ISSA Proceedings 2010 – When Figurative Analogies Fail: Fallacious Uses Of Arguments From Analogy

1. Introduction

In this paper, I would like to deal with potentially fallacious uses of figurative analogies. The latter can be briefly defined as follows: Figurative analogies (also called "a priori analogies", cf. Govier 1987, p. 58 or "different-domain analogies", cf. Juthe 2005, p. 5, Doury 2009, p. 144) are arguments where similarities between entities belonging to entirely different spheres of reality are invoked. Some scholars dismiss such analogies as rationally insufficient means of argumentation. For example, eminent philosophers such J. St. Mill (cf. e.g. Mill 2005, p. 520f.; on Mill's view of analogy cf. Woods 2004, p. 254) stressed the fact that arguments from analogy are based on a weak notion of similarity and often rely on false analogies. More recently, Lumer (1990, p. 288) criticized that arguments from analogy were given a place as a rational means of argumentation by Perelman & Olbrechts-Tyteca (1983); And Lumer even generally classified arguments from analogy as fallacies (cf. Lumer 2000, p. 414).

However, figurative analogies were considered not only as an ubiquitous, but also as a rational, albeit weak and often defeasible means of argumentation by other authors in many recent studies (cf. Kienpointner 1992, p. 392; Mengel 1995, p. 13; Woods 2004, p. 253; Juthe 2005, p. 15; Garssen 2007, p. 437; Langsdorf 2007, p. 853; Walton et al. 2008, p. 44). It is this perspective that I wish to take up and also consider to be the most plausible and fruitful one. The question, then, is not so much *whether* figurative analogies are fallacious. Rather, we have to ask *which* figurative analogies are fallacious, and in *which* contexts, and according to *which* parameters.

Starting from standard treatments of analogical arguments such as Perelman & Olbrechts-Tyteca (1983, p. 502ff.), but also taking into account recent treatments of figurative analogies within Pragma-Dialectics (cf. Garssen 2007), I would like to

provide a systematic description of fallacious uses of arguments from figurative analogy. In order to do this, I will use a corpus of about 100 authentic examples, mostly taken from political discourse in Austrian newspapers and parliamentary debates, occasionally also from reports, interviews and advertising texts in Austrian media.

2. On the Structure of Figurative Analogies

In order to evaluate arguments from figurative analogy, we have to reconstruct their argumentative structure and to ask a series of critical questions. In the following, I take up suggestions made by Perelman/Olbrechts-Tyteca (1983), Coenen (2002) and Walton et al. (2008) for an explicit reconstruction of the structures underlying arguments from figurative analogy. This reconstruction can be supported by the presence of indicators of analogical argumentation, most of which also indicate arguments from direct comparison (cf. the following English, French and German indicators such as *to be (just) as/like*, *to be the same as*, *to be similar to*, *can be compared to*, *as if*, *as though*; *être (exactement) comme*, *être comparable avec*, *c'est comme si (on disait)*; *(genau) so zu sein wie*, *vergleichbar zu sein mit*, *Das wäre wie/als ob*; cf. also Snoeck Henkemans 2003, p. 970ff., van Eemeren et al. 2007, p. 141ff. and Doury 2009, p. 148ff.).

Although Perelman & Olbrechts-Tyteca have not provided us with an explicit argument scheme underlying all arguments from figurative analogy, they plausibly follow Aristotle in analysing the basic structure of analogies. This basic structure is an essential part of arguments from figurative analogy, which occurs as a propositional element of the premises and conclusions of such arguments, namely, as the proposition " C : D = A : B" stating the relevant similarity between the figuratively analogical entities. Perelman & Olbrechts-Tyteca reconstruct the basic relation between these entities, which belong to clearly differing domains of reality, as this proportion "C : D = A : B", much in the same way as Aristotle explained metaphor as an analogy between two pairs of concepts (e.g. "high age : life = evening : day"; cf. Aristotle poet. 1457b; rhet. 1410b; Coenen 2002, p. 109).

Perelman & Olbrechts-Tyteca (1983, p. 501) call the better known (often concrete) terms C and D the "phoros" ("phore") of an analogy, and the less well known (often abstract) terms A and B the "theme" ("thème") of an analogy. They call an analogy adequate when the phoros is able to focus attention on those properties of the theme which are considered to be of prime importance. As to the problem of the evaluation of arguments from figurative analogy, Perelman &

Olbrechts-Tyteca consider them an unstable means of argumentation (1983, p. 527), which has to be critically tested later on.

Variations of the basic structure “C : D = A : B” can be analogies with only three terms, for example, “B : A = C : B”. Perelman & Olbrechts-Tyteca (1983, p. 505) give the illustrative example of Heraclitus’ saying “In the sight of the divinity, man is as puerile as a child is in the sight of a man”, that is, “Man : divinity” = child : man” Analogies can be simpler (cf. above) or more complex than the prototypical four-term structure. More complex structures are analogies which involve a six-term structure “C : D : E = R : S. T” (cf. Coenen 2002, p. 195): “Marriage : spouse1 : spouse2 = prison : prison officer : prisoner”.

Valuable as it is as a first approximation, the analysis provided by Perelman & Olbrechts-Tyteca only allows a partial reconstruction of the structure of arguments from figurative analogies. Walton et al. are an important step forward in this respect, as they explicitly reconstruct all premises and the conclusion of arguments from figurative analogy (but cf. already Coenen 2002, p. 170, Woods 2004, p. 257f., Juthe 2005, p. 11ff. for comparable attempts). Moreover, they reconstruct analogical arguments involving facts as well as analogical arguments concerning values and norms. That is, Walton et al. (2008, p. 58, p. 62, p. 74) provide explicit reconstructions of descriptive and normative versions of schemes underlying arguments from figurative analogy, as well as a list of critical questions.

As to the plausibility vs. fallaciousness of arguments from figurative analogy, Walton et al. (2008, p. 61) insist that “argument from analogy is best seen as a defeasible argumentation scheme that is inherently weak and subject to failure, but that can still be reasonable if used properly to support a conclusion”. What does “be reasonable if used properly” mean? Walton et al. (2008, p. 83) explain that in spite of their inherent weaknesses, arguments from analogy can shift the burden of proof, if they are used together with other types of argument, such as arguments from expert opinion or appeals to witness testimony.

Below, I formulate slightly modified versions of these argument schemes: Unlike Walton et al. (2008), I use strictly parallel formulations for the descriptive and normative versions of the schemes. Furthermore, I formally distinguish the propositions “A” and “A’ ” in order to make clear that in the case of figurative analogies, proposition A and proposition A’ (and, likewise, action A and action A’)

are only “figuratively” equivalent, as they belong to different domains of reality. Walton et al. (2008, p. 43ff.), however, use the term “analogy” indiscriminately both for “same domain” analogies and for figurative analogies.

Finally, I had to reformulate the original version of critical question 3 (“CQ3: Are there important differences (dissimilarities) between C1 and C2?”; cf. Walton et al. 2008, p. 62), because in the case of figurative analogies it is unavoidable that there exist important differences between Case 1 and Case 2 (cf. Juthe 2005, p. 5). The problem for the critical evaluation is whether these important differences are so overwhelming that the argument becomes fallacious (“Generally” in the Major Premise is not to be understood in the sense of a universal statement, cf. Govier 1987, p. 59f., Kienpointner 1992, p. 385, Juthe 2005. p. 16ff. and below, section 2):

Argument from figurative analogy, descriptive version:
Major Premise: Generally, case C1 is similar to C2 and C1 and C2 belong to (totally) different domains of reality.
Relevant Similarity Premise: The similarity between C1 and C2 observed so far is relevant.
Minor Premise: Proposition A is true (false) in case C1.
Conclusion: Proposition A’ is true (false) in case C2.

Argument from figurative analogy, normative version:
Major Premise: Generally, case C1 is similar to C2 and C1 and C2 belong to (totally) different domains of reality.
Relevant Similarity Premise: The similarity between C1 and C2 observed so far is relevant.
Minor Premise: To do A is right (wrong) in case C1.
Conclusion: To do A’ is right (wrong) in case C2.

Critical Questions for Arguments from Figurative Analogy
CQ1: Is A true (false)/Is it right (wrong) to do A in C1?
CQ2: Are C1 and C2 similar, in the respects cited?
CQ3: Are the important (that is, the most relevant) differences (dissimilarities) between C1 and C2 too overwhelming to allow a conclusion which crosses the different domains of reality to which C1 and C2 belong?
CQ4: Is there some other case C3 that is similar to C1 except that A’ is false (true)/to do A’ is wrong (right) in C3?

3. Criteria for the Evaluation of Arguments from Figurative Analogy

The following five pragmatic parameters (which are to be applied by relying on information about the verbal and situational context of the arguments from figurative analogy) allow a relatively clear distinction between plausible, albeit defeasible arguments from figurative analogy on the one hand, and fallacious arguments from figurative analogy on the other:

Parameter 1 concerns the balance between "distance" and "closeness" of the differing domains of reality. If the analogically related terms are too distant from each other, that is, if they belong to domains which have some shared similarities, but lack relevant similarities, we compare "apples with oranges" and commit the fallacy of false analogy (cf. Juthe 2005, p. 14); if the analogically related terms are too close to each other, we pretend to make a figurative analogy, but rather make a straightforward comparison, a mistake nicely illustrated by Woods (2004) with the example "Verdi is the Puccini of music", which incorrectly applies the structure "X is the Y of Z" to a straightforward comparison, unlike the figurative analogy "Amsterdam is the Venice of northern Europe", where the structure "X is the Y of Z" is used appropriately.

Of course, this does not mean that the resulting straightforward comparison is necessarily fallacious in itself. However, whenever a speaker tries to formulate a figurative analogy, but in fact makes a straightforward comparison, he or she fails in applying the respective argumentation schemes appropriately. Such a misapplication of a certain type of argument scheme or an inappropriate mixing of argument schemes could be called a fallacy in the broader sense of being an illegitimate move within a critical discussion aimed at the rational resolution of a conflict of opinions (cf. van Eemeren et al. 1996, p. 299; van Eemeren & Grootendorst 2004, p. 172).

Parameter 2 concerns the burden of proof assigned to arguments from figurative analogy. If these arguments are used as independent means of argumentation, they carry a greater part of the burden of proof and hence are more vulnerable to criticism; if, however, they are used as additional elements of proof (or only as presentational device; cf. Garssen 2007), supporting other arguments brought forward to prove or make plausible a controversial standpoint, they carry a smaller part of the burden of proof or are only intended to shift the burden of proof together with these other arguments. Their use as independent means of argumentation does not necessarily make figurative analogies fallacious, but it

becomes more difficult for them to shift the burden of proof without additional arguments brought forward to support the respective controversial standpoint.

Parameter 3 deals with the use of figurative analogies as pro or contra arguments. If arguments from figurative analogy are used as means of argumentation which cast doubt on the opponent's standpoint, they have a less ambitious goal than arguments intended to be a full proof of the own standpoint or a refutation or "reductio ad absurdum" of the opponent's standpoint (on the dialectical orientation of figurative analogies cf. Doury 2009, p. 147). That is, sometimes figurative analogies are only intended as an objection to the argumentation of the opponent rather than as an argument for the opposite standpoint of the opponent.

Parameter 4 concerns the "didactic" value of figurative analogies. If arguments from figurative analogy are used to provide a simplified access to highly complex controversial issues, their argumentative value cannot simply be dismissed because they are a too simple means of argumentation.

Parameter 5 has to do with the "seriousness" of analogical arguments. If arguments from figurative analogy are intended as a humorous or satirical means of argumentation which tend to entertain or "let off steam" rather than to argue seriously, they have to be judged differently than arguments which are intended to be fully serious means of argumentation. This does not mean that humorous or satirical figurative analogies can never be judged as fallacious arguments. In fact, they could be considered fallacies according to the standards of a critical discussion within the Pragma-Dialectical framework. However, they could be justifiable as weak, but not necessarily fallacious arguments within other, more emotional types of argumentative dialogue, such as a quarrel (an eristic type of dialogue, cf. Walton 1992: 22).

Together with the critical questions listed above, some of these parameters will now be used to analyse a few test cases in some detail. These 6 case studies range from clearly fallacious uses of arguments from figurative analogy to clearly plausible uses, with cases of problematic, but not clearly fallacious instances in between.

4. Case Studies

The first case concerns a figurative analogy brought forward by Fiona Griffini-

Grasser, a fashion designer and heiress of the Swarovski group, an Austrian crystal manufacturing enterprise. As a jet set lady, Griffini-Grasser has a record of making notorious public statements. In January 2010, in defence of her participation in the victory celebrations of skiing stars during the downhill races in Kitzbühel, Austria, two weeks after the catastrophic earthquake in Haiti (January 12, 2010) which killed approximately 230.000 people, Griffini-Grasser used the following argument from figurative analogy to justify her participation:
(1) *Unsere Schifahrer riskieren auch ihr Leben. Das ist genauso wie in Haiti. Warum soll man sie nicht feiern?*
("Our skiers risk their lives, too. That's just like in Haiti. Why shouldn't we celebrate them?")
(Kleine Zeitung, 23.1.2010, http://www.kleinezeitung.at/sport/schi/schialpin; seen last time on May 9, 2010)

The figurative analogy invoked by Griffini-Grasser can be reconstructed as follows: "Professional skiers (= C) : their great personal risk at downhill races (= D) = inhabitants of Haiti (= A) : their great personal risk due to the earthquake of January 12, 2010".

Major Premise: Generally, running the deadly risk of living in an earthquake zone such as Haiti (= C1) is essentially similar to running the deadly risk of participating in downhill races as a professional skier (= C2) and C1 and C2 belong to (totally) different domains of reality.

Relevant Similarity Premise: The similarity between C1 and C2 observed so far, namely to run a deadly risk, is relevant.
Minor Premise: "Living in an earthquake zone such as Haiti is running a deadly risk" is true in case C1.
Conclusion: "Participating in a downhill race as a professional skier is a deadly risk" is true in case C2 in exactly the same way.

Checking this argument with the help of the critical questions listed above, I would like to make the following remarks: There is no doubt that it is true that the inhabitants of Haiti took a great risk in Haiti during the earthquake, as the enormous numbers of dead victims have shown (cf. CQ1, concerning the Minor Premise: Is A true (false) in C1?). As to the second critical question (CQ2: Are C1 and C2 similar, in the respects cited?), one could say that although professional skiers, skiing downhill races, the inhabitants of Haiti and the dangers of

earthquakes belong to clearly different domains of reality, there are not only differences, but also some similarities. As such similarities, one might adduce the following ones: 1. Both downhill races and earthquakes pose a threat to the life of the persons who are regularly doing downhill races or persons who live in areas with a risk of dangerous earthquakes; 2. Both professional skiers and inhabitants of threatened areas are pursuing their potentially dangerous way of life intentionally (and as professional skiers could choose another job, Haitians could move away from Haiti, at least in principle, cf. below).

Of course, there are also differences, for example: You are paid for being a professional skier, but you are not paid for living in an area where dangerous earthquakes can occur; winning downhill races can bring you both economic success and social prestige, while living in areas threatened by earthquakes cannot bring you wealth or prestige just because your live there.

The third critical question (CQ3: Are the important (that is, the most relevant) differences (dissimilarities) between C1 and C2 too overwhelming to allow for a conclusion which crosses the different domains of reality to which C1 and C2 belong?) tries to check whether the similarities are relevant and important enough to counter these differences (cf. Juthe 2005, p. 14). While Griffini-Grasser's argument survives the first and the second critical question relatively well, the third critical question has to be answered affirmatively, in a way which clearly demonstrates the fallacious character of her argument: The similarities between professional skiers and the inhabitants of Haiti are not relevant, whereas the differences clearly are: Downhill racers risk their lives for considerable amounts of money and out of ambition, whereas the inhabitants of Haiti earn nothing for their risk, nor are they ambitious just because they stay in Haiti.

Moreover, most of the Haitians are much too poor to be able to move elsewhere, anyway: Haiti was already the poorest country in Latin America before the earthquake, with extremely high rates of unemployment, illiteracy and starvation (cf. http://en.wikipedia.org/wiki/Haiti; seen last time May 9, 2010). So Griffini-Grasser cannot plausibly justify her participation in the celebrations of professional skiers with the alleged "equivalence" of their endangerment of life with the victims of the Haiti catastrophe. Not only qualitatively, but also quantitatively, the 230.000 dead victims of the earthquake cannot be reasonably compared with the dead victims of accidents as a result of downhill races (probably not more than a few dozen in the last 50 years).

As to the parameters outlined in section 2, the distance between the domains of life of professional skiers and of (mostly poor) Haitians is too great to allow a plausible comparison of their risks (so Griffini-Grasser is comparing “apples and oranges”). Furthermore, she is not relying on other types of arguments which would reduce the burden of proof for her analogy. Moreover, there are no verbal indications that Griffini-Grasser did not mean her argument seriously. Finally, there are no downtoners like “in a way”, “somehow” or “almost”, which would make her analogical comparison less vulnerable to criticism. On the contrary, she said that professional skiers risk their lives “just like” (using the German indicator *genauso wie*) the inhabitants of Haiti. This, then, is a clear example of a fallacious use of an argument from figurative analogy.

Other arguments from figurative analogy are less clear-cut cases of fallacies and have some degree of plausibility, but are formulated in such an exaggerated way that they cannot claim to be acceptable in this formulation. Georg Schärmer, head of the Tyrolean section of “Caritas”, the charity organization of the Austrian Catholic church, is quoted by the ORF, the Austrian public television network, as harshly criticising the Austrian school system. This system allocates children at the age of 10 into two types of high schools: “Gymnasium” (10-18 years, the basis for college and university education) and “Hauptschule” (10-14 years, the basis for an apprenticeship, or, alternatively, for moving on to a “Gymnasium” or other types of advanced secondary schools, with an option of a following tertiary education). Schärmer is quoted calling this division “a system of apartheid” (*ein Apartheidssystem*), which divides up young children far too early and separates society into different layers:
(2) *Heute gebe es ein Apartheidssystem. Kinder würden heute viel zu früh auseinanderdividiert in Leistungsgruppen oder in Hauptschule bzw. Gymnasium. “Wenn wir Kinder schon so früh auseinanderdividieren, dividiere man eine Gesellschaft auseinander.”*
(“Today we have a system of Apartheid. Children are being separated much too early into different performance groups or into “Hauptschule” or “Gymnasium”. “If we divide children so early, we are dividing also society”; http://tirol.orf.at/stories/401294/; seen last time on 19 June 2010)

This assumption of an analogy between the Austrian school system and former South African apartheid was subsequently critized by Thomas Plankensteiner, a Tyrolean school inspector, who calls it an example of “Geschmacklosigkeit” (“bad

taste”) to compare the Austrian school system with a political system where citizens were deprived of their rights and persecuted because of the colour of their skin (in an article in the Tyrolean newspaper Tiroler Tageszeitung, November 12, 2009, p. 28). And indeed, it has to be conceded to Plankensteiner that the figurative analogy “the black majority and other “coloured” people in the South African apartheid system (= C) : the ruling white minority in South Africa during the time of apartheid (= D) = the allocation of the lower classes in the Austrian school system” (= A) : the allocation of the upper class in the Austrian school system” (= D)” is hardly tenable.

Schärmer has a point when he insists on the fact that the Austrian school system still tends to support existing social structures and hierarchies, but it cannot be denied that nowadays many children who go to “Hauptschule” later on move to the upper section of “Gymnasium” or other advanced secondary schools (according to Plankensteiner (ibid.), 70% of the pupils who pass the final exam of highschools at the age of 18 in Tyrol come from “Hauptschulen”). More important than this, he cannot plausibly try to relate the controversial and much debated issue of the best way to organize the Austrian national school system with the South African apartheid system of the years 1948-1994. Schärmer’s analogical comparison of the Austrian school system with an authoritarian, racist and exploitative society such as in South Africa during this period, where black and other “coloured” people were deprived of their citizen rights, is simply unacceptable. There is no relevant similarity which would be important enough to justify this analogical comparison. Therefore, Schärmer’s analogy fails to comply with CQ3. While his other critical arguments, involving the negative effects of an early division of school children, would certainly deserve further consideration, their plausibility is weakened by his argument from figurative analogy.

Even more problematic is the following case. Although the presumption of innocence is to be respected for any person facing ongoing law suits, there are justified doubts about the acceptability of attempts by Silvio Berlusconi, Italy’s Prime minister, to use his political power to modify Italian laws in order not to be found guilty in law suits concerning bribery and tax fraud. According to Berlusconi, the law suits against him are the attempts of subversive judges and state attorneys to overturn the government and to ruin his political career. Be that as it may, the following argument is formulated in such a clearly exaggerated way that it cannot successfully pass the examination with critical questions on

arguments from figurative analogy (cf. especially CQ2 on similarities, CQ3 on relevant differences between the analogically related entities):

(3) *Berlusconi: "I miei processi? I legali mi sconsigliano di presentarmi, troverei un plotone d'esecuzione".*
("Berlusconi: "My law suits? My lawyers discourage me from presenting myself, I would face an execution squad"; la Repubblica online, 20.1.2010; http://www.repubblica.it/ politica/2010/01/20/news/aula-processo-2016916/; seen last time May 9, 2010)
[Already last year, Berlusconi was quoted in the Austrian newspaper Salzburger Nachrichten, November 28/29, 2009, p. 4 as follows: ""Die Gerichte, die über mich urteilen, sind Hinrichtungskommandos, denen das Handwerk gelegt werden muss", erklärte der Premier"; "The courts which judge me are execution squads which have to be stopped, declared the Prime Minister"]

Berlusconi claims that "A person to be executed (= C) : the execution squad (= D) = Silvio Berlusconi (=A) : Italian courts (= B)". Differently from further examples from political discourse which I will present below, this argument is not intended as a humorous or satirical attack, or at least there are no clear verbal indicators of irony or of a satirical hyperbole. So there are no mitigating factors, apart from the fact that Berlusconi does bring forward other arguments for his position, which are, however, weakened rather than supported by this implausible exaggeration.

The following examples are taken from parliamentary discourse. They contain arguments from figurative analogy which are part of heckling shouts on members of parliament. As far as their evaluation is concerned, they pose problems differing from those which have appeared in the other examples discussed so far. That is, on the one hand, they are clearly fallacious uses of the argument from figurative analogy because they evidently compare "apples with oranges", and they are at the same time abusive attacks *ad hominem*; on the other hand, they clearly cannot be analysed according to standards of a critical discussion (cf. van Eemeren & Grootendorst 2004, pp. 123ff.), because they are a constitutive part of heckling in parliamentary discourse, that is, a quarrel, a dialogue type where very often standards for the rational solution of a conflict of opinion are suspended in order to "let off steam" and/or to make fun of the political opponent, frequently by using aggressive satirical formulations. This is clearly not rational and cooperative, but different from the other examples of problematic arguments from

figurative analogy discussed so far, these instances of heckling are not intended to be taken seriously. Therefore, the classification of fallacious arguments from figurative analogy must assign them a specific place.

Here are two examples, in which the political opponent – in these cases the Austrian Social Democrats (= SPÖ) – is compared to a mentally handicapped person, a (small) child, and a little side car, respectively, whereas the Austrian Conservatives (= ÖVP), who are currently working together with the Social Democrats in a government coalition, are portrayed as their trustee, their legal guardian, or as a car which has a little side car, respectively. Of course, it can hardly be justified that political parties of about equal strength as far as parliament members and percentage of voters are concerned, such as the SPÖ and the ÖVP (with the SPÖ at the moment being even slightly stronger and providing the prime minister), can be equated with asymmetric role distributions such as "parent/legal guardian : children" or "trustee : mentally challenged people", where the ÖVP is made the superior partner. So again, the relevant similarities are lacking (cf. CQ3).

These heckling attacks often are aggressive reactions (interrupting shouts) to speeches presented by Social Democrats or by Conservatives. They are very often brought forward by members of the BZÖ, an Austrian right-wing conservative party, which was the result of internal conflicts and a following split within the Austrian right-wing Freedom Party (= FPÖ). These BZÖ members accuse the ruling government of trying to cover up several alleged political scandals, with the ÖVP acting as the leading partner and the SPÖ as the passive follower of the ÖVP. All three figurative analogies (e.g. "A trustee (= C) : a mentally challenged child (= D) = ÖVP (= A) : SPÖ (= B)") mentioned above are (repeatedly) formulated in example (5):
(4) Nat.Abg. G. Grosz (a member of the BZÖ): *Die ÖVP ist eigentlich der Sachwalter der SPÖ!*
("Member of Parliament G. Grosz: The ÖVP actually is the trustee of the SPÖ!"; Protocol of the 50th Session of the National Assembly ("Nationalrat"), November 12, 2009, p. 299)
(5) Nat.Abg. J. Bucher (another member of the BZÖ): *Lieber Herr Kollege Cap, heute haben wir es schon gehört, Sie sind das Beiwagerl der ÖVP, die ÖVP ist der Erziehungsberechtigte der SPÖ. Meine sehr geehrten Damen und Herren, die ÖVP ist mittlerweile der Sachwalter der SPÖ!* (Beifall beim BZÖ und bei

Abgeordneten der FPÖ)
("Member of Parliament J. Bucher: Dear colleague, Mr. Cap, today we have already heard that you are the tiny side car of the ÖVP, the ÖVP is the legal guardian of the SPÖ: My dear ladies and gentlemen, in the meantime the ÖVP has become the trustee of the SPÖ! (Applause from the BZÖ and some Members of Parliament of the FPÖ, the Austrian right-wing Freedom party)"; Protocol of the 50th Session of the National Assembly ("Nationalrat"), November 12, 2009, p. 305)

The cases I have analysed so far rather suggest that arguments from figurative analogy are indeed inevitably fallacious or at least in danger of becoming fallacies. However, the following example shows that this is not always the case. In fact, this example is a rather clear case of a plausible application of arguments from figurative analogy.

It is taken from a guest commentary in the Austrian newspaper "Der Standard", written by Dr. Franz Fischler, Conservative politician and former Austrian Minister of Agriculture, also former EU Commissioner of Agriculture:
(6) Franz Fischler: […] *Es wäre geradezu verantwortungslos, den Fehler, dass man bei der letzten Steuerreform einer Steuerstrukturdebatte aus dem Weg gegangen ist, zu wiederholen. Noch dazu, wo eine bessere Annäherung an die von uns selbst gewählten Kiotoziele* [sic!] *auch beträchtliche Einsparungen bringen würden.*
Es ist eine Illusion zu glauben, dass wir beim Energieverbrauch weitermachen können wie bisher. Eine Ausrichtung unseres Steuersystems auf soziale und Klimaziele ist daher schon längst fällig. Nicht Ökosteuern sind „ein Schuss ins eigene Knie", wie es derzeit von manchen Titelseiten prangt, sondern nichts zu tun und die Dinge laufen zu lassen wie bisher wäre ein „Schuss ins Knie", nämlich ins Knie unserer Kinder und Enkelkinder.
(Franz Fischler: […] It would really be irresponsible to repeat the mistake of evading a debate about the structure of taxes as was done during the last tax reform. And that in spite of the fact that a better approximation towards the Kyoto goals chosen by ourselves could also lead to considerable spending reductions.
It is an illusion to believe that we can continue our energy consumption as we have until now. An orientation of our tax system towards social and climate goals, therefore, is long overdue. Not ecotaxes are like "shooting ourselves in the foot", as you can read on many front pages today. But to do nothing and carry as we

have before would be to “shoot ourselves in the foot” – in the feet of our children and grandchildren”; Der Standard, March 27/28, 2010, p. 12)

In this passage, Fischler puts forward several arguments in favour of ecotaxes. These arguments are “pragmatic arguments” (cf. Perelman & Olbrechts-Tyteca 1983, p. 358; Schellens 1985, p. 153ff.; Kienpointner 1992, p. 340f.), which argue for or against the performance of certain acts with their assumed positive or negative effects. More particularly, according to Fischer, ecotaxes would have positive effects on the global climate and on the reduction of the budget deficit, whereas going on with the status quo would have a negative impact on the climate. Only after these pragmatic arguments does Fischler use an argument from figurative analogy, which is actually a counter argument against another figurative analogy, as he quotes, “the Austrian economy (= C) : the introduction of ecotaxes (= D) = a person (= A) : shooting oneself in the foot (= B)”. Fischler’s counter analogy claims that “the Austrian economy (= C): continuing without the introduction of ecotaxes (= D) = a person (= A) : shooting in the feet of his/her children and grandchildren (= B)”.

The structure of Fischler’s argument can be reconstructed as follows:
Major Premise: Generally, to shoot in the feet of one’s children or grandchildren (= C1) is similar to performing acts which have very dangerous effects on one’s planet’s climate (= C2) and C1 and C2 belong to (totally) different domains of reality.
Relevant Similarity Premise: The similarity, namely, to do considerable harm, between C1 and C2 observed so far is relevant.
Minor Premise: “To shoot in the feet of one’s children or grandchildren is wrong” in case C1.
Conclusion: “To go on with the status quo as far as the tax system is concerned (with all the resulting bad effects on the climate)” is wrong in case C2.

I would now like to turn to the evaluation of Fischler’s argument from figurative analogy. There is no doubt that “shooting in the feet of one’s (grand-)children” is wrong (cf. CQ1). There are also similarities between C1 and C2, namely, doing considerable harm to somebody/something. Furthermore, this harm is both avoidable and the result of irresponsible, unacceptable acts both in C1 and C2 (cf. CQ2).

As to the decisive question whether this similarity is a relevant/important one, the

following remarks seem to be justified: As the overwhelming majority of climatologists predict catastrophic consequences of the ongoing climate change, Fischler's analogy is far from being exaggerated. One could even claim that it is an understatement and that doing nothing against climate change would rather be like "shooting in the head of one's children and grandchildren". So his analogy is not exaggerated and makes important and relevant similarities between different kinds of harm explicit, namely, the analogy between "harming oneself or one's children and grandchildren severely" and "harming the planet's climate severely".

The figurative analogy also has didactic merits, as it is far easier to understand that hurting one's (grand)children seriously is a most irresponsible and unacceptable kind of action than understanding how the current economic and ecological policies negatively affect the earth's climate: a complex of causes and effects which is far more complex and not easy to understand and evaluate for lay persons. Moreover, Fischler uses the figurative analogy only as a supportive additional argument for his pragmatic arguments, not as the only one or the most central and fundamental one. Finally, Fischler's figurative analogy is also used as a counter argument against the dubious assumption that ecotaxes would have very negative effects ("to shoot oneself in the foot"). Even if Fischler's argument from figurative analogy is not accepted as a full refutation of the status quo of tax policies and a definitive proof of his own standpoint, it has at least enough plausibility to cast doubt on the status quo as far as ecotaxes are concerned. So, all in all, this is a case of a plausible argument from analogy.

5. Conclusion

Arguments from figurative analogy have been reconstructed with the help of a slightly revised version of the descriptive and normative argument schemes and the list of critical questions established by Walton et al. (2008). The most important critical question is the following one (= CQ3): "Are the important (that is, the most relevant) differences (dissimilarities) between C1 and C2 too overwhelming to allow a conclusion which crosses the different domains of reality to which C1 and C2 belong?" In addition, a few pragmatic parameters for the evaluation of arguments from figurative analogy are useful for clarifying the argumentative value of these arguments (e.g. their use as independent arguments or as additional, supportive arguments; their status as pro or contra arguments; their seriousness etc.).

The 6 case studies analysed above have shown that many instances of the argument from figurative analogy are fallacious or that they are at least highly problematic types of argument. Nevertheless, there are also plausible uses of this type of argument. Therefore, a general negative evaluation of arguments from figurative analogy as fallacies is out of place. Such a generally negative attitude towards these arguments cannot explain the substantial differences as to their degree of plausibility which manifests itself if authentic examples from everyday argumentation are taken into consideration. The case studies have also shown that arguments from figurative analogy can be seen as specific cases of "strategic maneuvering" (cf. van Eemeren 2008; van Eemeren & Houtlosser 2002; van Eemeren & Grootendorst 2004) which can be a legitimate means of argumentation in some cases, but can also "derail" in other situations. So I fully agree with the following remark by Juthe (2005, p. 4): "As with all the other types of arguments, there are good and bad arguments by analogy".

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