

ISSA Proceedings 2002 - Logical Fallacies, Dialectical Transgressions, Rhetorical Sins, And Other Failures Of Rationality In Argumentation



Introduction [i]

When does *Preaching to the Choir* become *Beating a Dead Horse*? Is it ever wrong to argue – making *Picking a Fight* a fallacy? Could it be a fallacy not to argue – the fallacy of *Wrongful Silence*? If audiences are elements of arguments, is there a class of Audience Fallacies? [ii]

Quibbling and *Nitpicking*, *Interrupting* and *Turning a Deaf Ear*, as well as *Arguing Out of Turn*, *Arguing Out of Place*, and *Arguing Out of Order* are all bad things to do in argumentation. Do they all deserve the name “fallacy”?

Arguments are more than just sequences of inferences, so we should not limit our thinking about bad arguments to just those that include bad inferences. Arguments include arguers, and there are more ways for arguers to go wrong than simply to make bad inferences. And arguments include audiences, whose presence creates further chances for problematic argumentation. Argument analysis requires more than the toolbox of logical fallacies generally provides.

The task I am undertaking here is outlining a new taxonomy of errors in arguments, to include not just logical missteps – fallacies – but also rhetorical and dialectical mistakes. The organizing principle refers to the norms that are violated, norms that are associated with the three dominant conceptions – metaphors or models or paradigms, as you prefer – for arguments. A second task, subsequent to the first and approached only tentatively here, is completing the picture by the raising the possibility of a new model.

1 Fallacies, Proofs, and Arguments

Following what has been taken (perhaps mistakenly) to be Aristotle’s lead, logicians have generally been content to provide catalogues of fallacies for use in argument analysis. These lists of errors have too often been regarded as

something of a sidecar to the main business of investigating, characterizing, and justifying good arguments. They provide little in the way of a serious theoretical framework for thinking about all of arguments' failures.

One problem with a simple list of fallacies is that without any theory it is just a list. There is no organization, no consensus on the fallacies to include, and no closure. It is a collection of facts rather than a body of science; it affords mere knowledge rather than genuine wisdom. Fallacies are added to the list at the whim of the logician writing the text (a prerogative I will indulge in myself in due course). And therein lies another part of the problem: it has been logicians writing the texts. Lists of fallacies have been limited from the outset to logical flaws in argumentation. If we use the term "fallacy" more generically for any flaw in an argument, then the point can be put this way: not all fallacies are logical ones. And, we should note with a little surprise but a lot of emphasis, not all logical fallacies - i.e., not all deductively invalid inference patterns - are necessarily fallacious.

The ideal for good arguments against which fallacies have been defined is that of the mathematical proof - but not all arguments are proofs! Two other important models or "root metaphors" [iii] that reflect our practice and inform our thinking about arguments have already been noted - argumentation-as-war and arguing-as-presenting-a-case. Together, these three paradigms provide a more comprehensive structure for theorizing about bad arguments.

They create more space in our theories for the full range of problems that bedevil arguments. In so doing they point to some curious omissions from the traditional lists, notably the sins (for lack of a better word) of arguing when one should not and failing to argue when one positively should. Another model is needed to fill that gap. Argumentation needs to be thought of as a form of interpersonal engagement. At its worst, it is merely aggressive socializing, but at its best, it is an expression of civic character.

2 Historical Context and Recent Contributions

Aristotle's characterization of *sophisma* defined the field originally as the study of arguments that seem good but are not. That set the twin tasks of explaining why certain bad arguments appear good, and then explaining why they are nonetheless actually bad. Note that the topic is not the study of bad arguments per se.

Arguments that are obviously bad should be of no more than peripheral concern. How did it come to pass, then, that logic texts would offer examples that do not

“seem good” to anyone at all – examples that form a hackneyed collection of, in Hamblin’s phrase, “traditional puns, anecdotes, and witless examples”?[iv]

Several recent approaches to fallacies have helped rectify matters, beginning with Hamblin’s own historical analysis and diagnosis in 1970. Hamblin offered a fresh start by noting that many of Aristotle’s discussions presume a dialogical context for arguments, whether they are of the dialectical, didactic, or contentious sort. In such contexts, invalid inferences are not the pre-eminent danger: in debates between reasonably sophisticated arguers, logical errors will generally be detected and rejected by the opponents, and then retracted and corrected by the proponents. Optimally, as Johnson and Blair note, “the charge of fallacy serves to extend argument, not cut off debate.”[v] Dialectical transgressions present the more pressing concern.

Thus, when Aristotle included what came to be called *Ignoratio Elenchi*, it referred to a kind of improper refutation. A “refutation” is a counter-argument rather than an inference pattern, so it is something that has more in common with debaters’ rebuttals than with logicians’ *reductios*, and it has even less connection to *Missing the Point*, with which it is now commonly associated.[vi] Hamblin’s dissatisfaction with a purely logical approach and his own more dialectical approach inspired a good deal of good research on fallacies. A brief mention of an eclectic and idiosyncratic selection of some other recent contributions to our current thinking about fallacies, inspired by Hamblin’s lead, will help focus things.

Howard Kahane, in his widely used textbooks, Kahane 1969 and Kahane 1971, both of which went through numerous editions, provided a good general framework for thinking about fallacies. Start with a characterization of cogent arguments as ones that have warranted premises adequately supporting their conclusions and respecting all of the available and relevant considerations, both positive and negative. Thus, a fallacious argument is one that fails in any of three ways:

- (I) it uses false, dubious, or Unwarranted Premises;
- (II) the reasoning is inductively or deductively Invalid;
- (III) it ignores counter-considerations, i.e., it Suppresses Evidence.

Each of these ways for arguments to go wrong serves as the genus for several species of fallacies. For example, Hasty Generalizations fall under the category of Invalid Reasoning, Circular Arguments are classified as invoking an Unwarranted Premise, and False Dichotomies can be read as suppressing the alternatives.

Kahane's categories overlap. That is both a strength and a weakness. False Dichotomies, for example, could be categorized as a species of Unwarranted Premises, rather than Suppressed Evidence: to claim the world is black and white is dubious; to present it that way suppresses the grays – and reds, greens, and blues. Similarly, Equivocation can also be put under either of two of the general headings, Unwarranted Premises or Invalid Reasoning, depending on how and whether the equivocal term is disambiguated.

Not much hinges on the generic classification, and the fact that several readings are possible nicely highlights the re-constructive and interpretive nature of argument analysis. The merits of starting from a coherent vision of what a good argument is and locating the fallacies as deviations from that ideal far outweigh some messiness in the details. On the other hand, some traditional fallacies do not fit into Kahane's taxonomy very well. Arguers go astray, for example, when they Miss the Point, i.e., when they draw the wrong conclusion from the premises at hand. But that can be done quite cogently! Arguments consisting of manifestly valid inferences from thoroughly warranted premises using all the available information are missteps nonetheless if they veer off the discourse track. **[vii]** In a debate on capital punishment, for example, it would be inapposite to conclude, no matter how cogently, that the U.S. ought to follow Netherlands' lead on euthanasia.

A more serious problem with Kahane's account is that there are other argumentative transgressions which are not traditional fallacies and which cannot be accommodated. There is nothing to be said against, say, Beating a Dead Horse, excessive argumentation after the issue has been resolved, or Quibbling about minor issues along the way. Kahane's approach to fallacies is still primarily an account of the logical flaws in arguments to the exclusion of others.

Something similar can be said about the more developed and programmatic Pragma-dialectical approach. It also provides a comprehensive overall framework because it begins with an articulated vision of the ideal. Thus, it is positioned to identify fallacies as deviations from that norm. Specifically, it identifies the stages of a critical discussion and the implicit rules of conduct for each stage. It can then associate each of the traditional fallacies with the violation of a rule by one party or the other at some stage in the discussion.

Most traditional fallacies are accommodated very well. Argumentum ad Ignorantiam, for example, can be seen as either a violation of the rule to defend a standpoint by the proponent during the opening stage or a failure by the

opponent to retract doubts during the concluding stage.**[viii]** Moreover, other non-controversially bad moves in dialogical argumentation which have nonetheless not traditionally been counted as fallacies also become visible. Various forms of illicitly Shifting the Burden of Proof or Evading the Burden of Proof, for example, can now be located in the theory.**[ix]** This is a great virtue of Pragma-dialectical thinking.

One direction in which the P-D approach could be expanded concerns the opening of arguments. The P-D account treats fallacies as violations of the tacit imperatives governing critical discussions.

Something should also be said of the imperative for rational agents to engage in critical discussions in the first place: Thou shalt argue! There are times when the failure to enter into argument is an argumentative failure – albeit not a fallacy in an argument.**[x]** Something similar could be said for Arguing Out of Place – creating an argument where there ought not be one.

One way in which P-D approach to fallacies could use some contraction concerns the resolution of difference as the telos of critical discussions. Whatever serves as impediment to resolution is counted a fallacy.**[xi]** The best that fallacious arguments can produce is mere settlement. To put it neatly, the counterfeits of argument produce the counterfeits of resolution!

This cannot be the whole story, however, because there are some moves which expedite progress towards genuine resolution which are still objectionable. Arguments are resolved not simply when the argument is won or lost, but when the disputants reach some sort of equilibrium. Fallacy identification usually focuses on the improper ways a proponent can bring this about. There are two problematic assumptions here. One is that when a consensus standpoint results from fallacious argumentation, the fallacy is to be located in the proponent's argumentation. But sometimes we ought to criticize the opponents for giving in too easily – charge them with, say, the fallacy of Undue Credulity. If we can accuse a proponent of Missing the Point, why not sometimes charge opponents with Missing the Objection? Generally, when an interlocutor acquiesces too easily precisely in order to avoid the confrontation of argumentation, what results is a settlement rather than a resolution, but real resolution could arise from ready agreeableness conjoined with maximal gullibility or minimal critical acumen.

Agreeableness in the pursuit of resolution is no virtue; and Tenacity in the defense of sound conclusions is no vice.**[xii]**

The other assumption is that fallaciously achieved consensus normally forms around the arguer's original standpoint. Proponents and opponents alike can be

guilty of Abandoning Ship too quickly. The P-D approach does condemn consensus when it rests on insincerity; but resolutions due to weak resolve or gullibility are also blameworthy.

Ralph Johnson, who once offered a tripartite generic scheme for argument cogency, and by extension for fallacies – the “RSA test”¹³ – has more recently suggested some conceptual tools that can be used to connect the concept of fallacy with both the structure and the telos of argumentation. Structurally, arguments have both an inferential or “illative” core and a dialectical tier.**[xiv]** Thus, we can neatly distinguish arguments that go wrong because they include logical errors in the RSA scheme from arguers who go wrong by making dialectical errors. There may be a fly in the ointment, however. Johnson elsewhere identifies the purpose of argument as rational persuasion,**[xv]** so there ought to be two other ways for arguments to fail: they can fail to persuade or they can persuade, but not rationally. That seems right, but how can these be melded together? Neither inferential strength nor dialectical closure suffices for rational persuasion.**[xvi]** The audience is a factor here.

The crucial concept here is rational persuasion, the goal of classical rhetoric. This is a purpose for arguing, but it should be stressed that there may be many different purposes for arguing. There are, remember, several relevant models for what an argument is, what it ought to be, and what it ought to do. An expansion of this can provide the outlines of a more general framework for arguments in the hope that it will accommodate some of those argumentation missteps that have been omitted from traditional accounts.

3. Three Models for Argument

Three very different root metaphors informing our thinking about arguments have been noted: *Arguments-as-proofs*, *Argumentation-as-war*, and *Arguing-as-making-a-case*.**[xvii]** These models should not be regarded as permanent features of the conceptual landscape or transcendental properties of rationality as such. Rather, they are parts of established conceptual structures that furnish us with organizing schemes for all of our disparate knowledge about argumentation. They are metaphors that reflect as well as regulate the argumentation practices of our culture. In time, others models may take their places, but they are good vehicles for reflection about arguments. They can also be used to great advantage in thinking about the different kinds of errors, fallacies, transgressions, and others flaws in argumentation because each model brings with it its own behavioral norms.

3.1

The first paradigm for thinking about arguments is provided by proofs, the products of logicians and mathematicians. An argument in this sense is an abstract, logical structure, a sequence of sentences with a specifiable inferential structure. Consequently, there are two sorts of ways for an argument to be a bad one. Either there is some problem with its structure – a weak link in the sequence of inferences structuring the propositions – or the chain of inferences fails to reach its designated conclusion. That is, an argument can be criticized as logically flawed when it falls short (the fallacy of Incompleteness?) or when it reaches the conclusion by a faulty inference (i.e., by an Invalid Inference). The goal of proofs is epistemic-rational. Logical fallacies undermine that purpose. Unfortunately, as noted, this would-be model of rationality leaves out the agents in arguments, the arguers. Not surprisingly, the argument-as-proof model is of limited help for understanding actual, embodied arguments.

3.2

The argument-as-proof metaphor may be popular with logicians, but a far more common conception of arguments is that they are tantamount to verbal wars.**[xviii]** If arguments are always born of disagreement, then they really ought to be regarded as primarily agonistic moments in discourse.**[xix]** The adversarial component may indeed be both genetic and essential.

The goal of proof might be demonstration, but the goal of a contest is victory. Accordingly, the most damning criticism within adversarial argumentation concerns contingently losing strategies rather than necessarily fallacious reasoning. Arguers fail most egregiously when they lose the fight.**[xx]** That explains why so many critical thinking texts present themselves as either providing offensive weapons for arguers – argumentation strategies – or defensive reinforcements to help resist the wrongful argumentation of others.**[xxi]**

And yet, there are other criticisms to be made. Wars are governed by their own rules, and the same holds true for adversarial argumentation. So, while there can be no logical fallacies in an argument-as-war, there can be other kinds of violations, rough counterparts, as it were, to war crimes.

It is worth pausing to note the locutions that we use here: arguments may contain logical fallacies, but it is arguers who lose. The arguments themselves do not lose, except derivatively. Arguers – verbal warriors – can indeed be taken to task when they “fight dirty.” There might not be an explicit Geneva Convention governing the art of verbal warfare, but there are sundry Peircean, Gricean, and Pragma-

dialectical conventions. They serve very much the same function: they define a category of illicit behavior, viz., dialectical transgressions distinct from but complementing the logical fallacies.

Problematic as the war metaphor may be ethically, socially, and pedagogically, I think it actually ought to be extended in at least one way: whether or not there really are any “Just Wars,”**[xxii]** there are indeed “Just Arguments.” But, unfortunately, there are unjust arguments as well.

Like the argument-as-proof model, the argumentation-as-war model also leaves some things out, in this case the subject matter, the reasoning about it, and any audiences. In the extreme case, we have long-standing feuds over long-forgotten slights. It is all about the arguers – and determined arguers do not really need anything to argue about. For them, any logical structure to the exchanges would be entirely accidental.**[xxiii]**

3.3

The third prominent model – arguing-as-presentations – deserves attention because it is sometimes presented as a mediating third way (Tindale 1999 is an excellent example). The archetype here is neither mathematicians’ proofs nor debaters’ exchanges, but someone, perhaps a lawyer or a politician, making a case before an audience. A defense attorney need not convince his counterpart, the prosecutor in the trial, any more than a politician needs to convert her opponent in an election campaign. The arguer’s target is the audience – the judge and jurors or the electorate at large. An opponent may, of course, be part of the audience, or all of it, or the seed for an abstracted ideal audience, but not necessarily.

The virtue of the arguing-as-presentation model is that by highlighting the performative context, it opens the door for normative concepts and considerations. This is where the goal can properly said to be rational persuasion, and this is where to locate the two failures noted earlier: failures to persuade at all and failures to do so rationally. The presentation of the argument-as-proof, or the illative core, has to be appropriate to the context and not just internally valid. The target audience is crucial element in the performative context.

Thus, even a valid and sound argument that reaches dialectical closure by meeting all objections may yet be unsuccessful in rational persuasion if it does not speak to the audience. Eloquent and even persuasive obscurantism, for example, would be rhetorically blameworthy, even if dialectically successful.**[xxiv]**

And yet, even the goal of rational persuasion needs something like an objective

check – truth as condition on premises, for example, or the injection of an idealized model interlocutor.

Argument analysis needs the fixed point of an ideal limit. If the premises of an argument are criticized as irrelevant, it may be that more can be added to establish their relevance. If they are criticized as insufficient to warrant the conclusion, perhaps supplemental premises can be offered. And if they are rejected as unacceptable, further support can be adduced to make them more acceptable. But if they are criticized as false, the game is over. Here is a case where the charge of fallacy is definitely not an invitation to further argumentation. The charge that there are false premises, however, is a show stopper. It is, at least putatively, a trump card. **[xxv]**

4 Models and Metaphors

These three models correspond, very roughly, to Logic, Dialectic, and Rhetoric respectively. Each model defines a family of approaches to arguments and argumentation, complete with its own conceptual vocabulary, its own methodology, its own norms, and its own criteria for evaluation. Each has its own telos, and each defines its own class of sophisma. They complement one another in the project of understanding argumentation.

Arguments that violate the norms of the proof paradigm have logical fallacies; arguers that violate the norms of the war metaphor commit dialectical transgressions; and presentations that violate the norms of the making-a-case model make rhetorical mistakes. (A fuller, but still tentative, taxonomy of errors argument using this schema is included as an appendix.)

What these models provide, then, is a complementary set of approaches to argument analysis. Each is incomplete in ways that are included in the other models. But even jointly, they are still incomplete. The principles for argumentation tell us how we should argue, but they do not tell us why we should argue, and they do not tell us when we should argue – and when we should not. For example, from the dialectical model, we can recognize our obligations to ask questions when we do not understand and raise objections when we see them – something about which the logical model is completely silent. But thinking of arguments as contests first and foremost obscures our obligations to sincerity, clarity, and fairness – the province of the rhetorical model. And the imperative to reason validly – objectively so, and not merely in the judgments of our opponents and audiences, or even of ourselves as proponents – is a logical imperative.

Again, these are all hypothetical imperatives: if you argue, do so in these ways. That is a consequence of the particular models in play. Completing proofs, waging verbal wars, and making presentations are all things we do, but they are all optional. We need not engage in any of those actions. At least sometimes, however, arguing is not optional; it is something we ought to do, so that the failure to argue is itself an argumentative failure.

None of the models on the table captures that obligation. There is, however, no a priori justification for these particular models. Nor is there anything sacred about the number three – at least not in this context. Rather, there is only the a posteriori justification for this trinity that comes with its success in explaining old fallacies and locating and accommodating other missteps in argumentation. Nor are these three models permanent features of the conceptual landscape. Models, after all, are metaphors of a kind²⁶ and metaphors change over time. They shake up the conceptual kaleidoscope. They change how we see the world. They become literal. More to the point, metaphors can lose their vitality as metaphors as our ways of thinking change. New metaphors can take their places as formative factors in our understanding.

There are good reasons to think that the metaphors for thinking and reasoning and arguing should be especially susceptible to deliberate revision. The Principle of Meta-Rationality, **[xxvii]** the principle that asserts that part of reasoning rationally is reasoning about rationality, includes the imperative to revisit these metaphors. But even that principle is at best an assertoric imperative: since you want to be rational, you must also reason about reasoning.

What is needed is a model for arguments that hears the categorical imperative that enjoins us to enter into dialectical, logical, and rhetorical space, in the first place – in a word, to *Argue*.

5 Arguments as Expressions of Civic Character

Ralph Johnson comes near to conceptualizing argumentation in a way that mandates arguing: argumentation as “manifest rationality.” **[xxviii]** That understanding of argument connects argumentation’s telos with our own. If we are rational beings, and argumentation is manifest rationality, then we should argue. Argumentation is a form of self-actualization. It is not just who we are and what we do, but who we can be and what we ought to. Still, it does not tell us when to argue and when not to argue.

We are rational beings every hour of the day, but that does not mean we should argue all the time! We need to look at the larger context for arguing – which is,

let us not forget, primarily a social phenomenon. **[xxix]**

There are times when the urge to argue is almost irresistible. When we are criticized or accused, we offer justifications and explanations, which are likely to be arguments of a sort. When we hear unsubstantiated or offensive assertions, we feel it is incumbent upon us to challenge them, perhaps hoping to initiate an argument. When confronted with hard choices, we cannot help but deliberate, weighing the pros and cons, in either simulated or genuine argument. These cases are all to the good, and yet there are times and places when these urges are to be resisted. If a verdict has been reached, the time for further argument is past; in the middle of lecture, the time to challenge outrageous assertions has not yet come; in the heat of battle, there may not be time enough; at a religious ceremony, it is the occasion that might be wrong; and when watching television, the image of the talking head is just not a genuine audience.

Consider that last case, arguing with the TV. There can be no argument because there is no dialogue. Arguments are interpersonal exchanges. They are social. Now consider the penultimate case, arguing with a member of the clergy giving a sermon, say, or worse, delivering a eulogy at a funeral! The argument is completely out of place, regardless of its logic, its rhetoric, or its careful dialectical attention to the clergy-cum-opponent's main points. The violation of social conventions is obvious.

But now consider silence – non-argument – in another context, say, at a public forum when a speaker has said something that you know to be false, or in a classroom when a student has said something outrageous and offensive – or at an academic conference when a speaker has shown evidence of a shocking misunderstanding of the topic at hand. As participants in those occasions, it is (imperfectly) incumbent upon you to speak up. It is a civic responsibility, so perhaps we should think of arguments as an expression of civic character, as well of individual self-realization. Presumably, there will be a set of argumentative mistakes associated with that new model, too.

NOTES

1 A version of this paper was presented at the Fifth Conference of the International Society for the Study of Argumentation, Amsterdam, June, 2002.

2 R. Johnson 1996, p. 95 gets close to this.

3 The term is from Pepper 1942. See also Lakoff and M. Johnson 1980 and Hesse 1980.

4 Hamblin, 1970, P. 12.

5 Johnson and Blair, 1977, 200.

6 Aristotle: *Sophistical Refutations* 167a21; Hamblin 1970 pp.31-32. Hurley 2000, perhaps the most widely used logic textbook in North America, explicitly identifies

Ignoratio Elenchi and Missing the Point.

7 This would go under Aristotle's heading of "valid arguments inappropriate to the subject matter."

8 van Eemeren et al. 1992, 188ff.

9 Ibid., 116ff.

10 The P-D approach is well-suited to describe this, e.g. as a failure to move from the confrontation stage to the opening stage. Strictly speaking, however, the move cannot count as a fallacy – if we understand fallacies to be poor arguments: if you do not argue, then you cannot be charged with arguing poorly!

11 Ibid., 95.

12 After Barry M. Goldwater's famous line from his acceptance speech at the 1964 Republican National Convention: "I would remind you that extremism in the defense of liberty is no vice. And let me remind you also that moderation in the pursuit of justice is no virtue."

13 Johnson and Blair 1977, p. 55.

14 R. Johnson discusses the illative core and dialectical tier in R. Johnson 2000, p. 165. "Illative" is the term used in R. Johnson and Blair, 1977, p. 13, to refer to conclusion indicators. Hamblin 1970, p. 228, makes reference to Whateley's prior use of "illative." Charles S. Peirce also used it.

15 Johnson 1996, p. 106.

16 Dialectical closure does not even suffice for settlement unless the concept is expanded to include such unsettled cases as ending the argument by walking away, by agreeing to disagree, and by the stubborn meta-argument that something must be wrong even if I cannot yet identify it. See Cohen 2001 for a discussion of the last case.

17 Cohen 2002 includes a discussion of metaphors for arguments. There are obvious and important similarities between this approach and Aristotle's tripartite approach, sometimes identified with the product, process, and procedure of argumentation. Apart from any disagreements in detail, the crucial difference comes with the addition

of a fourth model and, most of all, with the identification of the models with metaphoric structures: they are entrenched but mutable features of the conceptual landscape.

Much of the discussion throughout Tindale 1999 is structured on the process-procedure-product distinction.

18 In addition to the attention given the argument-as-war metaphor in Cohen 1995, see, e.g., Lakoff and M. Johnson 1980, Nozick 1981, Nye 1990, and more recently and popularly, Tannen 1998.

19 For example, R. Johnson 1999 p. 150 claims that argument always has a background of controversy. Govier 1999 begins by finding the genesis of arguments in some kind of disagreement and concludes (ch. 14) by defending the "Positive Power of Controversy."

20 Let me reiterate the central point from Cohen 1995: There is something deeply ill-conceived in this picture. If, after argument, I have convinced you of something,

you end up with a new belief – a belief that is well-warranted and comes complete with its supporting reasons. You have gained something very valuable. And yet we feel compelled to describe you as the "loser" of the argument!

21 The ideology behind this is manifest in logic texts from the very start: their titles. Texts often have such titles as Logical Self-Defense (Johnson and Blair 1994), Attacking Faulty Reasoning (Damer 1987), and How to Win an Argument (Gilbert 1996) or, going one better, How to Win Every Argument (Capaldi 1999). Even pragma-dialectical discussions of "critical discussions," like van Eemeren et al. 1996, are marketed with fisticuffs on the cover!

22 Walzer 2000, now in its third edition, has become the consensus entry into contemporary discussions of just war theory. That discourse is extended to arguments in Cohen 2003.

23 M Gilbert 1997 emphasizes how the most important features of arguments can be their emotional, visceral, and "kisceral" dimensions ("modes"), to the point that they eclipse the logical.

24 While some commentators took this approach to Alan Sokal's parody of post-modern science studies: it passed the (dialectical?) test of blind review but failed to be either rational or persuasive. I think it is better counted as just the reverse: rhetorically successful insofar as it was an eloquent and deftly executed satire with great effect, but dialectically incomplete, as the tidal wave of subsequent objections demonstrated. And, of course, evaluated logically, it is a fiasco: an irremediable hash of Hasty Generalizations, Weak Analogies, Slippery Slopes, and Straw Man arguments – but logical validity is as utterly inappropriate a measure for parodies as truth is for fiction.

25 Kasser and Cohen, 2003.

26 Hesse, 1980.

27 Cohen 2001.

28 Johnson, 2000, ch. 6.

29 Ibid., p. 149

APPENDIX

A Tentative Taxonomy of Fallacies and Other Argumentative Crimes and Misdemeanors

I. Logical Fallacies

(Violations of the Rules of Inference: Invalid Reasoning and Problems with Logical Structure)

False Cause

- * Post hoc ergo propter hoc

- * Non causa pro causa

- * Oversimplified Cause

Hasty Generalization

- * Small Sample

- * Unrepresentative Sample

Begging the Question/Circular Reasoning

Ambiguities

- * Equivocation (Lexical)

- * Amphiboly (Grammatical)

- * Division/Composition

Affirming the Consequent/Denying the Antecedent

“Not” Hopping

Slippery Slope

Missing the Point

Appeal to Ignorance

Weak Analogy

Unfinished Demonstration

II. Rhetorical Faults

(Violations of the Rules of Fair Presentation: Misrepresentations, Omissions, and Presumptions about Audience Assumptions)

Suppressed Evidence

Unwarranted Premise

False Dichotomy (Black & White Thinking)

Complex Question

Subjectivism

Ad Hominem

- * Abusive

- * Circumstantial

- * Tu Quoque

- * Poisoning the Well

Non Sequitur

- * Diversion/Red Herring

Appeal to (Illegitimate) Authority

Appeal to Emotion

Ad Populum

- * Appeal to Majority

- * Provincialism

Insincerity

Straw Man

Obscurantism

III. Dialectical Offenses

(Violations of the Rules of Rational Engagement)

Appeal to Force

Excessive Argument

- * Quibbling

- * Picking a Fight/Unjust Argument

- * Beating a Dead Horse

Unanswered Objections (By Proponent)

Unvoiced Objections (By Opponent)

Unasked Questions

Misunderstanding (cf. Straw Man)

Insufficient Argument

- * Filibustering (as a means to prevent argument)

- * Turning a Deaf Ear

Insufficient Counter-Argument

- * Credulity/Unchallenged Assumptions

- * Unasked Questions

- * Unvoiced Objections

Ignoratio Elenchi

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