Critical Thinking – Handout 3 – The Ad Hominem Fallacy

> Testimony is like an arrow shot from a long bow; the force of it depends on the strength of the hand that draws it. Argument is like an arrow from a cross-bow, which is equal force though shot by a child.
> –Samuel Johnson, *A Life*

At this point, we have several fundamental critical thinking skills (CTSs) at our disposal:

CTS #1: the ability to identify passages of text and determine whether or not they are arguments,
CTS #2: the ability to determine whether an argument is valid/invalid and strong/weak by using the imagination test.
CTS #3: the ability to specify the *exact* conclusion of the argument.
CTS#4: the ability to identify which premises (reasons) are relevant and which are irrelevant to a specific conclusion.
CTS#5: the ability to determine how different premises relate to each other in their support of the conclusion (diagramming).

The next set of CTSs will focus more on the *evaluation* of different arguments.

CTS#6: the ability to identify different fallacies as they occur in everyday arguments and distinguish these fallacies from similar-looking but non-fallacious arguments.

1. AD HOMINEM ARGUMENTS & AD HOMINEM FALLACIES

A **fallacy** is an error in reasoning. We say that someone's reasoning or argument is "fallacious" when they argue incorrectly from the premises to the conclusion. A large portion of critical thinking has to do with the description, investigation, and taxonomy of different fallacies.

One important kind of fallacy is the *ad hominem[1] fallacy*. To get clear on what an ad hominem fallacy is, we first need to define what an "ad hominem statement" and "ad hominem argument" is:

An **ad hominem statement** is *any* (positive, negative, or neutral) statement made about an individual. They tend to be evaluative, e.g. "John is a good man", "Frank is a fraud", "George is a drunk."

An **ad hominem argument** is *any* argument that contains an ad hominem statement.

Example of an Ad Hominem Argument

P1 John is a great guy.
P2 John is handsome too.
C   Therefore, you should go on a date with John.

The **ad hominem fallacy** is a type of fallacy that occurs when the ___***evaluation of an argument***___ as a whole is discredited (or credited) on the basis that the source of the argument has a certain property or character.

Simple Example of the Ad Hominem Fallacy

P1 John argues for C by citing reasons x, y, and z.
P2 John is stupid.
C   Therefore, John's argument is worthless.

In the above argument, notice that the *quality* of John's argument is dismissed on the basis of the fact that John is the one who is putting it forward, not on the basis of the fact that the reasons *x, y,* and *z* do not support the conclusion.

Actual Example of the Ad Hominem Fallacy, adapted from the Centre Daily Times

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[1] "Ad hominem" is Latin for "to the man" or "to the person"

A: What price would you like to put on what happened to each and every victim and their families? PSU should get slammed to the ground for letting children be abused. It's the only way they ever learn.[2]

B: Your small hateful brain would make you a candidate for suffering from A MENTAL DISEASE OF SEVERE JEALOUSLY TOWARD JOEPA AND PENN STATE. You are simply a person of jealous hatred. You must be from some little normal school. You are sad, get some help before you self-detonate.[3]

In the above example, what we have is the following:

Analysis of Argument Above

A: P1   Penn State let children be sexually abused
      P2   No amount of money can repair the damage done to these children.
      P3   Penn State will not learn if the penalty is not extremely severe.
      C   Therefore, the penalties imposed on Penn State should be extremely severe.

B: P1*   The person putting forward the above argument is extremely jealous of Joe Paterno and Penn State.
      P2*   The person putting forward the above argument is full of hate.
      P3*   The person putting forward the above argument is from a small school that is not well-known (?)
      P4*   The person putting forward the above argument is pathetic and needs psychiatric treatment before they die.
      C*   Therefore, A's argument is worthless.

Notice how B does not argue that A's argument is problematic because P1, P2, or P3 are false or because C does not follow from P1, P2, or P3. Rather, B is arguing that A's argument should be rejected because A (the source of the argument) has certain properties.

Structure of the Ad Hominem Fallacy
1   A argues C
2   A is x.
3   On the basis of (2), C is bad, good, etc.

2. THREE POINTS OF FURTHER CLARIFICATION

Point #1: The most familiar form of the **ad hominem fallacy** occurs when the evaluation of an argument is <u>*discredited*</u> (i.e. negatively evaluated) on the basis of characters or features in the source of the argument. However, an ad hominem fallacy also occurs when an argument is <u>*credited*</u> (i.e. positively evaluated) on the basis of characters or features in the source of the argument.

Ad Hominem Fallacy
P1   Lance argued that all people should give to the American Cancer Society because cancer is a horrible disease.
P2   Lance is a really great guy, really smart, and a cancer-survivor.
C   Therefore, Lance's argument must be a good one.

In short, you commit the ad hominem fallacy when you argue that **an argument** is *good/bad* because of the source of the argument is *good/bad*.

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[2] http://www.centredaily.com/2012/07/01/3248041/psu-could-pay-tens-of-millions.html#disqus_thread
[3] Source: http://www.centredaily.com/2012/06/29/3245957/sandusky-continues-to-receive.html
Accessed on 6/29/2012

*Point #2: Not all ad hominem **arguments** commit the ad hominem fallacy*. Some ad hominem arguments use features of a person's character not to discredit their arguments but *as a premise* to argue for some conclusion **about** the person.

Ad Hominem Argument that **does not** commit the ad hominem fallacy
P1   John is an evil person.
P2   Evil people should not be politicians.
C   Therefore, John should not be a politician.

Ad Hominem Argument that **does not** commit the ad hominem fallacy
P1   John says that he worked closely with Barack Obama.
P2   You cannot believe anything John says because he is a liar and always tries to make himself sound important.
C   Therefore, John probably didn't work with Barack Obama

Notice that none of the above commits the ad hominem fallacy since they don't use characteristics about the person making the argument to credit/discredit the overall quality of the argument.

*Point #2: Not all ad hominem **attacks** commit the ad hominem fallacy*.

An ad hominem attack is an ad hominem statement that says something negative about a person. But, sometimes people engage in ad hominem attacks but they are not attacking an argument. This type of discourse is akin to name-calling or fighting.

Not an Ad Hominem Argument / Fallacy
Jon   I think we should raise taxes in the USA
Liz   You sir, are stupid!

Liz calls Jon stupid, but this is not an ad hominem fallacy since there is no argument to credit/discredit.

Group Exercise & Discussion:
1. Write down an example, of your own making, of an argument that commits the ad hominem fallacy.
2. First, create a list of situations, contexts, arenas where the ad hominem fallacy seems to be used a lot. Next, can you find any features common to these situations?

3. AD HOMINEM ARGUMENTS AND TESTIMONY

The ad hominem fallacy is an instance of the fallacy of the irrelevant reason. Recall that the fallacy of the irrelevant reason is a kind of fallacy where an irrelevant reason is cited in support of a conclusion but that reason does not render the truth of the conclusion any more or less likely. In the case of the ad hominem fallacy, the *source* of the **argument** is cited as a reason for rejecting the argument as a whole. Characters found in the source of an argument however are *not relevant* for evaluating whether the premises render the conclusion more or less likely. The reason that this is the case is because:

Key Point: The Quality of an Argument <u>Does Not</u> Depend Upon Who the Arguer Is

In other words, the ad hominem fallacy *is* an error in reasoning (i.e. it is a fallacy) because the evaluation of arguments is **independent** of who puts the argument forward. Consider the following:

A1	Liz, a world-renowned scientist, puts forward argument A that

	involves reasons P1, P2, P3, P4, and P5.
A2	Jon, the local barista, puts forward argument A that involves reasons P1, P2, P3, P4, and P5.

Note that A1 is not a *better* argument than A2 because it came out of Liz's mouth rather than Jon's. We might be more inclined to believe Liz than John (or take her arguments seriously) but that doesn't make the conclusion any more likely. The premises P1, P2, P3, P4, and P5 do not somehow better support the conclusion when Liz puts them forward than when Jon put them forward.

However, while the *source of an argument* should not be considered when evaluating an argument, the *source of testimony* does matter when we are considering the *plausibility of testimony*.

*Point #1: The Plausibility of the Testimony **Does** Depend Upon Who the Testifier Is*
- When someone testifies to a fact *p*, they are generally saying two things:
    o explicitly: *p* is true
    o implicitly: they are a reliable source of information, so believe *p*.
- Whether someone is a reliable source of information depends upon *who* the person is, whether they have a motive to lie, whether they know what they are talking about, and a host of other factors.

Who Do You Believe?	
Jon is a good friend of yours. You have never known him to lie. Even when you wish he'd fudge the truth a little, he always speaks honestly and is almost always correct. Jon is a sane guy too; he has a good job, he works hard, and doesn't experiment with any dangerous drugs. John tells you that she saw Justin Bieber in the park. You love Justin Bieber and if Justin Bieber were in the park, you would be very happy.	**Liz** is one of your enemies. She used to be your friend but she crossed you a couple years ago. You and Liz were out shopping for expensive watches. When the clerk wasn't looking, she snatched the watch and put it in her coat pocket. As you two were walking out the door, the alarm went off and the police arrived. She tried to get you to confess that you stole the watch (Liz has a couple prior charges). "No way," you yell, "why'd you go and steal that watch anyway?" When the police arrived, Liz tells them that you stole the watch and slipped it in her jacket. The police arrest Liz and she swears revenge as they push her into a police car. Liz gets out of jail and tells you that she saw Justin Bieber in the park. You love Justin Bieber and if Justin Bieber were in the park, you would be very happy.

Thus, while the strength of an *argument* should be evaluated independently of the source of the argument, the plausibility of the *testimony* depends upon the source of the testimony, e.g. their trustworthiness or expertise.

> *Discussion Question*: What are some relevant character traits you would want to know about someone if they were testifying? What are some character traits that are irrelevant with respect to whether someone's testimony is plausible?

Point #2: Testimony sometimes occurs as a premise of an argument.

One thing that makes identifying the ad hominem fallacy difficult is that sometimes *testimony* occurs as a premise in an argument.

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Argument from Liz
P1   If John was at Pickles Bar last night, then I would have seen him.
P2   I was at Pickles Bar last night and I didn't see him.
C   Therefore, John was not at Pickles Bar last night.

Notice that (i) the argument above is put forward by Liz and part of her argument involves a premise (P2) that whose plausibility depends upon whether Liz is a reliable source of information. Now consider two different ways that the argument above might be criticized:

Ad Hominem Argument (HA) #1	Ad Hominem Argument (HA) #2
Liz's argument is not cogent since P2 is false. Consider that (i) Liz is a notorious liar, (ii) Liz and Jon are lovers, (iii) Jon is wanted for murder, and (iv) there is evidence suggesting Liz helped Jon plan this murder.	Even if P1 and P2 are true, Liz's whole argument is completely bogus. Liz is (i) a known criminal, (ii) wanted for murder, and (iii) hates the police.

HA1 and HA2 are both ad hominem arguments, but the difference between HA1 and HA2 is that in HA1, certain features about Liz are being used to undermine her testimony whereas in HA2, these features are used to undermine the argument as a whole. In HA1, we are not evaluating the argument as a whole by using characters found in the source of the argument; rather, we are instead, using characters in the source of the argument to evaluate the plausibility of her testimony.

Point #3: Knowing someone has a bias when they put forward an argument is useful information but not a reason for saying that their argument is a bad argument.

Argument from Popeye, the Spinach Farmer
P1   Don't take it from me, take it from scientists and nutrition experts, the more spinach you eat, the less likely you will get cancer.
C   Therefore, if you want to avoid getting cancer, you should eat lots of spinach.

Notice that Popeye has a clear bias. He wants to sell as much spinach as he can and knows that if spinach had cancer-preventing properties, he would sell more spinach. However, to argue that since Popeye is a spinach farmer, his argument is worthless is to commit the ad hominem fallacy. However, the fact that Popeye does have a bias is *useful information* because it makes us question whether or not P1 is true. Even though Popeye says that the truth or falsity of P1 does not depend on any special expertise he may have (Popeye appeals to science), we may question whether or not P1 is really supported by the scientific community.

	Argument as a Whole	Testimony
Can I use an ad hominem statement to credit/discredit?	No: Fallacy	Yes: Not a fallacy
Do you need to know about the source to evaluate	No: arguments can be evaluated on their own grounds	Yes: plausibility of testimony depends on the source

A. Exercise: Identify which of the following commit the ad hominem arguments.
1. Jon: We should not ban cigarettes from restaurants. People should be free to smoke if they want to. Plus, smoking is more American than apple pie. To ban smoking is to hate America.
        Jason: Jon, your argument is ridiculous. I know you smoke a pack a day and so the only reason you are against smoking bans is because you are a smoker.
        Jon: Whatever, I know that you hate freedom. Admit it.

2. Mark is on trial for stealing Jan's lawn gnome. The prosecutor argues that Mark is guilty of the crime on the basis that Jan claims to have seen Mark steal her lawn gnome at 10:17pm. Upon cross-examination, Mark asks the judge if he can test her claim. First, he asks Jan how far away she was from Mark when he stole the gnome. "Twenty five feet", Jan exclaims with confidence. "So," replies Mark's attorney pointing to Mark, "you would say that the distance you are from Mark now was about the same distance you were from him when you claim he stole your precious lawn gnome." Jan looks at Mark and asserts "Yes, indeed that thief!" "And, it was pretty dark that night, huh?" "Yes, it was," Jan replies. Mark asks the bailiff to dim the lights, and then quickly whispers to Mark to sneak out of the courtroom. "Now, Jan, you would say that it was about this dark, was it not?" "Yes, I would say it was. Perhaps even darker! But, I can clearly see Mark sitting right over there." "Bailiff," Mark's attorney yells, "would you please turn on the lights." As you can see ladies and gentlemen of the jury, Jan is entirely overconfident about her perceptual abilities.

4. LAWYERS AS ADVOCATES VS. LAWYERS AS WITNESSES

Lawyers are <u>advocates</u> for their clients and so their role is to provide *evidence* and put forward *arguments* for their position. They are not <u>witnesses</u> so their testimony should not be considered as relevant in deciding a case.

Discussion Question: Carefully re-read from the bottom of pp.36–37.
- Why should an attorney's testimony be given little weight in deciding a case? For example, what is wrong with a defense attorney claiming that he knows that his client is innocent, that his client is so kind, and would never hurt a fly?
- What is wrong with a prosecutor contending that the jury should not listen to the arguments of a defense attorney because he is a drunk?
- Why is it acceptable for attorneys to attack the character of a witness when they present testimony? When an attorney attacks a witness's character, is he/she committing the ad hominem fallacy?[4]

5. COMMON FORMS OF AD HOMINEM ARGUMENTS

One key point is that while the *source of testimony* is relevant to the evaluation of testimony, the *source of an argument* is irrelevant to the evaluation of the argument. In what follows, we consider three different instances of the ad hominem fallacy.

5.1. Bias Ad Hominem
The **bias-form of the ad hominem fallacy** occurs when an argument is discredited on the basis that the arguer has a bias or special interest concerning the conclusion of the argument.

Bias Ad Hominem Fallacy
P1   I listened to Ryan's argument that running is better for you than weightlifting.
P2   But, Ryan is a runner, so he has a clear bias.
C   Therefore, Ryan's arguments are worthless.

Bias ad hominem arguments do not commit the ad hominem fallacy when they are used to discredit testimony rather than arguments.

Bias Ad Hominem Argument Against Testimony
1   Liz claims that she saw John kill Vic.
2   But, Liz had a motive to kill Vic and she is mortal enemies with John.
3   Therefore, Liz is probably lying.

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[4] Ex. How Do You Rule, p.38

However, simply having a bias or special interest does not automatically discredit testimony since it is possible to overcome your special interest and testify honestly.[5]

5.2. Inconsistency and the Ad Hominem
While we can criticize people as being hypocritical for arguing for **P** and then doing **not-P**, their argument for **P** is not undermined by the fact that they do **not-P**. The **inconsistency-form of the ad hominem fallacy** occurs when an argument is discredited on the basis that the *arguer's actions* are inconsistent with the conclusion of the argument.

> ### *Inconsistency Ad Hominem Fallacy*
> 1 Liz argued that everyone should give to the poor.
> 2 But, Liz doesn't give to the poor.
> 3 Therefore, Liz's arguments are worthless.

Again, ad hominem arguments that attack the plausibility of a person's *testimony* when they say **P** and do **not-P** do not commit the ad hominem fallacy.

> ### *Inconsistency Ad Hominem Argument Against Testimony*
> 1 John says he would never abuse women for he is a gentleman.
> 2 But, John has YouTube videos where he calls women a variety of obscene names and he has charges against him for hitting his wife.
> 3 Therefore, John's testimony is dubitable.

5.3. Psychological Ad Hominem
The **psychological form of the ad hominem fallacy** occurs when an argument is discredited on the basis that the mental state of the arguer is compromised (e.g. the arguer is mentally deficient, on drugs, or in a deep state of depression, etc.).

> ### *Psychological Ad Hominem Fallacy*
> 1 Liz argues that gun-control laws should be loosened
> 2 "Liz is a crazy gun nut! She probably lives in the forest, shooting anything that moves"
> 3 Therefore, Liz's arguments are worthless.

Again, ad hominem arguments that attack the plausibility of a person's *testimony* because they have a compromised mental state do not commit the ad hominem fallacy.

> ### *Psychological Ad Hominem Argument Against Testimony*
> 1 Liz claims she saw John kill Vic.
> 2 But, Liz was on LSD during the time of the crime and has been having hallucinations for years.
> 3 Therefore, there is reason to doubt Liz's testimony.

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[5] *Discussion Question*: Carefully re-read the excerpt on "Jailhouse Informants" on the bottom of p.43. What are two problems with using testimony from jailhouse informants? Do you think that jailhouse informants should have a place in the legal system? Explain why.