Critical Study

Woods and Walton on the Fallacies, 1972-1982[1]

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I

For many reasons, this should prove to be a useful volume for those interested in the fallacies. It collects together essays by two of the most prolific writers in the field, pays tribute to their pioneering work, and contributes a body of literature which will help legitimize a field of study which is only now gaining the attention it deserves. I shall subsequently argue that there are important ways in which one might criticize the approach to fallacies that Woods and Walton develop, though it would be a mistake to dismiss this collection on that account. Every approach is susceptible to criticism and the important point is that the book raises deep questions about the nature of informal logic and argumentation theory that need to be discussed—in particular, questions about its development as a discipline which is increasingly distinct from formal logic.

Though I cannot pursue a comparison in any detail here, it would be interesting to contrast the views and opinions one finds in Woods and Walton and those that Trudy Govier expounds in her very different con-

tribution to this series ("Studies of Argumentation in Pragmatics and Discourse Analysis"), *Problems in Argument Analysis and Evaluation.*[2] The competing approaches to argumentation theory defended in these two books (one favouring, one rejecting, a formal approach) should helpfully further the dialectic on the question how informal logic and argumentation theory should develop as a discipline.

The scope of Woods and Walton's book is impressive—almost all the major fallacies are discussed—and this should make it an important reference point in discussions of the fallacies. Its very breadth makes it difficult to discuss the book in a general way, however, for one thing that does not emerge from it is a unified theory of the fallacies. One does find a very general methodology which is repeatedly employed in discussing fallacies, many glimpses of how one might go about constructing a unified theory, and many important insights into the nature of specific fallacies. But no comprehensive theory is defended. The question whether the lack of such a theory is a flaw in the anthology is the first issue I want to address in the present study, for it raises fruitful ruminations about what the book is, what it is not, and what it might have been.

Especially as Woods and Walton are very modest in their claims about what they have accomplished—themselves suggesting that there is no mature theory of the fallacies (p. xvi)—it might be thought that the book's lack of a general theory of the fallacies cannot be held against it. Questions about the book's raison d'etre cannot, how-

ever, be so easily dismissed. That we can use a book like this is clear enough—at the very least, because it is a convenient reference book for those interested in the approach to the fallacies Woods and Walton have developed—but it is equally clear that it could have been published in a way that made it more forceful and useful than it is.

It is difficult to read the anthology without being struck by the repetitiveness and disunity of much of the discussion. The same (correct, I think) sentiments about the sad state of fallacy theory are expressed time and time again and many of Woods and Walton's more specific claims are made in a variety of articles that repeat rather than strengthen the points made. There is no attempt to unify the often overlapping treatments of *ad verecundiam* (the subject of two chapters), *ad hominem* (the subject of two chapters), *petitio principii* (the subject of six chapters), and composition and division (discussed in two chapters), and standard views and terms—the Lockean view of *ad hominem,* the formalism used in discussing composition and division—are introduced more than once. Cross references between the chapters give page references for original journal articles rather than the present book—something which is most annoying if one decides to pursue cross references. Finally, the text contains many typos and misprints, some of them serious (see p. 224, e.g.), and does not address important questions about the relationship between the material in different chapters. The approach to *petitio principii* investigated in Chapter 6, for example, seems beside the point given that it is undermined by other chapters that convincingly establish that we must adopt an epistemic approach to the fallacy, something that Woods and Walton themselves suggest in their concluding remarks.[3]

These aspects of the book can, to a great extent, be excused if it is intended only as a convenient collection for historical or for reference purposes. Still, one may have hoped for more and the reasons Woods and Walton give for proceeding in the way they do are not entirely convincing. On p. xiii, they explain that:

> The papers recur here with minimal adjustment and, so appear with their original imperfections, undisturbed by hindsight. We do not particularly relish displaying our early oversimplifications of complex problems, but think that doing so is warranted by two consideration[s]. First, some of the oversimplifications are instructive, and, second, arranged in their pristine form, the papers will show, with some accuracy, a certain development in our views of the fallacies and our methods for dealing with them.

The "certain development" in Woods and Walton's views referred to here is not, however, obvious, and one wishes that it were made so. Nor is it clear why a careful reworking of the essays in the book would weaken the other features of the book that Woods and Walton think important. There is, for example, no reason why reworked versions of the essays could not begin with the oversimplifications they refer to, discuss why they are so and then move on to a more sophisticated analysis.

Coupled with the elimination of the repetitiveness and disunity that characterize the book, such a rewriting would have added greatly to the finished product. If, as Woods and Walton say, the chapters of the book appear with imperfections and oversimplifications they know to be so, it seems entirely appropriate that the original articles be "disturbed" by hindsight or at least supplemented by a more extensive introduction—an introduction which could address questions about the relationship between the various articles the book contains. To take but one example: If their approach entails, as it appears to, a variety of disparate models of the fallacies that do not synthesize, then should this not count as a mark against it? And if not, why not? I expect that Woods and Walton have interesting things to say in response to such questions, but the issues raised by their general approach do not receive much attention in the present collection, being the focus of only one of nineteen chapters (Chapter 17, which I discuss below).

Perhaps the answer to such ruminations is *another* book that can take the themes of the present volume further and develop them in a more unified way. Such a volume would, I think, make a very major contribution to contemporary discussions of the fallacies. It would, in particular, be useful to begin with a much more detailed account of the general approach that Woods and Walton have developed—an account which could incorporate a discussion of the general problems with fallacy theory, a definition of fallacy that encompasses the logical, psychological and epistemic points that Woods and Walton want to make, and a defense of the use of formalism in the analysis of fallacies. Given such an introduction, successive chapters could provide a unified account of each of the fallacies the present book discusses. The present volume contains, in contrast, a collection of overlapping articles which are pertinent to contemporary discussion, but not bound together as a unified force—a problem which may make it difficult to use the book as a textbook in any but the most advanced and most specific courses in informal logic.

II

Putting aside questions about the organization of the book and what it might have been, its most notable feature is the emphasis it places on the attempt to use various kinds of formalism in furthering an understanding of the fallacies. In the Introduction, Woods and Walton are very balanced, rejecting the suggestion that they are "fanatical formalists" (p. xviii) and pointedly endorsing a methodological pluralism in studies of the fallacies. This healthy attitude being noted, it must still be said that Woods and Walton are, in this book, preoccupied with the attempt to use formal methods in their discussion of the fallacies. Walton's recent *Informal Logic: A Handbook for Critical Argumentation*[4] adopts, in contrast, a much less formal approach to fallacies.

As it is the use of formalism which is the main distinguishing feature of this collection, I want to emphasize it in my discussion. It may in this regard be helpful to put my own cards on the table. In particular, I should say that I am sympathetic to the claim that informal logicians have not paid enough attention to formal logic when they analyze informal inferences. My own sentiments favour an approach that sees formal and informal logic as endeavours which are more closely allied than usually assumed.[5] I think it is important to emphasize this point because I am going to offer a critique of the emphasis that Woods and Walton place on formalism, but *not* because I think that such an emphasis is necessarily erroneous.[6] On the contrary, I am inclined toward the formal approach appropriately employed, but think that Woods and Walton have failed to vindicate it.

In discussing the formal aspects of Woods and Walton's essays, we need separate two questions that can be asked in this regard. The first is the question of whether their formal analyses of various kinds of arguments and fallacies are successful in the sense that they accurately represent the forms of argument and fallacy (*ad baculum*, composition and division, etc.) they are supposed to represent. The second is the question whether their formal accounts convincingly establish that these analyses should be of central concern to those whose prime interest is not formal logic, but the teaching and studying of the fallacies as they appear in everyday contexts. I will take the latter to be the central concern of informal logic, though even if this is a mistake it must at least be admitted that an emphasis on concrete examples and the applicability of logical theory have been hallmarks of informal logic as it has developed. It is in this regard worth noting that Woods and Walton's emphasis on formalism is unusual, and that much of the work on informal logic in the last twenty years has been spawned by a dissatisfaction with the formal approach when it is applied to everyday reasoning.

It is important to see that the question whether Woods and Walton's analyses are formally successful is distinct from the question whether they demonstrate that these analyses should be a major concern of those interested in everyday reasoning. For even if they are formally accurate, it may still be asked why they should be of broader interest. The crux of my critique of Woods and Walton will be the claim that they do not provide a convincing answer to this question. In lieu of such an answer, the formal analyses Woods and Walton propose lose much of their force *even if they are formally accurate accounts of the arguments and fallacies in question.* Thus they may still be interesting from the point of view of formal logic, but only of very secondary interest from the point of view of informal logic —the domain which is, obviously, more relevant to the present journal.

In keeping with such considerations, we may distinguish two goals we might adopt when we propose a formal analysis of a fallacy. On the one hand, we might say that formal logic is an endeavour in its own right, and that the attempt to construct a formal (or even quasi-formal) account of the fallacies may be pursued as a problem in formal logic. Looked at from this point of view, the problem is essentially mathematical: the problem of constructing a formal system with features that mirror, in some important way, ordinary arguments as they relate to fallacies. Anyone interested in such problems will find a wealth of ideas in Woods and Walton—ideas that may inspire further work in formal logic. Particularly noteworthy is their constant recognition that a variety of formal systems are available for analysis and make many different tools (relevance logic, modal logic, aggregate theory, and so on) available when one tries to capture informal reasoning.

Given what has already been said there is, however, a second way in which we might approach questions about the possibility of formalizing fallacies. If our concern is the study of ordinary arguments in a way that emphasizes the practical applica-

tion of one's theory to concrete examples, then formal techniques are of major interest only to the extent that they further—and not merely formalize—our practical ability to deal with concrete arguments in ordinary contexts. Utility and applicability in everyday contexts is the mark of important theoretical advances from this point of view and formal analyses are of secondary interest pursued as ends in themselves. Without some significant pay off for our attempt to distinguish good and bad arguments in actual discourse, an attempt to construct a formal logic which roughly models particular forms of argument is not of major importance, though it remains a significant problem in a related discipline—viz., formal logic.

Once we recognize the distinction between formal accounts of the fallacies pursued for formal and informal ends[7], there are problems with any suggestion to the effect that Woods and Walton's essays demonstrate the relevance of formal logic to discussions in informal logic. For rather than recognize this distinction, they repeatedly ignore it, *assuming* that an analysis of the fallacies which has as its goal their accurate formal representation must, assuming it is successful, be of central importance in informal logic. Let me once again emphasize that I am not assuming that this is not the case. On the contrary, I think that such a view is closer to the mark than most informal logicians will admit. But this is beside the point. In judging Woods and Walton, the important question is whether *they* demonstrate the significance of formal results and this cannot be done by relying on an assumption to this effect. Thus questions about the significance of formal results in informal logic are open questions over which there is much dispute (on the question of onus as it applies to this particular issue, see the discussion below).[8]

Woods and Walton's most promising attempt to move beyond mere assumption is found in the essay "What is Informal Logic?"—included as Chapter 17 in the present book. Discussing the role of formalism in understanding forms of ordinary

argument, they say that they have "been impressed to discover two particular advantages in the deployment of formal resources. One is the provision of clarity and power of representation and definition.... The other is the provision of verification milieux for contested claims about various fallacies." (p. 224) This sounds promising, but these advantages are explicated in a way that makes them little more than the claim that formal accounts of the fallacies make their *formal* status and structure clearer and more easily understood. In contrast, there is no serious attempt to show that such accounts are practically useful or more applicable to concrete examples of ordinary arguments than alternative theoretical approaches.

The claim that formal analysis provides "clarity and power of representation and definition" is said to be demonstrated by such formal considerations as the result that "circularity models well in Kripke's intuitionistic semantics, and that a reasonable notion of evidential cumulativeness is also there definable. Then, too, Burge's formal theory of aggregates furnishes one with a quite powerful (though not effective) command of part-whole relations and the theory of composition plainly benefits from this...." (p. 224) The claim that formal analyses provide "verification milieux for contested claims about various fallacies" is said to be demonstrated by the fact that formal analyses of informal inference lead to the conclusion that "relevant logic is a better (perhaps only marginally better) logic of inference than classical logic, and perhaps, too, that classical logic is a better logic of entailment than relevant logic. Or, to take another example, . . . it may be concluded that the salient part-whole relation is not mereological (any more than it is set theoretic)." (p. 224)

Even if such claims are true, they cannot show the informal logician *qua* informal logician that formal analysis clarifies and advances the issues and concerns which are the subject of informal logic. Rather, the informal logician needs a demonstration that shows how formal mechanisms allow us to deal in a better, more interesting, and

more illuminating way with concrete examples of the kinds of ordinary arguments that are informal logic's subject matter. For the most part, this is something that Woods and Walton never provide. And even in cases where their analysis does have clear and interesting consequences for ordinary arguments, the case for formalism is still not convincing, for the important points they make can be made without the formal systems they employ.[9]

One cannot demonstrate the importance of formal analyses by saying and showing that particular formal systems can be used to model, in a more or less accurate way, particular informal phenomena. Indeed, the assumption that this is all that is required to demonstrate the usefulness of formal logic begs the question, assuming that a successful formal analysis forwards the practical understanding that is the goal of informal logic. In answer to this assumption, it may be said that such results may formalize, but not further, the theory of ordinary argument and be of interest to the formal rather than the informal logician.

The assumption in favour of formal analysis that characterizes Woods and Walton's work is particularly evident when they summarize their account of informal logic. On pp. 227-28 they write:

> If this [the assumption that the principal content of informal logic is the fallacies[10]] has been a tolerable assumption, then we have an answer to the question with which we began, "What is Informal Logic?" *Nothing is.* The theory of the fallacies is not logic [because it is "a branch of formal theory that is essentially extralogical in major respects" (p. 225)], though it includes some logic, indeed quite a bit of logic; and the theory of the fallacies is not only at its best as a formal theory, it is difficult to see how the suppression of its formal character could leave a residue fully deserving of the name of theory.
>
> Now, this is not to deny that, on a quite different interpretation of "informal", there do exist perfectly legitimate and familiar instances of informal "logic". An analogy with mathematics might serve the point at hand. Mathematics that is done in the usual, workaday way, that is to say, in ordinary

mathematical English and prior to any axiomatic treatment is said to be informal mathematics . . . .

But note, *these* enterprises do not preclude the quite vigorous exercise of what we have been calling formal methods. On the contrary, they very much require such an exercise if they are to attain the generality or power that commands serious philosophical attention.

It is hard to see how such remarks could be acceptable to anyone who is not already committed to the sentiment that formal analysis should be the goal of logic. Among other things, they assume that logic must be understood as "a branch of formal theory"; that an interesting theory of informal logic must have a basis in formal analysis; that without the latter informal logic cannot attain the generality and power that commands serious philosophical attention; and that we should adopt mathematics as a model of the kind of theory we should aim for in trying to develop a useful theory of ordinary arguments.

But why should informal logicians accept the claim that the theory of the fallacies is not logic if it is not a fully fledged formal theory? Or the claim that it must, at its best, be a formal theory? Or the claim that the suppression of its formal character cannot leave a residue which deserves the name of theory? These are claims that many of the most influential informal logicians— Govier, e.g.—question, yet I cannot find a place in Woods and Walton where such claims are defended (the proposed analogy with mathematics is something I will turn to shortly).

What is needed to make Woods and Walton's claims convincing is a defense of these assumptions about the primacy of formal theory that shows that we can better understand ordinary arguments by taking formal logic as our paradigm. But then we are back to the problem I noted earlier, for Woods and Walton do not provide any such defense, usually proposing their formal analyses without applying them to concrete examples of ordinary arguments. In cases

where their analysis has important consequences for informal logic, their claims do not depend on formalism. In other cases, it is even arguable that their formalism actually obscures the issues that are pertinent to informal logic.[11]

One might try to answer this criticism by appealing to the mathematical analogy Woods and Walton have proposed. But the analogy also begs the question, assuming— not proving—that informal logic must, like informal mathematics, be an analogue of some more respectable formal theory. But why should we believe that informal logic must adopt formal methods if it is to attain the generality or power that commands serious philosophical attention? There is a school of philosophy that portrays deontic logic as the goal of ethics, epistemic logic as the goal of epistemology, formal representations of the emotions as the goal of philosophical analyses of the emotions, and so on, but it is much less influential than it once was and many contemporary philosophers have rebelled against it as too constricting, naive, and not applicable to the intricacies of real life situations. Even if one does not accept these criticisms, there are problems with the Woods and Walton assumption in favour of the mathematical analogy, for they at least owe us a discussion of such criticisms and a much more substantial account of the reasons they think we should prefer formal to informal methods of analysis.

III

Having argued that Woods and Walton do not make a convincing case for formal methods in informal logic, I hasten to add that there is much of interest in what they have to say. Most obviously, their analyses are of interest to anyone interested in the attempt to construct formal representations of various aspects of informal reasoning. More importantly in the present context, some of their analyses have important consequences for much broader issues. I want to illustrate the latter by turning to their

account of *ad baculum,* but first I want to add something to my critique of their use of formal methods.

So far, I have claimed that Woods and Walton fail to defend their commitment to the formal approach convincingly. One might, however, answer that this is a case of misplaced onus. Given a long history of the use of formal methods in logic as a discipline, it might be said that one can plausibly assume the relevance of formal methods and that the onus must be placed on those who reject them to defend this rejection. This makes a commitment to formalism a premise of inquiry rather than a conclusion of it, but such an attitude deserves some comment.

In answer to such a stand, we might review some of the reasons one might doubt or at least question the use of formal methods in informal logic—reasons that create an onus that demands a defense of any such an approach. We have already noted that we no longer live in a time when the appropriateness of the formal model can be assumed, but it is worth expanding on the reasons why this is so. In my estimation, the following doubts have, in particular, fueled questions about the usefulness of formalism in informal logic.

Firstly, there are doubts that arise from the inaccessibility of formal methods, which assume a background in a technical discipline which is, on the face of it, unnecessary for an appreciation of good and bad ordinary arguments. Obviously, one can be a good reasoner in day to day contexts without having studied mathematical logic—or a bad reasoner even if one has studied it—and this suggests that ordinary reasoning is a realm which is quite distinct from mathematical modes of reasoning. And this in turn suggests that one should be able to understand the difference between good and bad reasoning without having the technical training required by the formal approach. One might even argue that the formal approach is politically objectionable, making good reasoning the property of a very exclusionary group of technical experts.[12]

Putting aside such questions, it is worth noting the various ways in which formal methods may not only not advance, but actually obscure or obstruct, the kind of understanding that is the goal of informal logic. To begin with, it might be said that a commitment to a formal approach may interfere with an understanding of informal inference just because it excludes alternative approaches that may be preferable. Consider, for example, Woods and Walton's account of *petitio principii.* It suggests— correctly, I think—that the fallacy needs to be seen as an epistemic fallacy which is relative to the knowledge and views of particular individuals. One can try to capture this aspect of the fallacy by trying to construct an appropriate epistemic logic, but it seems simpler and more appropriate to appeal to rhetoric and its long and involved discussions of audience and the role it plays in argumentation. Given a preoccupation with formalism this is not, however, an avenue of investigation that Woods and Walton consider.

In other cases, the complexity and sophistication of formal accounts of informal inference interfere with the kind of understanding which is necessary if one wants to distinguish good and bad reasoning in ordinary contexts. At their best, formal analyses do force us to think carefully about the nature of ordinary inferences. A decision in favour of the Stalnaker corner as a model for conditionals must, for example, be predicated on some careful thinking about the way that conditional inferences work in ordinary language—why they are or are not adequately represented by material implication, for example. Especially in view of the elegance and simplicity of Stalnaker's account, it seems reasonable to think that we can learn a great deal from such an analysis. But it is much more difficult, even in this case, to be sure that we can draw any substantive conclusions for informal logic. On the contrary, it is hard to think of contexts where the Stalnaker analysis would allow us to make inferences we would otherwise reject, especially as someone who does not accept such inferences

always has the option of rejecting the Stalnaker system. It is our intuitions about ordinary inferences which are, in the end, the basis of the formal accounts that we adopt, hence it is difficult (though not perhaps impossible) to overrule them.

Whatever one thinks of Stalnaker conditionals, such problems are greatly exacerbated when one pursues formal analyses of much greater complexity—complexity which makes it difficult to apply our ordinary intuitions. In many cases, the end result is a move toward formal simplicity that loses sight of the informal inference it is supposed to capture. In Woods and Walton, one finds an example of such problems in their account of *ad ignorantiam*. Noting that they have some interesting things to say about *ad ignorantiam*,[13] it must still be said that problems arise when they attempt to develop a formal account of *ad ignorantiam* as it occurs in the context of onus of proof. Here their discussion focuses on the following example:

> The simplest scenario is where we might have a debate between Mr. X and Mr. Y, and Mr. X at some point in the debate aggressively asserts that *p*. Then later in the debate Mr. X may aggressively demand that Mr. Y produce evidence of the negation of *p*, in a case where Mr. Y has expressed or implied disbelief that *p* obtains . . . . In this case it may be quite unreasonable, even fallacious, for X to insist that Y produce evidence for *p*'s negation. Since Mr. X originally asserted that *p*, it would seem that the obligation is his to marshall evidence in *p*'s behalf. (p. 166)

Woods and Walton propose that one deal with such cases by appealing to formal games that can be used to model discussion in a dialogue.

> A dialectical game that begins to capture the *ad ignorantiam* suggested by the simple scenario above requires a rule allowing the questioner to put forward ⌈Why p?⌉ without requiring that his question be open to the same sorts of justification procedures covering the case of the respondent who opts to assert one of the pair {p, ¬p} in response to a question. For this simplest case, the kind of mechanism required is illustrated by a syn-

tactical rule in Hamblin's "Why-Because-Systems-With-Questions" . . . [Woods and Walton go on to elaborate a particular rule, S3]. Transparent attempts to shift the burden of proof unfairly, as in the scenario we considered earlier, can now be classed as violations of S3. For example, the following specimen of dialogue between a and b is barred by syntax rule S3 [because it does not allow a participant in the dialogue to answer a question of the form "Why X?" with the question "Why ¬X?"].
> *b*: Why S?
> *a*: Why ¬S?
> . . . The simplest cases of *ad ignorantiam* can [thus] be carefully understood as syntactical aberrations of dialectic. (p. 167)

This treatment suggests that the case in question is understood and adequately accounted for given that it can now be understood as a violation of one of the rules (S3) within a particular formal game. More complex cases will require more complex formal systems but are, in principle, to be treated in a similar way.

Some reflection on questions of onus in ordinary contexts shows that there are serious problems with this account. Rule S3 implies that the burden of proof in a dialogue is a function of the order in which claims and questions are proposed. In the scenario Woods and Walton discuss, it does not allow Mr. X to shift the burden of proof to Mr. Y because Mr. Y has asked "Why p?" and cannot, therefore, be answered with the question "Why ¬p?". But if Mr X had been quicker to the mark and asked Mr. Y "Why ¬p?" first, then the same rule bars Mr. Y from asking "Why p?". One way to prevail in a dialogue which is structured in this way will be to ask, as quickly as possible, one's interlocutor to defend his/her commitments, for this creates an onus which cannot be reversed. Assuming straightforward rules in a dialogue, it will in most cases be possible for the first person who issues such a challenge to undermine any argument their interlocutor provides by repeatedly creating a new onus on the part of their interlocutor, asking questions of the form "Why p?" where *p* is any proposition which

is not a theorem.

Clearly, something has gone wrong with this analysis. Onus depends on something more than the order in which claims are made and evidence is asked for in a dialogue. We can get some idea of what it depends on if we consider an example. Suppose then that the proposition p that Mr. X has asserted in Woods and Walton's initial scenario is the proposition "Genocide is wrong." Suppose then that, as the scenario suggests, Mr. Y demands a defense of p, asking why he should believe that this is so. Mr. X might answer with an explanation, but he could also reasonably ask of Mr. Y why he imagines otherwise. Genocide seems obviously wrong and morally odious; why then should we believe otherwise? In asking such questions, Mr. X reverses the onus, violating S3 and committing what Woods and Walton suggest as a likely fallacy. But this is a case where the reversal of onus does not seem unreasonable, just because the content of the statement Mr. X makes puts an onus on anyone who thinks otherwise—anyone who thinks that genocide is permissible—to defend their point of view. This and many similar examples we could easily concoct show that onus depends not on the order in which claims and questions are proposed, but on the inherent plausibility or implausibility or the content of the claims in question.

This is not the place to work out a detailed account of onus or the notion of plausibility this implies, especially as it is a complex notion fraught with philosophical questions and it is arguable that what is plausible varies from context to context and audience to audience. In the present context, it is enough to note that such considerations undermine the tidy formal analysis Woods and Walton approach, and that it is informal issues of this sort—not the development of elaborate formal games—which are the key to sorting out onus in ordinary arguments.

One could, of course, try to formalize the account of onus I have just suggested. The rules of a formal dialogue might, for example, allow "Why ¬S?" as an answer to the question "Why S?" just in case S was a member of a set of statements we might call the "onus-free" set, call it O. For every dialogue, O might be specified as some set of statements such that, for every statement S, S1 & S2, $\neg(S \in O \ \& \ \neg S \in O)$ and $[(S \in O \ \& \ S1 \in O) \ \& \ ((S\&S1) \rightarrow S2)] \rightarrow S2 \in O$. Intuitively this means that a set of inherently plausible claims and their consequences can be specified in every dialogue, and that it is possible to reverse the onus whenever a defense of them is asked for. With the addition of appropriate rules it should be possible to allow a situation where onus can sometimes be reversed even in the case of these inherently plausible claims—the formal analogue of a situation where something is initially plausible, but loses its plausibility owing to further considerations. I will not, however, pursue such matters here. I think they are interesting, but it is much more difficult to say whether this particular aspect of formal theory will advance our understanding of onus in a way that is of primary importance for informal logic. On the contrary, it might be said that it needs a discussion that goes beyond formal matters, determining what kind of content decides the inherent plausibility of claims—and thus onus—in day to day arguments. At the very least, the problems with Woods and Walton's analysis stand as a warning to anyone who wants to develop an analysis of onus which is very far removed from concrete arguments in ordinary contexts.

IV

So far, I have focused my discussion on the emphasis Woods and Walton place on formal analyses of the fallacies. This seems to me the focus of their book and the most important issue that it raises. But it is important to add that Woods and Walton have many interesting things to say about other aspects of fallacy theory. Their suggestion

that a fallacy is an invalid argument which seems otherwise is, to begin with, a useful one, keeping fallacy theory squarely in the bounds of logic, all the while admitting that it has an important psychological component (see, e.g., pp. 86-87).[14] As they point out, a more psychological approach—one that sees a fallacy as an argument which is used unscrupulously, for example—makes fallacies a function of vague, relative, and difficult to determine states of mind. Whether a particular piece of reasoning counts as a fallacy is, of course, subjective to some extent and will differ depending on the context, but this can best be dealt with by adopting some form of the Woods and Walton suggestion that fallacies be analyzed as epistemic phenomena. *Petitio principii* can, for example, be most usefully seen as a fallacy that must be judged from the point of view of a particular epistemic context—from the point of view of what we know and do not know. As I have already suggested, one way to develop such an approach is by judging such fallacies from the point of view of the beliefs and knowledge of a particular audience.

In addition to their interesting points about fallacies in general, Woods and Walton offer stimulating discussions of standard treatments of the fallacies. In some cases, this includes the discussion of historically important analyses, as when they discuss the illuminating view of composition and division one finds in medieval philosophy. As they point out repeatedly, standard treatments of the fallacies carelessly group together very different kinds of arguments and claims, some of which are valid and appropriate. My own view is that their analyses provide a basis that could be used to construct a more positive typology of ordinary arguments—one that distinguishes different forms of good rather than fallacious inference—though this is something that is still to come. In the present context, the important point is that they convincingly critique traditional accounts of the fallacies. Some of these accounts are not as common now as when their articles were originally published, but it can still be said that Woods and Walton show that traditional accounts of *ad hominem, ad verecundiam, ad populum* and many questions are unacceptable, for there are occasions where attacks on an individual's reliability, appeals to authority, appeals to popular sentiment, and the asking of loaded questions are not logically—or otherwise—unacceptable.

The chapter of the book I like the most is Chapter 4, *"Ad Baculum."* It can serve to illustrate some of the interesting things that Woods and Walton have to say about particular fallacies. As they note in their introduction to this fallacy: "Most texts treating of the fallacies include a section on the *ad baculum,* in which it is lamented that we should so often turn to the sword instead of the pen as a means of persuasion. Our concern will be whether such threats can be said to constitute instances of a *logical fallacy.* The weight of evidence persuades us that the answer is, 'No'." (p. 47) The basis of this answer is a critique of textbook analyses of the fallacy which notes a variety of problems that undermine them.

The first problem Woods and Walton note is a tendency to ascribe the fallacy *ad baculum* to threats which are not arguments, hence improperly called fallacious. As they say of the typical example "Shut your face or I'll kick it in":

> Its untowardnesses are multiple—in varying contexts it might be illegal, immoral or undiplomatic, and it is certainly impolite—but what *logical* sin does it commit? A succinct and pointed answer is that from the logical point of view this is not an argument—much less a correct or incorrect argument—it is a threat. And there is a syntactical initiation of the point: one of its constituent sentences is neither true nor false, not a declarative sentence at all, but an imperative . . . . Much the same can be said for many typical text-book examples of the *ad baculum.* (p. 48)

As Woods and Walton write of Copi's analysis of the fallacy: "Copi writes that the fallacy of *ad baculum* is committed when force is used to cause a person to accept a

conclusion [40, p. 74]. But where is the argument here? If I point a revolver at your temple to win your acceptance of my view, what premiss do I advance? Again, I might use 'force' to cause you to accept or believe a conclusion, if I subject you to brainwashing or brain surgery, yet not advance an argument or commit a fallacy, or breach of argument at all." (p. 53)

One might criticize such suggestions by arguing that the kind of threat in question—"Shut your face or I'll kick it," for example—implicitly is or at least could be a constituent of an argument with the conclusion "You should shut your face." I will discuss such suggestions shortly, but we should first note that one might answer Woods and Walton in a more general way, rejecting the notion of fallacy their analysis depends on. Instead of defining a fallacy as a faulty argument one might, for example, simply say that a fallacy is something that one should not do in the context of an argument. And, assuming that one shouldn't issue threats in an argument, one might then conclude that the instances of *ad baculum* in question should count as cases of a fallacy.

There are, however, two problems with such suggestions. Firstly, they are problematic because they are predicated on a simplistic view of the morality of threats. In normal contexts, it does seem that threats are inappropriate, but it is easy to imagine cases where they are not only permissible, but obligatory—cases where the only way to prevent some wrong, say a rape or an assault, is by issuing a nasty threat. It immediately follows that one cannot say that threats are never appropriate in argumentative contexts, and that this account of *ad baculum* is unsatisfactory.

Secondly, and more deeply, an expansion of the notion of fallacy that encompasses whatever is inappropriate in argumentative contexts expands the notion so much that it seems unmanageable. Indeed, it is hard to see what it doesn't cover. Clearly, such an expanded notion incorporates, for example, very complex

questions of ethics and even etiquette. These questions do have some bearing on the understanding of informal inferences that is the goal of informal logic and argumentation theory, but the kind of expertise they require is something that seems to place them for the most part in a different discipline. As Woods and Walton write: "[W]e have suggested that one needs to take a fairly liberal view of argument if one is to deal effectively with the fallacies, since narrowly alethic or classical proof-theoretical representations of argument are not nearly rich enough to capture the required nuances. Many fallacies are in fact essentially epistemic or dialectical. But it would be ungeometrical if not inflationary not to draw the line somewhere." (p. 47) And once we agree to draw the line somewhere, it seems unreasonable to include as fallacious claims that do not even count as arguments.

Taking a fallacy to be a fallacious *argument,* we may turn to the suggestion that the standard instances of *ad baculum* are fallacies, because they are fallacious arguments with some prudential conclusion of the form "You should do such and such." But then the problem is that, as Woods and Walton point out, such arguments need not be invalid. Putting aside the formal mechanism they use to illustrate this, the inferences

(1) Either I'm right or you don't take the car tonight. Therefore I'm right.
(2) If it's your move I'll quit. Therefore it's my move.

are valid from a prudential point of view (from the point of view of what we should accept) if we do assume that "you don't take the car tonight" and "I'll quit" are events you very much want to avoid. Making this assumption, it is in each case only by accepting the proposed conclusion that our prudential interests can be served. It follows that "paradigm examples of the fallacy . . . come out of what seemed an appropriate fragment of semantical machinery as valid arguments." But: "What then has happened to the fallacy?" (p. 50)

In answer to this question, Woods and Walton turn to Alex Michalos's suggestion that *ad baculum* occurs when an arguer confuses the claim that "some kind of force is going to be applied unless a certain view is accepted" with the question whether that view is true (p. 51). If this kind of confusion is the case, then *ad baculum* "would indeed be a fallacy, an egregious one at that," but surely Woods and Walton are right when they suggest that it is hard to see why such a fallacy should be called *ad baculum*. "This fallacy, as virtually all writers agree, consists in the *threat of force or violence*," but it is not the threat itself, but the confusion of the prudential conclusion it establishes with the conclusion that something is true which is the crux of the fallacious reasoning on the proposed account (p. 51). And there is, of course, no reason why the threat could not occur without this confusion and hence without constituting an actual *ad hominem*. We need only imagine that the person issuing the threat is logically clear headed and does not make the equivocation Michalos suggests.

It is, I think, useful to add that one might see *ad baculum* as a different equivocation—an equivocation that confuses the prudential "should" with a moral or rational "should." This, I think, is the point behind most textbook analyses of the fallacy, which look askance at the apparent suggestion that a threat of force can be used to establish the *morality* or the *rationality* of the conclusion that one should act or believe in a certain way (taking rationality to be something distinct from prudence). That this is a mistake can be seen from the obvious fact that someone threatening to kick your face in if you do not write down that you accept my conclusions in this study cannot establish the moral or the rational force of my conclusions, though it could establish this as a prudent course of action— assuming the person in question was not the diminutive size I am, was standing next to you with a huge sledge hammer, etc.

Once again, the problem is that a threat of force need not commit any such equivocation. On the contrary, those using the

kinds of arguments typically labeled *ad baculum* might wholeheartedly agree that they have not established a moral or a rational warrant for the course of action they prescribe—pointing out that they want one to do something regardless. This is true even in cases where the proposed course of action is the morally correct one—say refraining from a rape. The point, it might be said, is to stop the rape, not to rationally or morally establish that this is appropriate (though this can be established by other kinds of arguments). So once again the charge of *ad baculum* seems to miss the point: prudential conclusions on the basis of considerations of force can be logically justified provided they are not confused with something else.

The analysis of *ad baculum* Woods and Walton present finishes by noting the psychological power of appeals to force, granting that they can play a very significant role in changing and establishing belief. But as they suggest: "We are getting now to the heart of *ad baculum,* but from the logical point of view it is the heart of darkness. True, the use of the appeal to fear is an important aspect of the psychology of belief-modification, of propaganda and the influence of opinion [135]. But the study of the emotional factors in the modification of beliefs is the province of psychology, not of logic." (pp. 52-53)

It seems reasonable to assent to Woods and Walton's concluding paragraph:

> So far, we do not appear to have found any genuine instances of the *ad baculum*. To meet the requirements for an instance of *ad baculum*, a sequence would have to be (i) an argument, (ii) a fallacious or incorrect argument, and (iii) a threat or appeal to force. It may be possible to produce something that would meet all three requirements, but we will not scruple to say that it would take the rationality of a Tertullian commingled with the black power of a Svengali actually to pull the thing off—actually to commit the fallacy of *ad baculum*. Needless to say, ours is a conjecture quite at odds with the usual treatment of *ad baculum* in the texts, by which the fallacy is no *rara avis*. But until

the thing is produced, we remain unconvinced. (p. 53)

V

In conclusion, let me reiterate that this is a useful book which should spark some interesting discussion—in particular, some much-needed discussion of the role of formal analysis in informal logic and argumentation theory and the relationship between formal and informal logic. Too often, practitioners in both fields proceed with little knowledge of what their disciplinary cousins are up to, yet firmly committed to the primary importance of their own endeavours. I have already argued that there are problems with Woods and Walton's defense of their commitment to formal analysis, but it should still raise much-needed comment and response.

In closing, it should be said that Woods and Walton's essays are also useful because of what they have to say about specific fallacies, and the fallacies in general. Though these essays were published ten to twenty years ago, it is a mark of their longevity that they remain pertinent to many aspects of contemporary discussion.[15]

Notes

[1] John Woods and Douglas Walton, *Fallacies: Selected Papers 1972-1982* (Dordrecht/Providence: Foris, 1989). I am indebted to the two *Informal Logic* referees for helpful comments on an earlier version of this critical study.

[2] Dordrecht: Foris, 1987.

[3] One might say that Chapter 6 is historically interesting, discussing as it does De Morgan's views, but it presents his views to critique them, saying but not showing that they have much to recommend themselves (Woods and Walton's rejection of "De Morgan's Thesis" is, it seems to me, decisive and entirely convincing).

[4] New York: Cambridge University Press, 1990.

[5] See Leo Groarke and Christopher Tindale, "Critical Thinking: How To Teach Good Reasoning", *Teaching Philosophy* 9:4 (December 1986); Little, J. Frederick, Groarke, Leo A., and Tindale, Christopher W., *Good Reasoning Matters!* (Toronto: McClelland & Stewart, 1989); and Leo Groarke, "Defending Deductivism: A Reply to Govier", forthcoming from Foris in a collection of papers read at the Second ISSA International Conference on Argumentation.

[6] Personally, I would develop such an analysis in a different way than Woods and Walton do, but that is a matter beyond the scope of the present study.

[7] Let me emphasize again that a definition of the term "informal logic" is beyond the scope of the present paper, and that it is enough to say that it emphasizes the practical application of logical principles to concrete examples of ordinary arguments. Like Woods and Walton I think that the term "informal logic" is an unfortunate one but that, as they put it, "the expression has taken root and does some responsible semantic work, and it would be churlish of us to persist in its repudiation." (p. xxi) This being said, I hope to critique the term elsewhere.

[8] It would, of course, be equally inappropriate to assume that formal analysis is *not* of significance when we try to understand and evaluate concrete arguments in everyday contexts.

[9] See, for example, my discussion of *ad baculum* below.

[10] Though this is not a point I wish to stress here, it should perhaps be noted that their assumption that the principal content of informal logic is the fallacies might be questioned. The use of fallacies is only one way to understand and assess the logic of day to day arguments, and it seems more plausible to include as a major part of informal logic any efficient way of doing so. Rhetorical concepts used in assessing arguments that extend beyond fallacies have, for example, a role to play in informal logic.

[11] See my discussion of onus below.

[12] I think that such a possibility needs to be taken seriously. For a fascinating account of Renaissance humanism that proposes a similar view of its methods of study and teaching, see Anthony

Grafton and Lisa Jardine, *From Humanism to the Humanities: Education and Liberal Arts in Fifteenth- and Sixteenth-Century Europe* (Cambridge: Harvard University Press, 1986).

13 Particularly notable is their recognition that it sometimes functions as a quite legitimate form of argument, and that versions of the fallacy arise in the context of onus of proof—onus of proof being a very important topic which has not received enough attention in the standard texts.

14 In the process of elaborating this account of fallacies, Woods and Walton apparently reject their own criticisms of this aspect of Hamblin on pp. 1-2.

15 Much of my work and thinking on the present study was done while I was a fellow at the Calgary Institute for the Humanities. I would like to thank the Institute for its support. I would also like to thank Linda Sigurdson for her work on the computer at the Université canadienne en France.

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