

# Critical Engagement: Reflections on the *ad hominem* fallacy and on critical thinking education

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*Abstract:* - A number of critics have recently challenged the traditional view that *ad hominem* arguments are always fallacious. They argue that we often find ourselves in circumstances of limited time, expertise, and informational resources, and in such it is rational to invoke a proposer's personal characteristics in deciding what to make of their argument. I argue that, as a formal challenge to the traditional view, this misses the point. Arguments against the person are necessarily fallacious not in the context of one deciding what to believe in limited circumstances, but in the context of a debate whose terms are set by the intentions of the participants. Nevertheless, the critics still have a point from a practical point of view. Since there are many contexts in which advancing an *ad hominem* argument may be legitimate, excessive focus on those where it is not can be misleading and confusing. This is a problem for critical thinking education and calls for a clarification of its aims.

*Key-Words:* - *Ad Hominem*, Argument, Critical Thinking, Debate, Fallacy, Rationality

## 1 Introduction

There is a tension in the evaluation of *ad hominem* arguments. The traditional view is that any reference to the person making an argument is irrelevant to the evaluation of it, hence all *ad hominem* arguments are fallacious. Yet, as a number of critics have pointed out, in "real-life" situations it is often useful to take into account the characteristics of the person making the argument. This tension is, I think, a reflection of a more general tension within critical thinking education. Instructors, students, and administrators often take critical thinking courses to be about teaching essential rational life skills. But the focus placed by traditional textbooks on standards of argument evaluation devoid of concrete context appears to belie that aim. It just seems that much of what has traditionally been considered as critical thinking is not immediately practical. So what then is the aim of critical thinking? I will explore this question by focusing on the case of *ad hominem* arguments. On the one hand, I agree with the traditional view that *ad hominem* arguments are fallacious because they are irrelevant to the proper evaluation of an argument. On the other, I agree with the critics that the traditional view is at odds with "real-life" argumentation and evaluation. My task,

then, is to reconcile these two positions, and in so doing, shed some light on the more general tension in critical thinking education that I have noted above.

## 2 Are *Ad Hominem* Arguments Fallacious?

In a recent article, Christopher Johnson (2009) has attacked the traditional view that *ad hominem* arguments are fallacious. His position is that there are many cases where such arguments are not fallacious. This is because, as reasoners, our capacities are limited, we often do not have the time or capability of making a full assessment of a proposer's argument, and in such cases it is legitimate to bring in *ad hominem* considerations in determining whether to accept the argument or not.

Johnson is not the first to raise concerns about the traditional view of *ad hominem* arguments. Indeed, he bases much of his argument on points raised by Hinman (1982). Woods (2007) and de Wijze (2003) have also argued that that the *ad hominem* is not generally fallacious. Woods argues that it should not be considered a fallacy at all, and de Wijze that teaching the *ad hominem* fallacy can even be counterproductive, reducing students' critical thinking

abilities. Thus strong doubts about the traditional view of *ad hominem* are more widespread than may at first have been thought. In this paper, I will concentrate primarily on Johnson's argument, as this is the most recent critique, and it makes a case that is not only at first sight persuasive, but is in a sense correct. My aim, though, is to show that he has missed much of the point of the *ad hominem* fallacy, as I think the other critics have done too.

The *ad hominem* fallacy, as taught in most modern textbooks,<sup>1</sup> involves a respondent to a proposer's argument invoking features of the proposer's person as a means of undermining his argument.<sup>2</sup> The fallacy is normally categorized as coming in two varieties: abusive and circumstantial. The abusive variety occurs when the respondent makes an attack on the proposer's character, purporting to show that because he has negative traits his argument fails. The circumstantial variety does not make reference to negative traits, but does refer to features of the proposer that supposedly undermine his argument. Two common sub-varieties are imputing self-interest and *tu quoque*. In imputing self-interest, the proposer's argument is dismissed or diminished because he has a vested interest in supporting the conclusion. In *tu quoque*, the proposer's argument is dismissed or diminished because he has performed actions that are inconsistent with its conclusion. In his paper, Johnson concentrates on *ad hominem* abusive, though what I have to say applies equally to all varieties.<sup>3</sup>

The traditional view is that such arguments are almost always fallacious because a person's characteristics are irrelevant to the cogency of his

<sup>1</sup> Johnson & Blair (2006), Moore & Parker (2007), and Weston (2008) are prominent examples.

<sup>2</sup> Throughout this paper I use gender to differentiate the proposer of an argument from the respondent to it: the masculine pronoun refers to the former and the feminine to the latter. Note that the person making the *ad hominem* argument is always the respondent.

<sup>3</sup> This taxonomy is common but by no means universal—there are a variety of categorizations and characterizations of the sub-kinds of the *ad hominem* argument in the literature and in textbooks (cf. above-listed textbooks and Walton, 2008). Moreover, the term '*ad hominem*' has not always referred to the same thing. Historically, an *ad hominem* argument was one aimed at showing that the proposer's thesis was inconsistent with other statements that he had made. See Walton (2004), Chichi (2002), and Hansen & Pinto (1995) for fuller discussions.

argument.<sup>4</sup> To elaborate: an *ad hominem* abusive argument can be represented as having the following form:

- (1) The proposer of an argument *A* has traits *x*, *y*, *z*, ...
- (2) *x*, *y*, *z*, ... are all bad  
Therefore *A* is not cogent

The argument is said to be fallacious because the traits of the proposer of *A* are irrelevant to the cogency of *A*—the traits of the proposer have nothing to do with whether or not the argument provides sufficient justification for its conclusion.

A special case is when the proposer has not made an argument but has simply advanced a claim, which the respondent dismisses on *ad hominem* grounds. This can be represented as follows (Jason, 1984, p. 182):

- (1) The proposer of a claim *C* has traits *x*, *y*, *z*, ...
- (2) *x*, *y*, *z*, ... are all bad  
Therefore *C* is false

Similarly to what was said above, the argument is said to be fallacious because the traits of the proposer of *C* are irrelevant to the truth of *C*. As it stands, this claim of fallaciousness is clearly not always correct, for when it is the case that the only reason we have for believing claim *C* is the say-so of the proposer, then traits that have a negative bearing on his credibility are manifestly relevant to its truth. The most obvious example of this is the testimony of witnesses in court cases. However, arguments such as the above are not regarded as fallacious on the traditional view when *C* is a statement of testimony, but only when it is a non-testimonial claim or conclusion of an argument. It is only in such cases that premise (2) is held to be irrelevant to the conclusion.

Johnson brings up three main cases, first proposed by Hinman, against the traditional view. Firstly, there are situations where "one has insufficient independent evidence about the truth or falsity of the premises of an argument."<sup>5</sup> In those

<sup>4</sup> By 'cogent' I mean that the argument is sound if deductive and strong and with all true premises if inductive, and commits no fallacies.

<sup>5</sup> All quotes in this paragraph come from Johnson (2009, pp. 254-255), though those in inverted commas are quoted by Johnson from Hinman (1982, pp. 339-340).

cases, Johnson claims, it is legitimate to bring up features of the proposer's person "in order to decide when the person is reliable and whether or not to accept their arguments." Secondly, "in dealing with inductive arguments, there is ... room for legitimate dispute about how strong the evidence should be to justify accepting the conclusion." It can therefore be legitimate "to raise questions about one's opponent's background and motives." Thirdly, "arguments that proceed from within particular philosophical traditions such as Marxism, contemporary sociology of knowledge, or existentialism" often refer to the features of advocates of certain arguments or positions. About this Hinman says that "what would appear to be an instance of the contemporary version of the *ad hominem* fallacy seems to be accepted as a sound philosophical principle."

Each of these cases against the traditional view has been criticized by Jason (1984). Against the first, he argues that, if one is unable to ascertain the truth or falsity of premises, then one is unable to ascertain the soundness of the argument. As such the only legitimate alternatives are either to suspend judgement or investigate the premises more thoroughly. Unless the premises are personal testimony, references to the personal characteristics of the proposer are irrelevant to the truth of his conclusion. If the premises are personal testimony, then even on the traditional view *ad hominem* considerations are legitimate. Against the second, he argues that when the dispute is about what degree of certainty is needed in a particular case to warrant acceptance of a claim, then that is not to be settled by *ad hominem* considerations, but by further argument. The respondent needs to "look into the topic" and find reasons why the proposer's (perhaps implied) claim that the degree of certainty that he has established is enough for belief is not correct. Of course, if what he disputes is that the proposer's reasons do not provide the degree of support claimed, that is a different matter, but again it is one to be settled by further argument and not by recourse to invoking the proposer's personal characteristics. Against the third case, Jason responds that, whatever their traditions say, those Marxists, sociologists of knowledge, and existentialists who use *ad hominem* are reasoning fallaciously. As he puts it, "Are

philosophers and sociologists necessarily good logical reasoners?" (p. 183).

Johnson's response to this defense of the traditional view is to argue that it is based on an "unlikely paradigm of rationality". Unlikely because "it is based upon the presumption that our intellectual capacities are not as limited as in fact they are, and do not vary as much as they do between rational people" (p. 251). His point is that we often find ourselves with limited time, information, and capability, yet still needing to take a position on a particular issue. In such cases, he thinks, it is legitimate and rational to do so on the basis of considerations of a person's character. As examples he produces a number of structurally similar cases, such as the following: suppose "that you are in a position of authority and have to make a decision between two arguments [offered by scientists] that will affect policy of some kind" (p. 257), but each argument "seems as coherent as the other." In such a case, since you lack the requisite expertise to make a more fine-grained judgement and you lack the time to acquire that expertise, it is legitimate "to appeal to relevant features of the character of each person making an argument." Another example is one where you are considering "two opposing arguments put to you, both of which seem compelling, but neither particularly more so than the other," but in which "one person has a reputation for great foresight or perceptiveness ... whereas the other person has no such reputation" (p. 258). Again, he claims, it is legitimate and rational in such a case to "decide between the arguments based upon the past achievements of the persons concerned." Thus the flaw in Jason's position is that he fails to take into account the limitations that circumstances place on us. It is all very well to say that one must either suspend judgement or investigate the matter further, but we very often do not have the luxury of either of these options. In such cases it seems we can nevertheless make rational choices, or at least, it would be a severe limitation on any theory of rationality that said otherwise. It is in this respect that Jason's "paradigm of rationality" is flawed.

I think that there is something right in both the traditional view and Johnson's critique of it. The traditional view is right in that, in cases other than testimony, the personal traits of the proposer of an argument are irrelevant to the question of whether or not the argument is cogent, for that surely depends on the content of the argument, that is, on whether or not the premises are true, they offer sufficient support for

the conclusion, and no fallacies have been committed. But Johnson is right that it is often rational in limited circumstances to decide what to believe based on considerations of the proposer's personal characteristics. How can these views be reconciled? My answer is: by observing more closely the context in which they are correct.

### 3 Reconciling the Difference

Let me first make some clarificatory remarks. There is one form of *ad hominem* argument that is clearly fallacious. An example of this would be as follows: (N) "you have a vested interest in arguing for  $x$ , therefore your argument must be flawed". This is a bad argument because it does not follow from the fact that someone has a vested interest in arguing for  $x$  that their argument is necessarily flawed. The badness of this argument does not, of course, prevent it from being commonly made, or of being accepted by many people. It is an error of reasoning that frequently deceives, hence is a fallacy. The point is general: whenever a respondent argues that the conclusion of an argument *must* be flawed simply because the proposer has certain traits, then that is a fallacy.

A trickier case is one in which the conclusion is not asserted as necessary. For example: (P) "you have a vested interest in arguing for  $x$ , therefore your argument is probably flawed". In a context in which a respondent is unable or unwilling to evaluate the content of the argument, this may be a rational argument. As Johnson has pointed out, there are many "real-life" situations where we need to decide what to think about an argument but do not have the expertise, time, or informational resources to make our decision based on an evaluation of its content. As he argues, in such cases it is legitimate and rational to make the decision based on other considerations, such as the characteristics of the proposer. This point may be extended. Since our time, effort, and other resources are limited, we need to decide how to allocate them. As such, it is legitimate and rational to choose which arguments to take seriously and which not to. There therefore need be nothing irrational in deciding what one is to make of an argument without evaluating its content. If that is the case, then it may be rational to argue as in (P). For, if we leave aside the content of the argument, then, all else being equal, that somebody has a vested interest in arguing for  $x$  does make it likelier that they will advance a flawed

argument than if they had no vested interest.<sup>6</sup> Though this in itself does not imply that it is probable that they are advancing a flawed argument, if it is the case that we are already in possession of reasons against  $x$ , then it may be reasonable to infer this. For example, suppose that a scientist funded by a fundamentalist Christian organization advances an argument in favour of creationism. Given that I already have strong reasons against this theory, from a position outside of engaging with the argument itself, it is reasonable for me to infer that his argument stands a good chance of being flawed. That he also has a vested interest in arguing the way he does raises this chance still further, perhaps to the point where it is probable that it is flawed. This is not, of course, to say that (P) is always strong. It may be that, though the proposer has a vested interest in advancing  $x$ , this does not make it probable that the argument is flawed. If (P) is a weak argument that is nevertheless taken to be strong by the person advancing it because too much weight has been given to the fact that the proposer has a vested interest, then it is a fallacy.

The key point, however, is that (P) has the potential of being non-fallacious because it occurs in a context in which the respondent is not evaluating the content of the argument. This is true also of Johnson's cases. Recall that all his examples involve somebody trying to make a decision about which of two proposals to believe in circumstances where they were unable to make that decision based on an examination of the content of the arguments. The issue, therefore, is that of the rationality of belief in a context "outside" of any engagement with the argument itself. But, cases such as (N) aside, this is not the normal context in which *ad hominem* fallacies are said to occur. Someone is usually said to have committed an *ad hominem* fallacy when they are engaged in a debate in which they are ostensibly attempting to criticize another's argument. This difference is all-important, because it is precisely in engaging in a debate with a proposer that the respondent is in a position where she is required to evaluate the argument as it stands. That is, *it is the act of engagement that puts the respondent into a context with respect to which her ad hominem arguments are necessarily fallacious.*

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<sup>6</sup> One reason for this is that someone with a vested interest will be relatively more concerned with persuasion than cogency. Another reason is that self-interest can bias evaluation of argument strength (Darke & Chaiken, 2005).

Let me elaborate. As Jason points out, everyone agrees that if a proposer makes a claim that he expects people to accept simply on his say-so, then advancing an *ad hominem* argument may be legitimate. By extension, if a proposer makes a claim and backs it up with reasons but expects people to accept those reasons simply on his say-so, then again advancing an *ad hominem* argument may be legitimate. However, the pertinent case, insofar as the traditional view is defensible, is when a proposer makes a claim and gives an argument for it that he considers an adequate justification in its own right—that is, he holds that the reasons can be accepted as they are and provide sufficient support for the conclusion. In offering such an argument, the proposer's intention is not that his argument should be accepted on his say-so—he is not vouching for it in terms of his personal credibility—but that it stand on its own, that is, that it is sufficient justification regardless of who proposes it. To engage with the proposer is to participate in a debate with him on those terms. Of course, one is not obliged to engage with the proposer; one is free to form an opinion about his argument without engaging. That is a different matter. But if one does choose to engage, then one is thereby committed to participating in debate with him on the terms set by his intention.

How does one perform an act of engagement? The most obvious way is to offer a response to the proposer with the intention of criticising his argument, that is, of *showing* that it is flawed. So what matters here is the respondent's intention. However, it is not only the current intention with which one makes a response that matters: one's prior intentions may also matter. For once a respondent has performed the act of engagement, she is committed to evaluating the proposer's argument on the terms set by his intentions until either the debate reaches a conclusion or one of the parties performs an act of disengagement, that is, gives a clear signal that they are no longer engaging with the other. In other words, the act of engagement is a commitment that determines the context of debate for some time to come.<sup>7</sup>

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<sup>7</sup> In relativising the fallaciousness of *ad hominem* arguments to a certain dialectical context, my account has something in common with the pragma-dialectical theory of fallacies (cf. Van Eemeren & Grootendorst, 1995). However, it is not identical to it. On the aforementioned theory, a fallacy is a "faux pas of communication". I do not agree. On my account it is not the violation of any rules of argumentative discourse that constitutes the *ad hominem*

What does this commitment entail? In the case where the proposer has advanced his argument with the intention that it stand alone, it entails that one is committed to either making a case against the argument, acceding to it, or disengaging. To give an *ad hominem* response to the argument is not making a case against it, for the proposer does not intend any part of his argument to be accepted merely on his say-so. So if the respondent is to be judged as a participant in the debate then her *ad hominem* response is to be considered an error in reasoning, for it is irrelevant to the conclusion that the respondent is ostensibly arguing for, namely, that the proposer's argument is flawed.

Let me illustrate my account with a concrete example. Suppose I am confronted with a climate scientist who denies man-made global warming and who advances a scientific argument against it. As a non-scientist, I do not have the requisite expertise to evaluate the content of his argument. I therefore choose not to engage in debate with him. However, I know that this scientist is on the payroll of an oil company that has invested considerable money in funding research geared towards undermining the theory of man-made global warming. I also know that the scientist subscribes to a political ideology that would strongly incline him against the theory and that in that past he has always adopted positions in line with his ideology and never contrary to it. Furthermore, the manner and emotion with which he advances his argument bear the stamp of fanaticism rather than objectivity. Moreover, given that there is a large consensus of relevant experts who believe in man-made global warming, I already have reason for supposing that an argument advanced against this theory stands a good chance of being flawed. I therefore respond to him that I reject his argument because I believe he is biased by the vested interests he has in arguing the way he does. This response is *ad hominem*, but on my account is not fallacious. Though I am not in a position to engage with the proposer, I am nevertheless in my rights to decide what to make of his argument on the basis of other considerations, and the above considerations are indeed good grounds for believing that he is advancing a flawed argument.

Now suppose alternatively that I am confronted by the same scientist but in this case I do have the

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fallacy, but rather an error of reasoning, as interpreted with respect to the commitments of the person making it.

requisite scientific expertise, so I decide to engage in debate with him; more specifically, I decide to respond to him by showing where his argument goes wrong. However, as the debate proceeds and he is having the upper hand in it, I become frustrated and bring up the issue of his bias as a means of undermining his argument. In this case, my *ad hominem* response is fallacious. For in attempting to criticize his argument I have committed myself to engaging with him on the terms set by his intention, and his intention was that his argument stand alone—he was not vouching for any part of it with his personal credibility. Since the proposer's personal characteristics are irrelevant to the cogency of the argument itself, my *ad hominem* remarks are to be interpreted as a fallacy of relevance. In sum, by engaging in debate with the proposer I have entered into a context with respect to which any *ad hominem* argument I make against his argument is necessarily fallacious.

So what can we say of the cases that Hinman brought against the traditional view? Recall the first of these, that the respondent is not in a position to assess the premises. In such a case, the respondent has the right to point out to the proposer that she is not in a position to assess the premises of his argument. This, however, is not to engage with the proposer, it is rather to point out that she is unable to do so. If the proposer gives the respondent scope to check up on his premises, then the respondent should either “look into the matter,” as Jason puts it, or refuse to engage if she is unwilling or unable to do so. This case therefore does not establish that an *ad hominem* argument is legitimate whilst the respondent is engaging with the proposer. Nevertheless, Johnson's point that, when one is not in a position to assess the premises but nevertheless needs to make a decision about what to believe, it is legitimate and rational to use *ad hominem* considerations in making that decision still stands. But in making such a decision, one is not engaging with the proposer. One is not a participant in a debate, but a disengaged decision-maker evaluating a case for belief “from the outside”.

Something similar holds for the second case, with regard to determining the degree of inductive support needed for belief. Again the issue depends on exactly what the proposer's intentions are. As Jason points out, if the proposer “is saying that I should accept his claim that 95% is enough on his say so” then in that case “we are back to testimony” (Jason, 1984, p. 183).

In such a case an *ad hominem* response is legitimate even on the traditional view. If, on the other hand, the proposer intends that one accepts that that degree of support is enough independently of his say-so, then the engaged respondent can criticize this by offering reasons as to why it is not enough. Even if it is the case that there are no independent standards as to what counts as enough support in the issue concerned, the proposer's argument fails as per his intentions, and the engaged respondent has the responsibility to argue for this. In other words, that it can be independently accepted that that degree of support is enough is a hidden premise of the proposer's argument, and it is up to the respondent to bring this out and cast doubt upon it. If instead she gives an *ad hominem* response, then insofar as she is engaging with the proposer, it is to be judged fallacious. Finally, if the proposer's intention is to argue that there is that degree of support for the claim and *in his opinion* that is enough, then there is no debate to be had beyond the question of the degree of support provided by the evidence (unless of course the respondent chooses to make the proposer's opinion an issue of debate, in which case it is her intentions that set the terms), so an *ad hominem* response to the opinion need not be judged fallacious.

The third case concerns arguments that Marxists, sociologists of knowledge, and existentialists might make. As Jason points out, the fact that those within these traditions support their arguments with complex philosophical or sociological theories does not show that their arguments are not fallacious. There is, however, an additional, and perhaps more charitable point, to be made. This is that it *may* be legitimate to dismiss advocates of a position on the basis of their ideological commitments, the genesis of their ideas, or their psychological motivations. This would be so as long as one is not participating in a debate with those advocates. Indeed, what those in the traditions in question are often trying to do, to use Nietzsche's own phrase, is read between the lines.<sup>8</sup> That is not the same, however, as engaging with what is *on* the lines. Perhaps part of their point is that to so engage is to commit some kind of error. But whether one accepts this or not, it remains the case that their intention, if they are conducting themselves correctly, is other than to engage with the proposer, so they are not in a context where the fallaciousness of *ad hominem* necessarily applies.

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<sup>8</sup> *Beyond Good and Evil*, Part 1, §3.

Thus in all cases where an argument is offered *as it is*, in situations where the respondent is engaging with the proposer, *ad hominem* arguments are always fallacious. On the other hand, in situations where the respondent is not engaging with the proposer, *ad hominem* arguments *may* be legitimate and rational. Of course, it is the respondent's choice as to whether to engage with the proposer or not. She may wish not to on the grounds that she does not consider him a worthwhile person to engage with. That is her prerogative. Or she may wish not to on the grounds that she is unqualified to assess his argument. That is also her prerogative. In such cases it may be rational in determining what to believe to invoke considerations about the person's character. But this is from a position outside of the debate, not as a participant of it.

Notice, incidentally, that to engage with the proposer does not necessarily mean participating in an actual dialogic situation. One can engage with a proposer without communicating with them. One can even engage with a dead person, as we often do in academic discourse. What matters is that one is responding to the argument on the terms set up by the proposer's intentions. A useful way of thinking about this is to hold that one who engages with a proposer is adopting a role as an equal partner in a quest for the truth about the matter under discussion. In doing this she is engaged in a form of practice that many others before and since have also engaged in. Each manifestation of this practice has, in principle, a bearing on each other manifestation of it, and the span and range of it are limitless. As such, we may regard the engaged respondent, more broadly, as adopting the role of an *Equal Member of a Community of Thinkers* (EMOCOT) engaged in a long-term and wide-ranging quest for truth. Seen in this light, limitations of time and resource are irrelevant, for in a long-term cooperative quest such can be idealized away. This is not an "unlikely paradigm of rationality", but a reconstruction of the purview of critical inquiry based on the intentions of proposers and their engaged respondents.

#### 4 Argumentative Purposes

I will now briefly address a potential objection to the above analysis. This is a point made by Woods (2007) that *ad hominem* remarks in an actual dialogic situation often serve useful purposes other than that of

showing where the argument goes wrong. Indeed, these purposes may be geared towards, though not directly aimed at, the overall goal of establishing truth or agreement. For example, in a situation where it is suspected that the proposer is subject to a motivational bias that has caused him to pay undue attention to evidence for his conclusion rather than that against it, a respondent may point out his bias in order to alert him to this fact. Since *ad hominem* remarks often serve such purposes, Woods argues, it is wrong to call them fallacies.

Woods is right at least insofar as the respondent is explicit about her purposes. Thus if the respondent says, "I am not hereby criticising your argument, but I do think that you have a motivational bias that has affected your evaluation of the evidence," then such is not a fallacy. However, Woods' case is more questionable in those situations, by far the more common, in which respondents make *ad hominem* remarks without signaling their meta-critical purposes for doing so. An important premise of his argument is that a fallacy is a mistake in reasoning and people who make *ad hominem* remarks with purposes other than that of argument-assessment are not making any mistakes.<sup>9</sup> However, it is not the case that one needs to be making a mistake in order to be committing a fallacy. For example, one who self-consciously puts forward a fallacious argument in order to deceive her opponent is not making a mistake. She herself is not in an erroneous state of mind, but her argument *counts* as an error in reasoning. Thus whether a remark is fallacious or not is not determined solely by the state of mind of the person advancing it. Hence that a remark is advanced with a purpose other than that of argument-assessment need not disqualify it from the charge of fallaciousness.

The question of whether or not a remark made for purposes other than showing where the argument goes wrong counts as a fallacy is an interpretative one. It is in instance of the question of whether the interpretation of a particular act depends on the intentions of the agent performing it or on some wider context. In many cases, the latter is true. For example, whether or not an act is to be considered an insult does not depend solely on the intentions of the person

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<sup>9</sup> He also thinks that a necessary condition for a fallacy is that it be "a mistake committed with a requisite frequency". I do not agree. One may suspect that "there is a fallacy in that argument" without suspecting that it involves a mistake committed with a requisite frequency.

performing it, but depends on a wider social context. An act may count as an insult even if the agent did not intend it as such. I think that the situation with *ad hominem* remarks is to some extent similar. When an *ad hominem* remark is made by a respondent while she is engaged in a debate, it is liable to be interpreted with respect to that context. That is, it is liable to be interpreted as an argument that purports to show that the proposer's case is flawed, even though that may not have been the intention behind it. Thus, for example, if during the course of a debate a respondent remarks, "you would say that wouldn't you," where her purpose is to alert the proposer to the probability that he is subject to motivational bias, that remark may nevertheless be legitimately interpreted as criticism of the proposer's case, hence a fallacy, just because it occurs in a context in which the respondent is committed to showing that the proposer's case is flawed and she has not clearly signaled that her purpose in making the remark is other than this. In which case we can say that the remark counts as an error in reasoning, even though the agent is not making an actual mistake in her reasoning. The issue, however, is not always entirely clear-cut. I do not claim that every *ad hominem* remark made for non-critical purposes in the context of debate should be interpreted in this way. Much will depend on what exactly the intention behind the remark is, the clarity of the intention, the manner in which the remark was made, and the precise context in which it occurs within the debate. It is on the basis of such considerations that a judgment is to be made as to whether the *ad hominem* remark should be interpreted as a criticism of the proposer's case, hence a fallacy, or merely a meta-critical remark, hence of the status of those remarks whose non-critical purpose is explicitly stated.

To clarify my position then: when an *ad hominem* remark is made with the intention of undermining an argument, it is fallacious. But so too, regardless of the intention with which it is made, whenever it occurs in the context of a debate, unless interpretative considerations clearly indicate that it is to be taken as a meta-critical remark.

## 5 Critical Thinking Education

Another critic of the traditional view of *ad hominem*, de Wijze (2003), argues that regarding *ad hominem* arguments as fallacious is not only wrong, but the

teaching of it can also be counterproductive to developing critical reasoning skills. He makes two points. One is that *ad hominem* considerations are immensely useful in making rational decisions about what to believe and how to act. As he puts it, "when faced with bewildering complexity, lack of time and inadequate resources to investigate the options available fully, and given the pressing need to decide what to believe and how to act, the *ad hominem* approach is a useful and important means of deciding what to believe and how to act in real-life situations." This is, of course, the same point as that made by Johnson. His other point is that *ad hominem* arguments can be important tactics in argumentation. As he puts it, "the *ad hominem* attack is tactically powerful and to dismiss opponents because they have used an *ad hominem* argument, or to hold back from making such an argument oneself, seems to border on argumentative incompetence, if not suicide" (p. 32). For these reasons, he calls *ad hominem* arguments "a valuable and crucial rational life skill" (p. 31).

Though I have defended something like the traditional view of *ad hominem* from a logical point of view, I nevertheless acknowledge that de Wijze and other critics have a point from a practical point of view. In the "real world", many—perhaps most—of the contexts we find ourselves in are not of the kind with respect to which *ad hominem* arguments are necessarily fallacious. We frequently find ourselves in situations where we need to make judgments about others' arguments but are not in a position where we can fully engage with the argument. Given the prevalence of such contexts, there does seem to be something askew with the way that the *ad hominem* is currently taught in critical thinking courses. Firstly, there is no clarity as to when *ad hominem* arguments are fallacious, and the impression is often that they are always so in all contexts. Secondly, even in cases where a more nuanced approach to *ad hominem* is taken, there tends to be considerably more emphasis placed on its fallaciousness than on the contexts where it may not be fallacious. Given that, as the critics have observed, those contexts may be more numerous, and indeed more directly related to the aims of providing students with "rational life-skills", this can present a distorted and confusing picture to students. The point, moreover, is general. Much of traditional critical thinking education is focused on the evaluation of arguments abstracted from any concrete context. As such, it appears that such education is geared more towards training people to be *Equal Members of a*



*Community of Thinkers* than it is towards providing them with “rational life-skills”. This itself need not be a problem as long as such aims were explicit. But they are not, and that is a problem.

The second point that de Wijze makes, that *ad hominem* attacks are “tactically powerful” strategies in argumentation, also bears consideration. On my account, *ad hominem* arguments are always fallacious in the context of a debate in which the argument under attack was intended to stand alone. However, in “real-life” situations, such contexts are often embedded in wider contexts where an *ad hominem* remark may be legitimate. An example of this is politics. With respect to the narrow context of debate, one responding to a politician’s argument with a *tu quoque* argument is committing a fallacy. However, the wider context is one in which the politician’s qualifications for office are subject to interrogation, and so any inconsistency between his arguments and his behavior is fair game. Indeed, it may even be deemed a journalistic or civil duty for an opponent to bring up such inconsistency during the course of a debate. In such cases, the *ad hominem* is fallacious on my account, but nevertheless seems appropriate and even required. The point, moreover, generalizes beyond just political contexts. Most debates are embedded in contexts in which the participants’ statuses and reputations are at stake. In such contexts, though it remains the case that *ad hominem* attacks are fallacious, to refuse to take them seriously for this reason or to miss an opportunity to make such an attack may put at risk the other stakes at issue.

This may be taken as an objection to my account. For if there is a wider context in which an *ad hominem* remark is legitimate and even required, then is it right to call it a fallacy? I think it is, though the issue is a subtle one. It is comparable to the case of breaking one’s promise.<sup>10</sup> The breaking of a promise is always wrong, because such is constitutive of promise-making. However, there are surely situations in which breaking a promise is the right thing to do, as for example when doing so would prevent greater evils. This does not mean that in such situations breaking a promise is not wrong, but that this is overridden by other considerations.<sup>11</sup> The point can be seen by observing that in such situations the wrongness of

breaking the promise is always a consideration that weighs against the considerations in favour of it, even though overall the latter may far outweigh the former. In short (and only apparently paradoxically), breaking a promise is always wrong, but in some situations it may be the right thing to do. An analogous point holds, I think, with respect to *ad hominem* arguments. In the double-contexts currently under consideration, an *ad hominem* argument is fallacious—for it is an error of reasoning with respect to the narrow context of debate—but overall it may be the right thing to do to advance such an argument.

It may be objected to this that it is always possible to serve the needs of the wider context without committing a fallacy. Thus, for example, one engaged in debate with a politician may respond in something like the following way: “this does not show that your argument is flawed, but your making it is inconsistent with your behavior.” However, though it may be possible on many occasions to qualify one’s remark in such a way, it is often inelegant to do so, and much of the power of the remark will be dissipated. In serving the purposes of the wider context, it may simply be better to commit the fallacy. So the point stands that though an *ad hominem* is fallacious, it may nevertheless be the right thing to do to advance such an argument.

This reinforces the thrust of de Wijze’s criticism that the traditional treatment of the *ad hominem*, as taught in critical thinking courses, may actually inhibit students’ effectiveness in “real-life” argumentation. Since another of the perceived aims of critical thinking education is to enhance people’s skills in argumentation, such teaching therefore appears counterproductive.

These considerations present something of a dilemma for critical thinking education. Should its purpose be to teach “real-world” life skills, such as skills of argumentation and rational judgement in the many different everyday contexts where they might be useful, or to instill in people the attitudes and standards required to be an *Equal Member of the Community of Thinkers*? As already remarked, the latter corresponds more closely to the way critical thinking has traditionally been taught. I think it is a laudable aim, not just for the value it bears for truth and for society, but also for the value it bears for the individual—internalising the said attitudes and standards can significantly contribute towards one becoming a deeper and wiser person. But the former is also manifestly of great value. The problem is that, in

<sup>10</sup> The analysis I give of this is controversial, but it serves the illustrative point.

<sup>11</sup> Searle (2001, pp. 193-195) says something similar.

critical thinking education as it stands today, this dilemma has barely been recognized, never mind resolved.

At the very least, what is required is that the aims of critical thinking education be made much clearer than they have been to date. Too often there is real confusion amongst students, instructors, textbook writers, and administrators as to what those aims are. To set out the options again: Are they to make people more skilful arguers? Are they to equip people with the wherewithal to make better rational judgements? Or are they to train people to be, or at least be capable of engaging in debate as, *Equal Members of a Community of Thinkers*? It is sometimes recognized that skill in argumentation is not the province of critical thinking education, being better taught in specialized rhetoric and argumentation classes that allow students to develop argumentative strategies and skills relative to the many different contexts that they may find themselves in. It is less often recognized, if at all, that critical thinking education is not centrally about determining what it is most rational to believe. This is not to say, of course, that it is not concerned with this, for it clearly is about it within a certain context. It is not, though, about it in all contexts. As Johnson and de Wijze have pointed out, what counts as the most rational thing to believe often depends on the circumstances we find ourselves in, such as needing to make a decision despite limited time, expertise, and informational resources, the skills for which may best be provided by a practical course in the epistemology of testimony. The difference between what is rational in the context of critical inquiry and what is rational practically speaking, though often subtle, can nevertheless create problems if not properly understood, as I think de Wijze correctly highlights. For this reason those of us involved in critical thinking education need to determine more precisely what our aims are.

## 6 Conclusion

In summary, I have argued that the traditional view that *ad hominem* arguments are always fallacious can be reconciled with the criticism that Johnson and others have made that in “real-life” situations it is often legitimate to decide what to believe about an argument based on *ad hominem* considerations. Which of the two views applies depends on the context in which the *ad hominem* argument is made: in the

context of debate it is always fallacious, but in the context of deciding what to believe from a position “outside” of any debate, it may not be. This account addresses the formal problem raised by Johnson. However, there is a further practical problem that has to do with the potentially damaging effect that teaching the traditional view may have on students’ “rational life-skills”. This problem should be addressed by clarifying the aims of critical thinking education.

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