

The Ad Hominem Argument as an Informal Fallacy*

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The subject of this paper is the *ad hominem* argument, which criticizes another argument by questioning the personal circumstances or personal trustworthiness of the arguer who advanced it. Hamblin (1970, p.42) notes that *ad hominem* arguments are not always invalid, but adds that it is not clear when they are and why. In Walton (1985), a systematic framework for answering both questions has been advanced, following the proposals of Barth and Martens (1977) and Woods and Walton (1977) that an *ad hominem* allegation is a claim that propositions in an arguer's argument are inconsistent with concessions (commitments) that can be inferred from the arguer's personal circumstances. This type of analysis uses the concept of a game of reasonable dialogue — see Hamblin (1970) and Barth and Krabbe (1982) — whereby commitments are incurred by an arguer in the form of propositions he concedes during the course of the game. Beginning with the circumstantial *ad hominem*, we go on to discuss the abusive category in section 4.

Generally in circumstantial *ad hominem* arguments, it is not logical inconsistency that is alleged, but a kind of pragmatic inconsistency — often it is a perceived conflict between the arguer's statements and his actions — he does not “practise what he preaches.” In the *tu quoque* form of the argument, the criticism is made: “You criticize me [or someone else] for doing [action] X, but then you yourself do X.” But this form of criticism is puzzling because as Govier (1983, note 20, p. 24) has pointed out, when someone fails to practise what he preaches, his credibility is undermined. Yet — as we know from Hughes (1958) — there can be important cases where a man's principles are not undermined by his practice. In these cases, failure to practise what he preaches does not necessarily undermine a man's argument or credibility. So when does a circumstantial inconsistency undermine an argument and when not?

Actually there are two problems here, a more general family of problems and a more specific problem. The more general problem is to deter-

mine why and under what conditions *ad hominem* criticisms of circumstantial inconsistency are reasonable or fallacious, and how a defender can or should respond to such attacks. A proposal for solving this general family of problems with the *ad hominem* had already been presented in Walton (1985), but it leads to a more specific problem. Suppose an arguer is fairly accused of committing a circumstantial inconsistency. If the case is made completely enough, can the argument of this arguer be refuted, or does the arguer always have a way out, a reasonable reply that would defend his argument? If a reply is always available in principle, then it would seem to follow that the *ad hominem* argument is always defeasible by the one to whom it had been directed. This specific problem has to do with what Hamblin called the “nailing down” of a fallacy. If a circumstantial *ad hominem* argument can never be finally “nailed down” against an arguer, what does this tell us about the logic of *ad hominem* arguments? Before stating the problem in detail, it may be well to review the general nature of the circumstantial *ad hominem* argument as a type of criticism in reasoned dialogue.

1. REASONABLE AND FALLACIOUS AD HOMINEM CRITICISMS

In the circumstantial *ad hominem* attack, the critic claims that an arguer's statements or arguments advocated are inconsistent with that arguer's own personal circumstances. The term ‘circumstances’ refers broadly to the arguer's personal convictions or commitments, the arguer's personal situation, or very often the arguer's actions or personal practices.

Case 1.0: A politician urges wage restraint to resist inflation, but a critic points out that this politician has recently granted himself a raise in his own already high salary.

The critic's allegation here is that the politician does not personally practise the policy he advocates for all as a standard of restraint. This basic type of argument is a very common and also very powerfully effective form of political attack of an opponent's credibility or integrity.¹

Ad hominem arguments can, in some instances, be reasonable criticisms, or so it is maintained in Walton (1985). However, they can also involve important types of errors or fallacies. Perhaps the most important error, which could be called the *basic ad hominem* fallacy, is to conclude that because the arguer has advocated a proposition A, yet is committed by his personal circumstances to the opposite of A, therefore the arguer's contention must be false (*per se*). This type of fallacy, recognized by Barth and Martens (1977) and Walton (1985), could be described as a form of invalid argument — the argument that A is incompatible with an arguer's concessions, therefore A is false.

In relation to case 1.0, this would be the argument that the politician's action of raising his salary is inconsistent with his advocating wage restraint, therefore the proposition "Wage restraint is now advisable" [or whatever the politician in fact said] is false. Note then that in case 1.0, as stated above, the basic *ad hominem* fallacy is not (necessarily) committed by anyone.

A second important type of *ad hominem* fallacy resides in a certain sort of failure of a parallel. The classic case (Whately, 1836, p. 196) is called the *Sportsman's Rejoinder*², paraphrased below.

Case 1.1: A hunter accused of barbarity for his sacrifice of innocent animals for his own amusement or sport in hunting replies to his critic: "Why do you feed on the flesh of harmless cattle?"

Here, the hunter tries to refute the critic by referring to the critic's own special circumstances (being a meat-eater).

There is much to say about this case, but one of the most important things to be said is that the parallel, alleged by the hunter between his own actions and that of the critic, fails. As DeMorgan (1847, p. 265) neatly put it: "The parallel will not exist until, for the person who eats meat, we substitute one who turns butcher for amusement." Here then is a second type of *ad hominem* fallacy: the critic is not inconsistent, or not as close to inconsistency in what he practises *versus* what he preaches, as the hunter's rejoinder appears to imply. There is a logical gap between conceding eating meat and conceding barbarity for sacrifice of innocent animals for amusement.

What is at issue in *ad hominem* criticisms is not logical inconsistency, but what we could call *pragmatic inconsistency*, which often means a kind of inconsistency between statements and actions.

Case 1.2: A parent argues to his child that smoking is associated with chronic disorders and that smoking is unhealthy, therefore the child should not smoke. The child replies "You smoke yourself. So much for your argument against smoking!"

One can see why the phrase *tu quoque* is appropriate here. Note that if the child is being too hasty in rejecting the parent's contention that smoking is unhealthy, the child may be committing the basic *ad hominem* fallacy.³

These and some other considerations apart however, the child may have a point worth considering. If the parent smokes but advocates non-smoking, is not this personal inconsistency a reasonable basis for criticism, or at least for challenging the parent's personal advocacy of his own argument? It is as if the child is raising the question: "If you are really serious about your own argument, why don't you follow it yourself?" This seems to me basically a legitimate type of questioning or criticism.

Sometimes the *ad hominem* criticism has to do with professional commitments or group affiliations, as the following case from Walton (1984, p. 281) illustrates.

Case 1.3: You, a practising Catholic agreed to have an abortion. You don't practise what you preach!

In this case, the burden of justification seems thrust on this woman to justify her position or special circumstances. But the problem for the critic is to make clear enough what the Catholic position on abortion is, or is supposed to be, to see whether the claim of a pragmatic inconsistency is genuine.

This type of case shows that it is the arguer's position, or personal set of commitments as expressed through the argument, that is at issue in *ad hominem* disputes. But articulating this position clearly enough to judge its applicability to the arguer's specific argument under criticism may involve much serious dialogue. Indeed, the success of such dialogue may be, to a significant extent, measured by the extent it serves to reveal the arguer's internal position in relation to the issue. This positive value of *ad hominem* argumentation has been brought out by Johnstone (1978).

To sum up then, *ad hominem* criticisms can be judged as reasonable or unreasonable (even fallacious, in some cases) in relation to an arguer's position and the specific statements (premises and conclusion) of his argument. Evaluation of each individual case should be made in relation to the *corpus* of argument and the context of dialogue.

2. PARALLEL CASES

One thing the Sportsman's Rejoinder shows is that an action attributed to one person may be the same kind of action also attributed to another person, or at least a related or parallel action, yet the precise descriptions of the pair of actions may differ in significant details. Hence what appears to be a circumstantial inconsistency may not be one at all, when the precise descriptions of the actions are carefully compared. But every action is carried out in a context or background of familiar circumstances, of reasonably expectable outcomes and known connections. In the language of artificial intelligence, every action is only comprehensible as an action in relation to its *script*, the story that lies behind it. For example, if I say "Bob burned his finger by touching the stove" we reasonably infer from the script of this action that it was the heat of the stove that relates the touching to the burning.⁴

This context-sensitive aspect of actions leads to a problem in relation to circumstantial *ad hominem* criticisms, because the parallel between the pair of actions cited is characteristically based on a presumption that the two sets of situations or scripts are similar. If it can be reasonably argued

by the defender that the two cases are not similar, the *ad hominem* criticism can be refuted.

Case 2.0: Rodney Smith, of the President's Commission on organized crime, testified before a House subcommittee that he thought there were good reasons why drug tests should be mandatory for federal workers. A critic at the subcommittee meeting asked whether Mr. Smith would himself be now willing to give a urine sample. He replied that he would not.⁵

Mr. Smith described the demand for a urine sample from him by the critic as "a cheap stunt." Why might he have thought the question to be open to criticism? Perhaps he may have felt that his present situation was not similar, in an important respect, to the situation of a federal worker who might be affected by his proposal, should it come to be legislated and enforced. Once the proposal becomes law, all federal workers would have to follow it. But until it does go into effect — if it does — there is no good reason why anyone should now give a urine sample to this subcommittee. Whatever else one might say about the critic's *ad hominem* question, Mr. Smith's reply would make a good point if it pointed out that the two cases of himself and that of a federal worker affected (possibly, in the future) by the proposal, are not similar.

In some cases, evaluating the *ad hominem* criticism can be open to significant and interesting kinds of further disputation, turning on the question of how similar the two allegedly parallel cases may be argued to be. The following case may serve to illustrate how each argument must be evaluated on its merits or demerits.

Case 2.1: A news program investigated evidence that the deaths of several schoolchildren in a small town could have been due to toxic chemicals which came to be in the water system through industrial waste disposal. The interviewer asked a corporate representative about the possibility that his company had violated the law by dumping toxic chemicals. The representative replied that the interviewer was "an interesting person to raise that question" in relation to the fact that his network was recently cited for some contamination problems. The interviewer countered to this reply by pointing out that unlike the corporation's case that is the subject of the program, in the case of the network citation there were no deaths or illnesses reported, no lawsuits, and no criminal investigation.⁶

Here the corporate representative is using the classical *tu quoque* circumstantial *ad hominem* rejoinder — he alleges that the interviewer's own television network has committed the same type of act that the interviewer criticizes this corporation for committing. But the interviewer's reply is especially interesting. He alleges that there are several key differences

between the two cases. In the network case there were no deaths or illnesses, no lawsuits, and no criminal investigation. In other words, he rebuts the parallel between the two cases.

In case 2.1 above, both the attacking circumstantial *ad hominem* argument and the defender's reply can be judged as both powerful and also relatively reasonable as moves in the argument, as far as we can judge from the given information. But another case will reveal that the merits of the attack and the reply can be highly dependent on our interpretation of the circumstances.

Case 2.2: Parliamentarian A: Can you assure the people that there will be no increase in interest rates tomorrow?

Parliamentarian B: This is a ludicrous question coming from the Honorable Member who was a minister when his previous Government was pushing interest rates up to 20 and 25 per cent *per annum*.⁷

B's reply is a circumstantial *ad hominem* attack on A's request for assurance that there will be no raise in interest rates, given the enormous raise in interest rates when A's party was in power. It is a classical *tu quoque* reply.

Is B's reply fallacious or reasonable? One might argue that B should answer the question, and that his *ad hominem* reply is evasive. On the other hand, if a question contains a loaded presupposition, or is unduly aggressive, it should be reasonable for the answerer to reply other than by giving a direct answer.

There is much to say here, but especially we should note that it could be open to A to reply to B's *ad hominem* attack by giving evidence that the fiscal situation was very different when his party was in power. He might argue, for example, that in those days there were high interest rates all over the world, whereas now the world economic situation has changed significantly, and interest rates are much lower. By arguing that his own situation was therefore different from that of B in a crucial respect, A can undermine the parallel that B has drawn as the basis of his *ad hominem* criticism.

But in this case there is room for considerable dispute about how similar the circumstances of the one parliamentarian are, or were, to the circumstances of the other. How much control a governing party has over interest rate fluctuations at any particular time is a circumstantial factor that may be highly subject to change and interpretation.

In general, the personal circumstances of every arguer are arguably different from the personal circumstances of any other arguer. This may be very discouraging for anyone who tries to use a criticism of circumstantial inconsistency to undermine an argument. But perhaps it should

not be. Let us turn to a closer study of ways a defender might reasonably "exempt himself" from a well-founded criticism that his actions are in practical conflict with his argument.

3. THE SCOPE FOR EXCEPTIONS

The following case is given by Hughes (1958, p. 112).

Case 3.0: During the course of a conversation, Jones remarks, "It's wrong to join the army." However, the next morning, Jones is observed at a recruiting office enlisting in the army. Wondering whether he really meant what he said, we ask Jones: "We thought you said it was wrong to join the army."

Although Hughes' discussion of this case has a different focus from *ad hominem* criticisms, the circumstantial inconsistency in case 3.0 is typical of the type associated with *ad hominem* argumentation. Among the responses open to Jones catalogued by Hughes' article are the following: (1) Jones could have changed his mind, (2) Jones could admit a lack of "moral fibre," or (3) Jones could plead that his case is a special one. Each of these types of responses could be a reasonable "way out."

It is Hughes' discussion of this third type of response that is especially revealing in relation to *ad hominem* criticisms. For a case is made that it could be consistent for Jones to maintain that *in general* it is wrong to join the army while still maintaining that his own case is a special one. According to Hughes (p. 113), Jones could reasonably claim that the principle he adheres to is of the form, "It is wrong to do [action] X except in certain specific types of circumstances." Jones' case could be reasonable if his own circumstances fall under those covered among the admissible exceptions.

This type of case is especially interesting because it shows that many *ad hominem* circumstantial criticisms are essentially open rather than closed, because they can admit of exceptional pleading for certain circumstances or individuals. This means that the form of generalization that binds an individual's conduct to a class of individuals or to a general rule or policy is neither universal nor statistical, but based on a kind of plausible commitment which may admit of justifiable exceptions in some cases. Enunciation of the principle by an individual incurs a certain commitment to the principle on the part of the individual. But it is a kind of commitment based on burden of proof which may be overturned in exceptional cases.

An excessive insistence to the letter of a general principle in the face of legitimate exceptions is the kind of practice associated with the traditional *secundum quid* fallacy (meaning "in a certain respect"). According to

Hamblin (1970, p. 28), fallacies *secundum quid* involve the neglect of necessary qualifications. However, the *secundum quid* is ultimately to be analyzed, it should be noted that the type of consideration it raises is related to the problem of evaluating circumstantial *ad hominem* disputes.

Given this open-ended and defeasible nature of *ad hominem* criticisms, how can they ever be “nailed down” or closed? Can the arguer so criticized always wriggle out of the criticism? It seems to me that this possibility is inherently open, depending upon the circumstances of a particular case. For the very nature of the *ad hominem* criticism as a form of questioning an arguer’s position, by shifting the burden of proof onto the arguer, is tied up with its inherent defeasibility in argument. This defeasibility stems from the use of parallel cases in the circumstantial *ad hominem*, which is a form of argument from analogy. Because of the form of argument from analogy characteristically involved in such criticisms, the type of argument involved is that of plausible reasoning. It is situationally open-ended in nature because there are no end of numbers of ways that two parallel cases can be compared as sharing, or failing to share, relevant characteristics.

Note however that there is a variability in the susceptibility of different *ad hominem* arguments to the ease with which exceptions can be argued for.

Case 3.1: A critic argues that reporters are circumstantially inconsistent when they criticize the free lunches, air trips, and other “free benefits” that people in the public service are often said to receive by reporters. For, the critic alleges, these very reporters themselves are often the recipients of these same benefits.⁸

One way a defender against this *tu quoque* criticism could argue would be to claim that the situation of public servants is different from that of reporters in one key respect. Public servants’ salaries are paid through government taxes, whereas reporters are private sector employees. Much more could be said about the pros and cons of the argument of case 3.1. But at least one can see that the alleged parallel between the two cases of public servants *versus* reporters could be supported or refuted in any number of ways that might be relevant to the criticism.

Comparing this to the smoking example of case 1.2, we can see that the smoking case allows for somewhat less scope for exceptions. If the smoker concedes that smoking is unhealthy for everyone and that his goal is to avoid being unhealthy, it is very hard for him to make a plausible exception of his own case. He might argue, for example, that since he is already suffering from terminal cancer of the colon, in his case smoking now will not significantly affect his health. Although this sort of defence could conceivably be plausible in an unusual set of circumstances, the scope for escape by exceptions appears much narrower than that admitted by case 3.1 above.

4. THE ATTACK ON AN ARGUER'S IMPARTIALITY

One common type of *ad hominem* different from any of the cases discussed so far occurs where a critic questions the motives or personal character of an arguer. For example if a critic points out that a speaker on nuclear disarmament who speaks as a physician for peace is actually a member of the KGB, the critic has seriously attacked the speaker's argument through an *ad hominem* criticism by questioning the speaker's impartiality on the issue.⁹ This type of *ad hominem* attack is partly circumstantial, but it is closer in many respects to the category of the abusive *ad hominem*, because it attacks the personal motives of the arguer. It is suggested in this case that the speaker cannot really be trusted because he has something to gain — he has a hidden agenda.

However, there is a similarity between this type of *ad hominem* argument and the previous cases of the circumstantial *ad hominem*. In the case above, the speaker's ethics are brought into question because his trustworthiness as an impartial or disinterested participant in the argument is attacked. In the previous cases of the circumstantial *ad hominem* the allegation of pragmatic inconsistency also questions the ethics of the arguer by raising the question of whether the arguer who does not practice what he preaches may be hypocritical or insincere.

However, this new type of *ad hominem* attack can take different forms, as the cases below illustrate.¹⁰

Case 4.0: Bob and Wilma are discussing the problem of acid rain, in order to determine the extent and nature of the problem, and what steps, if any, should be taken to deal with the problem. Wilma cites evidence to show that newspaper reports on the problem are exaggerated and out of line with the true extent of the problem. She also argues that the price of taking action to offset the source of the problem, industrial pollutants, would be extremely costly, would have bad effects on U.S. and Canadian industries, and would mean severe layoffs and unemployment in both countries. Bob takes the opposite point of view, citing the widespread extent of damage to the environment, and stressing the severe consequences of this mounting damage.

Case 4.1: Bob points out that Wilma is president of a Kentucky coal company, arguing that therefore her point of view is biased.

Case 4.2: Bob points out that Wilma is chairperson of the U.S. coal industry Committee Against Government Regulation, arguing that therefore her point of view is biased.

The initial problem with both case 4.1 and case 4.2 is to know what Bob's conclusion is. How should we understand his statement that Wilma's point of view is biased? Consider case 4.1 first.

It could be that Wilma's arguments about the newspaper reports and the costs of taking action could be based on reasonable evidence. Even granted that Wilma is president of a Kentucky coal company, that is not necessarily a good reason for rejecting Wilma's arguments on the grounds that her evidence is faulty or weak. So to argue would be an instance of the *ad hominem* fallacy.

However, perhaps that is not Bob's conclusion. It could be that Bob is conceding the worth of Wilma's arguments in themselves, but is questioning whether Wilma is telling the whole story, or taking a fair and balanced perspective. When Bob says that her point of view is biased, he could mean to suggest that Wilma may be concentrating on the arguments against taking action, and ignoring the arguments for taking action, because she is president of a Kentucky coal company and has a strong financial stake in the outcome.

Next consider case 4.2. The same initial remarks apply in case 4.2 as in case 4.1 about getting Bob's conclusion interpreted correctly. But in an important respect, this case is different. In case 4.2 Bob alleges that Wilma is chairperson of the Committee Against Government Regulation, a coal industry committee. Why is this significant in judging Wilma's arguments? There could be various reasons. One important reason could be that Wilma, as a member of this committee, could be strongly committed to a particular position on the issue of acid rain.

Of course Bob's point may be similar to one interpretation of his allegation in case 4.1. Perhaps Bob is suggesting that by belonging to this committee, Wilma has shown that she has a particular interest, perhaps even a financial stake, in one side of the issue. But Bob could be making another type of criticism altogether. He could be arguing that Wilma is committed to a certain ideological position on the issue, worked out systematically by this committee to propound a particular interest they have collectively in influencing public opinion on acid rain and related issues where government regulation of industry is being considered.

What does the criticism "Your point of view is biased." come down to in these two cases? What is the thrust of it in argumentation? In effect it functions as an announcement or allegation that the other party in the dialogue is engaged in an adversarial dispute rather than a neutral investigation of the arguments *on both sides* of the issue. The distinction between an adversarial dispute and a neutral investigation is a distinction between two different games of dialogue. Thus the criticism of bias above indicates a shift from one context of dialogue to another.

A *dispute* is a type of dialogue with two participants where the proposition (thesis) to be proved by one player is the opposite (negation) of the proposition (thesis) to be proved by the other. Consequently, in a dispute each player refutes the thesis of the other if, and only if, he proves his own thesis. A dispute is by its nature, adversarial, but can also be partly

co-operative because it may have procedural rules required to be adhered to by both parties. In a *weakly opposed disputation*, one player must prove his thesis whereas the other needs only to throw reasonable doubt on the first player's thesis. By contrast to these adversarial types of dialogue, in a *neutral investigation of an issue*, neither party is set to prove one side or the other of the issue. Here the objective is for each party to explore the arguments *pro* and *con*, on either side of the issue. Examples of this type of inquiry include a commission report into the causes of an air accident, a neutral third-party study of political charges of conflict of interest, or a scientific investigation by a team of researchers.

Both of these broad types of dialogue are perfectly legitimate forms of argument within the framework of their respective internal rules of procedure. There is nothing fallacious *per se* about either kind of argumentation. The problem of concern in cases 4.1 and 4.2 comes in when a participant in argument seems or is supposed to be engaging in a neutral investigation when there are some grounds to indicate that in fact this arguer is engaged in an adversarial dispute. Such an allegation is at the bottom of the criticism of cases 4.1, 4.2, and similar cases that the arguer has a biased point of view. There is nothing intrinsically wrong with only presenting one side of a case, your own side, in a dispute. But in a neutral investigation of an issue, it would not serve the purpose of the game to present only the reasons on one side while systematically ignoring all the reasons on the other side. Hence the basis of this type of *ad hominem* criticism is a dialectical shift.

5. CONCLUSIONS

The circumstantial *ad hominem* argument is basically a questioning of the arguer's position by alleging plausible evidence of a pragmatic inconsistency in that arguer's position. There is a logical basis for this type of argument because of the concept of inconsistency which is the basis of the allegation. However, the argument is called circumstantial because the inconsistency is pragmatic rather than purely logical in nature — it is the arguer's circumstances, as interpreted from the situation, that are alleged to be inconsistent with the arguer's statements. This type of *ad hominem* argument can be reasonable in some cases because inconsistency of an arguer's position should reasonably be open to criticism or questioning. However, it can become fallacious if the arguer's statement is rejected too strongly, or if the issue is evaded.

But what about the abusive *ad hominem*? Can an abusive *ad hominem* argument ever be reasonable, or is this type of argument always fallacious? There is room for controversy on this issue, depending upon how widely the term 'abusive' is defined. But to see how the so-called abusive *ad*

hominem arises as a type of *ad hominem* criticism, we need to appreciate how the questioning of an arguer's motives, as in cases 4.1 and 4.2, can be carried in other cases to unwarranted extremes.

Questioning an arguer's motives can in some cases be a reasonable form of criticism of an argument,¹¹ but it is normally a weak type of argument, and it can easily go wrong, as the case below from Brinton (1985, p. 86) illustrates.

Case 5.0: The subject of a debate in the U.S. Congress in 1813 was the New Army Bill, a proposal to raise more troops for the war against England. The majority, led by Speaker of the House Henry Clay, argued that an invasion of Canada with these additional troops would help to win the conflict. Hosiash Quincy, speaking for the opposition on January 5, 1813, argued that the additional troops would be insufficient, that an invasion of Canada would be unsuccessful and immoral, that a conquest of Canada would not force England to negotiate, and finally that the bill was personally motivated, "as a means for the advancement of objects of personal or local ambition of the members of the American Cabinet." (*Annals of the Congress of the United States, Comprising the Period from November 2, 1812 to March 3, 1813, Inclusive*, Washington, D.C., Gales and Seaton, 1853, pp. 540—570).

Quincy's last argument is different from his preceding arguments in that it is an *ad hominem* argument that questions the motives of the exponents of the New Army Bill. In his speech, Quincy cited facts to support his contention that the most outspoken supporters of the bill had a good deal to gain by its passage. His charge that the supporters of the bill were motivated by personal ambition can, on the basis of the details of his argument given in the *Annals of the Congress*, be reasonably evaluated as a reasonable *ad hominem* argument.

However, at a subsequent point in his speech, Quincy went on to call his opponents "toads, or reptiles, which *spread their slime on the drawing room floor*" (p. 599). Here, it could be argued that Quincy has carried his *ad hominem* attack too far, and gone over the borderline into the abusive *ad hominem* as a fallacious argument. His attack here is based on an odious and excessive analogy which would be extremely hard to justify as a reasonable criticism, and should not reasonably be treated as relevant evidence against the New Army Bill. So in this instance, we can see how a reasonable *ad hominem* criticism can degenerate into an abusive, fallacious *ad hominem* argument if it is carried too far.

It remains an open question exactly when a criticism of an arguer's impartiality becomes an abusive *ad hominem* fallacy. But each case must be evaluated on its own merits. Similarly, the question of when a circum-

stantial *ad hominem* attack refutes the argument it was directed against, is a matter that calls for careful consideration of the evidence given in a particular case.

Even where a circumstantial inconsistency in an arguer's position is clearly nailed down, in principle there can be room for escape. Even where, for example, the arguer decries hunting game for pleasure yet acknowledges he has hunted game for pleasure, he may have a good argument that his case should be treated as a special exception to this principle. But actions do sometimes speak louder than words. To the extent that his act of hunting for sport may be reasonably interpreted in the circumstance as reflecting a commitment to the policy of hunting game for sport, the arguer's position becomes increasingly difficult for him to plausibly maintain.

The key to the problem is to realize that a pragmatic inconsistency is not a logical inconsistency — although it may be reducible to one given sets of commitments to propositions — and therefore it depends on the reading off or interpretation of a set of circumstances relative to a particular case in contention. But each set of circumstances is unique and can potentially be described in an indefinitely large number of respects. Because commitments must be read off from what is known about a particular case, and what is known may be partially encoded in the script or implicit “common-sense” knowledge of the participants in the argument, most *ad hominem* pragmatic inconsistencies are based on a comparison between two cases alleged to be parallel.

Hence it is that most *ad hominem* criticisms are really forms of the argument from analogy. Because of the case-oriented nature of arguments from analogy, *ad hominem* arguments are instances of plausible reasoning, and best treated as inherently defeasible. This conclusion should not be too distressing however. For the real function of an *ad hominem* criticism is to shift the burden of proof towards an opponent's position. And that can be accomplished very well by a defeasible argument.

The circumstantial *ad hominem* alleges that the arguer does not practise what he preaches. Such an allegation is not necessarily an allegation of hypocrisy, but very often it does have the effect of raising the question of the arguer's integrity or sincerity as a seriously credible advocate of his position. Thus the circumstantial *ad hominem* argument shares its essential ethical and personal nature with the other type of *ad hominem* argument that questions an arguer's impartiality by referring to his motives. This other type of argument may also sometimes be classified as circumstantial, but it is connected with the abusive *ad hominem* in some cases.

It seems reasonable to conclude that the circumstantial *ad hominem* is more basic to understanding the argumentative structure of the *ad hominem* as a kind of reasoned criticism. In many cases, the abusive *ad*

hominem is best understood as a type of circumstantial *ad hominem* that has gone wrong because it has been taken to excess and degenerated into a vituperative personal attack to which little or no rational weight should be given as evidence in reasonable argument. It thus can be viewed as fallacy of irrelevant appeal, similar to the *ad baculum*, *ad populum* and *ad misericordiam* fallacies. Emotional appeals are not necessarily fallacious arguments, but when they do become categorized as fallacies, it is because they are weak and irrelevant moves in argument.

NOTES

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¹ Examples similar to case 1.0 in several respects are studied in T. Govier, 'Worries about *Tu Quoque* as a Fallacy,' *Informal Logic Newsletter*, 3, no. 3, 1981, pp. 2–4, and Walton (1985).

² A detailed analysis of case 1.1 is to be found in Walton (1985, pp. 54–57).

³ This case is discussed in more detail in Walton (1984) and Walton (1985).

⁴ See R. Schank and R. Abelson, *Scripts, Plans, Goals and Understanding*, Hillsdale, N.J., Lawrence Erlbaum Associates, 1977.

⁵ See 'Overheard,' *Newsweek*, March 31, 1986, p. 15.

⁶ 'What Killed Jimmy Anderson?' *Sixty Minutes*, March 2, 1986.

⁷ This case is based on an exchange in the Oral Question Period of the Debates of the House of Commons (Canada) once heard by the author.

⁸ This case is based on an argument reprinted as Appendix I in Walton (1985), where a detailed analysis of the argument can also be found.

⁹ A case similar to this one was presented by David Hitchcock in discussion during the symposium 'Walton on Informal Fallacies' at the Canadian Philosophical Association Meeting in Winnipeg, May 26, 1986.

¹⁰ These cases are based on a similar type of case first presented by Robert Binkley at the symposium mentioned above in note 9.

¹¹ According to Hinman (1982, p. 341) an *ad hominem* argument that questions an arguer's motives becomes relevant in controversies where the given evidence leaves enough room open for doubt so that weaker *ad hominem* arguments are worth consideration.

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ABSTRACT. This article outlines criteria for the evaluation of the *argumentum ad hominem* (argument against the person, or personal attack in argument) that is traditionally a part of the curriculum in informal logic. The argument is shown to be a kind of criticism which works by shifting the burden of proof in dialogue through citing a pragmatic inconsistency in an arguer's position. Several specific cases of *ad hominem* argumentation which pose interesting problems in analyzing this type of criticism are studied.