views should be judged on their merits, and that bringing in allegations about the theorist's personal life would be irrelevant or somehow unfair. But in the ancient world, it seems to be widely assumed that the personal life of a philosopher is relevant to an assessment of his philosophy. Ancient philosophies were supposed to be about virtue, not just in the abstract, but also as a guide to life. Hence it was expected that a philosopher's biography was taken to be relevant to an assessment of his philosophy. The biography of a philosopher was even regarded as an important element of a description of his philosophy. If this hypothesis is right, one would expect to find complaints in the ancient world to the effect that

philosophers are not following their own philosophies in their personal lives. If the hypotheses is correct, one would expect to find evidence in ancient philosophical criticisms based on perceived inconsistencies between a philosopher's doctrines and his personal actions.

Just this sort of evidence has been cited by Barnes (1997, pp. 40-42). According to Barnes, the complaint of Pacuvius, 'I hate men who are rotten in their actions and philosophical in their remarks.' is 'echoed in a hundred texts' (p. 41).' Barnes (p. 41) cites Lucian's *Symposium,* which is entirely devoted to a tirade against the philosophers, using this sort of argumentation. Barnes (p. 41) also cites Seneca, who remarked on the use of this circumstantial *ad hominem* argument as used against philosophers. According to Seneca *(De Vita Beata* 18.1), this objection had been brought against many famous philosophers in the ancient world, including Socrates, Plato, Epicurus and Zeno (the Stoic). According to Barnes (p. 41), the accusers were described as being 'delighted' with these attacks, 'for if the great moralists were themselves dogs beneath the skin, why should we not all trot along the primrose path?' Seneca *(De Vita Beata* 18.1) discusses criticisms of philosophers whose acts appear to fall short of their philosophical principles using the argument, 'You talk one way, you live another' *(Aliter loqueris, aliter vivis*). These observations are very interesting and may be significant with respect to the origins of the circumstantial *ad hominem* argument. They suggest that not only was this kind of argument widely used in the ancient world, but it was also a kind of argumentation that appeared to have a lot of strength. People in the ancient world appeared to take it quite seriously as a significant criticism, and as a basis for accepting or rejecting a philosophical viewpoint.

Mansfeld (1994, pp. 183-191) has found many specific examples of just such uses of the circumstantial *ad hominem* in philosophical argumentation in the ancient world. Among the instances he cites are the following. Colotes, a follower of Epicurus, in his work, *That Conformity to the Doctrines of the Other Philosophers Actually Makes it Impossible to Live,* criticized Socrates by writing of him, 'What you said in your dialogues was one thing, but what you actually did was something else again' (p. 184). In *On Nature,* in his argument to refute determinism, Epicurus alleged that holding a deterministic philosophy causes the person who holds it to contradict his tenets through his actions (p. 184). Mansfeld (p. 185) quotes a fragment of another Epicurean, Polyaenus:

> When the test of the actions is consistent with the solemnity of the theories, we may speak of the doctrine of a philosopher. But when the theory promises great things and the life accomplishes not the least bit, what else do we have but boasting and the showing off of a sophist who wishes to impress the young?

All of these criticisms based on perceived inconsistencies between the actions and professed tenets of a philosopher may be classified, in modern terms, as circumstantial *ad hominem* arguments. They are not necessarily

fallacious arguments however. They can be seen as meta-philosophical arguments that are quite legitimate, given the ancient view that a philosophy of virtue is not just an abstract theory, but is also meant to be a guide to how to live.

The flip side of the circumstantial *ad hominem* argument can also commonly be found in ancient philosophical writings. This argument is the positive variant that praises conformity of a philosopher's actions with his philosophical views. For example, Mansfeld (1994, pp186-191) cites passages from Xenophon, Cicero and Seneca that Socrates was the paradigm of the true philosopher because his deeds were so closely in accord with his philosophical views. One would expect to find this positive counterpart of the circumstantial *ad hominem* argument in a climate of opinion in which the circumstantial *ad hominem* argument was seen as a reasonable criticism in some instances.

A very explicit statement of the circumstantial *ad hominem* argument is stated in Seneca's letters, Epistle 20, where Seneca exhorts the person to whom the letter was written to `prove your words by your deeds.' Seneca continues (Epistle 20, 2) as follows.

> Far different is the purpose of those who are speech-making and trying to win the approbation of a throng of hearers, far different that of those who allure the ears of young men and idlers by many-sided or fluent argumentation; philosophy teaches us to act, not to speak; it exacts of every man that he should live according to his own standards, that his life should not be out of harmony with his words, and that, further, his inner life should be of one hue and not out of harmony with all his activities. This, I say, is the highest duty and the highest proof of wisdom, that deed and word should be in accord, that a man should be equal to himself under all conditions, and always the same.

Seneca goes on (20, 4) to write that the ancient definition of wisdom includes all aspects of life. He indicates that (20, 4) that anyone who is inconsistent, between norms he advocates and his personal actions, should be open to criticism as showing a failure of wisdom.

This passage in Seneca exhibits quite a clear and explicit awareness of the circumstantial *ad hominem* as a specific type of argument. As Barnes and Mansfeld showed, this passage is not unique, and there are many others like it to be found in ancient philosophical writings. But in this particular passage the basic structure and use of argumentation characteristic of the circumstantial *ad hominem* is quite clearly set out. What is also very interesting is that Seneca states that sophists and rhetoricians use 'fluent argumentation' of a kind that can be contrasted with genuine philosophical wisdom. These rhetoricians say one thing and do another. They are not really living by their own standard. And so these superficial arguers should quite rightly be open to circumstantial *ad hominem* criticism. One should not be taken in by these rhetoricians who can impress the young and the masses with their speech-making. In another letter (Epistle 108, 36-38), Seneca writes (108-37) that the person who 'lives in a manner different from what he advises' is someone who has treated mankind very badly.

Seneca even compares such a philosopher to a sea-sick pilot who is useless to guide a ship in a storm.

These remarks show that Seneca saw the person whose arguments are not consistent with his own actions as a person who should be criticized and exposed. As a philosopher, such a person is useless. Moreover, such a person is being deceptive, or using deceptive argumentation. In these passages, it is apparent that Seneca tied the circumstantial *ad hominem* type of argumentation to the notion of fallacy or sophistical use of argumentation in speech-making. However, he did not portray the circumstantial *ad hominem* as fallacious *per se.* Quite to the contrary. He saw it as a reasonable form of argumentation that can (and should) rightly be used to criticize an arguer whose words are not consistent with his deeds. It appears then that the circumstantial *ad hominem* argument was known in the ancient world, even though it does not appear in Aristotle's list of fallacies in *On Sophistical Refutations.* It was known in a practical sense, or on a practical level. It was used as a popular kind of criticism of philosophers, and was taken quite seriously as a criticism. The ancients saw it as a reasonable kind of argument to criticize a philosophy because, in the ancient world, a philosophy was taken to be a personal guide on how to live a good life.

4. CONTRAST WITH MODERN VIEWS ABOUT INTELLECTUALS AND THEIR PERSONAL LIVES

Can these ancient attitudes about the circumstantial *ad hominem* as an argument against intellectuals be compared to modern attitudes? It seems that a comparison would suggest a contrast, at least to some degree. When a modern intellectual is attacked using the circumstantial *ad hominem* argument, the argument still seems to have some force. The most outstanding case in point was the book, *Intellectuals,* by Paul Johnson (1988). This book is composed of a series of circumstantial *ad hominem* arguments against various intellectuals and social theorists like Rousseau, Marx and Bertrand Russell. A biographical essay on the personal life of each intellectual, showed that he or she acted contrary to the ethical and social principles advocated in his or her writings. Marx exploited a woman who worked for him as a house cleaner and nanny. Russell argued that the ills of the world could be solved by logic and reasoning, but in his own personal life, he was often erratic and emotional. Rousseau constantly lied to his friends and sexual partners, while advocating honesty as an ethical quality.

The case of Rousseau is particularly interesting. Rousseau was a moralist, and his main line of argumentation in ethics was to support the virtue of personal integrity and honesty, and to be against hypocrisy. Rousseau strongly reacted to Machiavelli's thesis that hypocrisy is necessary in politics, because political aims cannot be met honestly. According

to Grant (1997, p. 57), Rousseau saw hypocritical actions as a main source of inequality in society: 'Much of Rousseau's writing is dedicated to developing portraits of innocence, virtue, and integrity that form the counterpoints to his scathing critique of the corruption, flattery, and hypocrisy that infected the social and political life of his age.' But as Johnson (1988) showed, a comparison of Rousseau's private life with his social theories exhibits hypocrisy. For example, Johnson (p. 21) showed that although a large part of Rousseau's reputation rested on his theories about the upbringing of children, he himself abandoned five babies born to his mistress.

The conflicts cited by Johnson are in many cases so outrageous that they are a source of some amusement. But how was Johnson's book received? On the whole, it appears that not that much attention was paid to it in academic circles. Certainly it has not achieved any status within ethics or social philosophy as any kind of ethically important criticism of the theories advocated by the intellectuals featured in the book. One can perhaps see why. From a modern point of view, it is easy to dismiss this kind of circumstantial *ad hominem* argumentation as not really relevant to the objective evaluation of the views of the various intellectuals criticized in the book. The contrast with the apparent seriousness with which this same kind of criticism was treated in the ancient world is interesting.

It seems that in the modern era, a philosophy is looked at as being a more impersonal kind of argumentation. On the other hand, some *ad hominem* attacks on modern philosophers have been taken fairly seriously as making criticisms about the person's philosophy. The two most famous cases are those of Francis Bacon (Mathews, 1996) and Friedrich Nietzsche (Hunt, 1990).[5] But in both cases, the *ad hominem* attacks have often been deflected on the grounds that the philosophy should be judged on its own merits. The details of the two cases are different, and can't really be dealt with here. But it seems fair to say that the ancients took the circumstantial *ad hominem* argument quite seriously as a legitimate criticism of a philosopher and his philosophy, in a way that is not so markedly present in the modern era. The contrast suggests that the ancients were aware of the use of the circumstantial *ad hominem* argument in a way that has diminished, or become less marked, in later times.

5. A HYPOTHESIS ABOUT THE ORIGINS OF THE CIRCUMSTANTIAL *AD HOMINEM* ARGUMENT

The interesting hypothesis suggested by the above historical observations is that the circumstantial type of *ad hominem* argument may have had different roots from those of the direct or so-called abusive type of *ad hominem.* Also, those roots might be different from the various passages in Aristotle, concerning peirastic arguments and personal attack arguments,

cited by Nuchelmans. The circumstantial *ad hominem* arguments found in Pacuvius, Lucian, Seneca, and other sources cited by Barnes, are species of argument from commitment. But they are a very special subtype of this generic type of argument. Typical circumstantial *ad hominem* arguments, they take the following form. A certain philosopher advocates some general ethical theory or philosophical viewpoint which claims that if people are ethical, they ought to do certain things of a certain sort, and not do other things of a different sort. But then it is observed that this philosopher, as a matter of biographical fact, personally acted in such a way as to contravene his own viewpoint. This conflict, suggesting a certain kind of insincerity, or inability to live up to one's own precepts, is then taken as grounds for discounting the worth of the philosophy advocated by this philosopher. Why does such an argument have force? Why was it taken in the ancient world to be a strong kind of argument? The answer evidently lies in the assumption that a philosophy was supposed in the ancient world to represent a way to live your personal life. Why does the argument no longer appear to have such force? The answer is probably that philosophy is now taught as an academic subject, and as such, may be widely perceived to be, like science is supposed to be, an 'objective' discipline in which arguments should be evaluated strictly on the basis of objective evidence.

The above account of the origin of the circumstantial *ad hominem* is one hypothesis. But the evidence for it is not conclusive. Another hypothesis is the conjecture of David Hitchcock to the effect that the circumstantial *ad hominem* in the logic textbooks evolved from the Lockean sense as a natural extension. Hitchcock's hypothesis is opposed to the explanation given in the paragraph just above, which could be called Walton's hypothesis. David Hitchcock pointed out (in correspondence, August, 1999) that there is an inferential leap from the premise that the circumstantial *ad hominem* was known in the ancient world on a practical level, to the conclusion that this type of argument was explicitly labelled and recognized. Since the latter is what is most significant in relation to the study of fallacies, the evidence supporting Walton's hypothesis is incomplete. On balance, the presently known weight of evidence seems to tilt more towards Hitchcock's hypothesis.

Whether there really was any link between this ancient practical recognition of the circumstantial *ad hominem* argument and its appearance as a fallacy in the modern logic textbooks is not known. Possibly there was no such connection, and the circumstantial *ad hominem* simply evolved as an extension of the Lockean notion of *ad hominem* as argument from commitment, as Hitchcock's hypothesis postulates. The transition from the Lockean form of argument to the modern circumstantial form would be quite natural. Still, it is worth noting the recognition of what is even more clearly the circumstantial *ad hominem* type of argument (in its modern meaning), in the various ancient sources cited above. This recognition could

also have provided a natural transition to what came to be known as the circumstantial *ad hominem* argument. Whether it did or not is a question that can only be settled by further historical investigations.

6. CONCLUDING REMARK

It may turn out that no historical link is found between the use of the circumstantial *ad hominem* argument in ancient philosophical argumentation and the appearance of the circumstantial *ad hominem* as a fallacy in modern logic textbooks. But even so, the examples of circumstantial *ad hominem* argumentation used to attack philosophers, as described above, are interesting in their own right as part of the study of fallacies. What is particularly interesting is that they appear to be reasonable instances of the circumstantial *ad hominem* type of argument, in line with the view of philosophy that was generally accepted in the ancient world. Contrast this view with the modern view, in which the circumstantial type of *ad hominem* attack is generally presumed to be fallacious. What seems to be shown is that our views about philosophy as a discipline have shifted. In the modern view, philosophy is taken to be more like science, in which an assertion should stand or fall on objective evidence. The biographical facts about the personal life of the philosopher or scientist are taken to be irrelevant to the verification or falsification of his or her scientific or philosophical views. The ancient viewpoint of philosophy was apparently quite different. A philosophy was taken to express a recommendation for action. It was taken to include some conception of what virtue is for a person. Thus the philosopher was expected to live up to the standards he or she set for others. By these lights, the circumstantial type of *ad hominem* argument is not a fallacy, but a respectable meta-philosophical argument.[6]

NOTES

[1] A third subtype is the so-called bias *ad hominem* (Walton, 1998, pp. 69-77). The following example is from (Byerly, 1973, p. 45): 'We cannot trust Dr. Technak's views on smelter pollution. After all, he is a member of the board of Smoganda Copper Co.' However Byerly classified this case as an instance of the cirrcumstantial *ad hominem*. Hurley (2000, p. 126) also classifies cases that would be considered in (Walton, 1998) as bias *ad hominem* under the heading of 'circumstantial'. What Hurley calls *tu quoque ad hominem* coincides with what is called circumstantial *ad hominem* in (Walton, 1998).

[2] Whether this passage in *On Sophistical Refutations* actually refers to what would now be considered the direct or abusive *ad hominem is* debatable. It refer more to a style of argumentation or discourse, characterized by replying to a sophism with another sophism. This style of arguing may be not so much the use of direct *ad hominem,* but more like 'quibbling' or 'quarreling' in a sophistical manner.

[3] See also (Johnstone, 1978, pp. 5-12).

[4] Barnes cites a passage in *The Attic Nights of Aulus Gellius* (1960, p. 431) in book 13,

section 8, where Gellius wrote that the following line from Pacuvius ought to be written over the doors of all temples: 'I hate base men who preach philosophy.'

[5] One could also cite the controversy about the case of Heidegger's Nazi connections.

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