4.3 Fallacies of Relevance

Fallacies of relevance are bald mistakes; they might better be called fallacies of irrelevance, because they arise when there is no real connection between the premises and the conclusion of an argument. Because that connection is missing, the premises offered cannot possibly establish the truth of the conclusion drawn. Of course, the premises may still be psychologically relevant to the conclusion. The mistake arises when some emotive features of language are used to support the truth of a claim for which no objective reasons have been given. We use the modern names of these fallacies here, but many of them have traditional names as well (usually in Latin), which we will also note. Six fallacies of relevance are of principal interest.

R1. THE APPEAL TO EMOTION (ARGUMENT AD POPULUM)

The argument ad populum (“to the populace”) is baldest of all fallacies, and yet it is one of the most common. It is the instrument on which every demagogue and propagandist relies—an appeal to the emotions of the audience. It is a fallacy because, instead of evidence and rational argument, the speaker (or writer) relies on expressive language and other devices calculated to excite enthusiasm for or against some cause. Patriotism is one common cause about which it is easy to stir emotions, and we know that terrible abuses and injustices have been perpetrated in the name of patriotism. The oratory of Adolph Hitler, whipping up the racist enthusiasms of his German listeners, is a classic example. Love of country is an honorable emotion, but the appeal to that emotion in order to manipulate and mislead one’s audience is intellectually disreputable. “Patriotism,” Samuel Johnson observed, “is the last refuge of a scoundrel.”

The patriotic argument may be used when the national cause is good, and the argument’s author is no scoundrel. An emotional defense of belief lacks intellectual merit, but the conclusion of that bad argument may perhaps be supportable by other premises of a more rational sort. Still, offered as the premises
of an argument, sheer emotion is fallacious. On 23 March 1775 the Virginia House of Burgesses passed a resolution delivering Virginia’s troops to the Revolutionary War. The House was spurred to adopt this resolution by an oration whose emotional content has rarely been exceeded. Patrick Henry concluded this famous speech with the following appeal:

. . . if we mean not basely to abandon the noble struggle in which we have been so long engaged, and which we have pledged ourselves never to abandon until the glorious object of our contest shall be obtained—we must fight! I repeat it, sir, we must fight! An appeal to arms and to the God of hosts is all that is left to us. . . . There is no retreat but in submission and slavery! Our chains are forged! Their clanking may be heard on the plains of Boston! . . . . Is life so dear, or peace so sweet, as to be purchased at the price of chains and slavery? Forbid it, Almighty God! I know not what course others may take; but as for me, give me liberty or give me death!

It is reported that the crowd, upon hearing his speech, jumped up and shouted: “To arms! To arms!”

A qualification may be in order here. If the passions of the speaker are used to convince his listeners that some beliefs are true, the argument is indeed fallacious. But if the speaker and his listener are in complete agreement in their beliefs, and the speaker aims only to spur his listeners to act in support of those mutual beliefs, the emotion he exhibits may serve a useful purpose. There is a distinction to be drawn between emotions used improperly as premises in argument and emotions used reasonably as triggers for appropriate conduct. However, this distinction will always be problematic because, when the speaker succeeds in spurring to action, it may be said that he has relied on emotion to convince his audience of the truth of some claim—the claim that now is the time to act, or the claim that the way to act in pursuit of the common goal is his way. In controversy, in deciding what conduct is appropriate, the appeal to emotion is unavoidably troubling.

The heaviest reliance on arguments *ad populum* is to be found in commercial advertising, where its use has been elevated almost to the status of a fine art. The products advertised are associated, explicitly or slyly, with things that we yearn for or that excite us favorably. Breakfast cereal is associated with trim youthfulness, athletic prowess, and vibrant good health; whiskey is associated with luxury and achievement, and beer with high adventure; the automobile is associated with romance, riches, and sex. The men depicted using the advertised product are generally handsome and distinguished, the women sophisticated and charming—or hardly dressed at all. So clever and persistent are the ballyhoo artists of our time that we are all influenced to some degree, in spite of our resolution to resist. Almost every imaginable device may be used to command our attention, even to penetrate our
subconscious thoughts. We are manipulated by relentless appeals to emotion of every kind.

Of course, the mere association of some product with an agreeable feeling or satisfying emotion is by itself no argument at all. But when such associations are systematically impressed on us, there usually is an argument *ad populum* lurking not far below the surface. It is suggested that the product—some beer perhaps, or some perfume, or some brand of jeans—is sexy, or is associated with wealth, or power, or some other admired characteristic, and therefore we, in purchasing it, will acquire some of that same merit.

One variety of this bad argument is particularly crass because it suggests no more than that one is well advised to buy (or join, or support, etc.) simply because that is what everyone else is doing. Some call this the “bandwagon fallacy,” from the known phenomenon that, in an exciting campaign, many will be anxious to “jump on the bandwagon”—to do what others do because so many others are doing it. Brazen examples of this bandwagon fallacy are common in the public media; here, for example, are the exact words of a recent advertisement on ABC TV:

Why are so many people attracted to the Pontiac Grand Prix? It could be that so many people are attracted to the Grand Prix because—so many people are attracted to the Grand Prix!

This is the essence of an appeal to the populace.

Playing on the emotions of the general population is pernicious in the context of public polling. Those who are conducting the poll, if they are unscrupulous, may frame questions in ways designed to get the responses they seek, by using words or phrases with known emotive impact. Or, if used without design but carelessly, some words may have an impact that will vitiate the poll results. In serious survey research, therefore, questions will be worded with the very greatest care, avoiding terms that are emotionally loaded, to preserve the integrity of the poll results. It is sometimes difficult to avoid all emotional taint. Many Americans support “affirmative action,” viewing it as a policy designed to treat minorities fairly. But many Americans also oppose “racial preferences” in college admissions or in employment. The outcome of any random poll on this topic will depend critically on which set of words—“affirmative action” or “racial preference”—is used in the questions asked.

When results using different words conflict, it may be said that importantly different questions had been asked. Perhaps. This is a perennial problem in survey research. In *argument*, however, the logical point remains very important: A conclusion defended with premises that are directed mainly at emotions is a fallacious argument *ad populum*. 
Another variety of the appeal to emotion that appears with great frequency is also often given its own name: argument *ad misericordiam*. The Latin word *misericordiam* literally means “merciful heart”; this fallacy is the emotional appeal to *pity*.*

Pity is often an admirable human response. Justice, it is wisely said, should be tempered with mercy. Surely there are many situations in which leniency in punishment is justified by the special circumstances of the offender. In such situations—in the sentencing phase of a trial, for example—the identification of those circumstances and the reasons they might apply to a criminal already convicted are appropriately put before the court. That is no fallacy. It would be a fallacy, however, if such considerations were registered in the effort to cause a jury to acquit a defendant who is indeed guilty of the acts with which he or she is charged. When the premises (or intimated premises) of an argument boil down to no more than an appeal to the merciful heart, the argument is plainly *ad populum*, and fallacious. What is special about this variety is only that the emotions appealed to are of a particular kind: generosity and mercy.

In civil suits, when attorneys are seeking compensatory damages for the injuries suffered by their clients, there is often an effort to rely implicitly on the appeal to pity. The cause of the injury may be described as a faceless and unfeeling corporate juggernaut; or the injured party may be presented as the helpless victim of an uncaring bureaucracy or an incompetent professional. The miseries of the client’s continuing disability may be depicted in some heart-rending way. The injured plaintiff may make it a point to limp painfully into the courtroom. A study by the Harvard School of Public Health has pretty well proved that the appeal to pity really works. When doctors are sued for malpractice, this study shows, the size of the monetary award to successful plaintiffs depends much more on the nature of the disability they suffered than on whether it could be shown that the doctor accused had in fact done anything wrong.\(^2\)

In criminal trials, the sympathies of the jury plainly have no bearing on the guilt or innocence of the accused, but an appeal to those sympathies may nevertheless be made. Such an appeal may be made obliquely. At his trial in Athens, Socrates referred with disdain to other defendants who had appeared before their juries accompanied by their children and families, seeking acquittal by evoking pity. Socrates continued:

> I, who am probably in danger of my life, will do none of these things. The contrast may occur to [each juror’s] mind, and he may be set against me, and vote in anger

*Some logicians give special names to other clusters of fallacious emotional appeals. Thus one might also distinguish the appeal to envy (*ad invidiam*), the appeal to fear (*ad metum*), the appeal to hatred (*ad odium*), and the appeal to pride (*ad superbium*). In all of these, the underlying mistake is the argument’s reliance on feelings as premises.*
because he is displeased at me on this account. Now if there be such a person among you—mind, I do not say that there is—to him I may fairly reply: My friend, I am a man, and like other men, a creature of flesh and blood, and not “of wood or stone” as Homer says; and I have a family, yes, and sons, O Athenians, three in number, one almost a man, and two others who are still young; and yet I will not bring any of them here to petition you for acquittal.3

There are many ways to pull heartstrings. Although it is often successful, the appeal to pity is an obvious fallacy, ridiculed in the story of the trial of a youth accused of the murder of his mother and father with an ax. Confronted with overwhelming proof of his guilt, his attorney pleads for leniency on the grounds that his client is now an orphan!

**R2. THE RED HERRING**

The *red herring* is a fallacious argument whose effectiveness lies in *distraction*. Attention is deflected; readers or listeners are drawn to some aspect of the topic under discussion by which they are led away from the issue that had been the focus of the discussion. They are urged to attend to some observation or some claim that may be associated with the topic, but that is not relevant to the truth of what had originally been in dispute. A red herring has been drawn across the track.

This fallacy has a fascinating history. The phrase is believed to have been derived from the practice of those who tried to save a fox being hunted by leaving a misleading trail of scent (a smoked herring is very smelly and does become dark red) that would be likely to distract or confuse the dogs in hot pursuit. In many contexts, any *deliberately misleading trail* is commonly called a red herring. Especially in literature, and above all in suspense or detective stories, it is not rare for some character or event to be introduced deliberately to mislead the investigators (and the readers) and thus to add to the excitement and complexity of the plot. An ulterior political motivation may be suggested, a sexual scandal may be intimated—whatever can put the reader off the track may serve as a red herring. In the very popular novel and film, *The DaVinci Code,*4 one of the characters, a Catholic bishop, enters the plot in ways that very cleverly mislead. His name is the author’s joke: Bishop Aringarosa—meaning “red herring” in Italian.4

Fallacious arguments use this technique in various ways. The opponents of an appropriate tax measure may call attention to a new and appealing way in which funds can be raised by state-sponsored gambling. A defense of the prosperity produced by an economic system may be deflected by vigorously condemning the economic inequality that system permits. Economic inequality

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*And in the world of finance, a prospectus issued to attract investors in a company about to go public, which tells much about the company but not the price of its shares, is also called a red herring.
may well be excessive or unfair, but if most of the members of a community are reasonably well off, that fact is not disproved by the reality of the enormous gap between the moderate wealth of most and the great wealth of some.

The distinguished political columnist David Broder has observed that in recent discussions of U.S. foreign policy in the Middle East, it has been the policy of some to urge that a show of military strength is a necessary element of our international posture. As Broder points out, however, it is a “rhetorical trick” to respond, whenever there is criticism of military expansion, that “its critics are soft on terror.”

A classical red herring.

Another recent example arose during debate in Congress over legislation originally designed to oblige corporations to protect the accumulated funds that had been set aside for the pensions of their employees. One legislator, apparently seeking to protect his corporate donors, entered the debate with the irrelevant point that there is a serious need for the provision of better advice to retired persons on the investment of their pensions. No doubt there is. But one commentator astutely observed, “What does this have to do with employers squandering their workers’ retirement? It’s a red herring. . . . Mr. Smith’s herring replaces a major national scandal with a minor scandal, in an attractive rhetorical wrapping.”

Again: At Duke University in 2006, three student athletes were indicted for rape; the indictments were plainly unfounded and soon withdrawn. When the prosecutor was charged with misconduct in office, feelings at the university grew intense. One member of the Duke faculty, writing in the local newspaper, defended the prosecutor and some other faculty members who had supported him. In the course of this defense she argued that the real “social disaster” in the Duke rape case was that “18 percent of the American population lives below the poverty line,” and that we do not have “national health care or affordable childcare.” That herring was bright red.

R3. THE STRAW MAN

It is very much easier to win a fight against a person made of straw than against one made of flesh and blood. If one argues against some view by presenting an opponent’s position as one that is easily torn apart, the argument is fallacious, of course. Such an argument commits the fallacy of the straw man.

One may view this fallacy as a variety of the red herring, because it also introduces a distraction from the real dispute. In this case, however, the distraction is of a particular kind: It is an effort to shift the conflict from its original complexity into a different conflict, between parties other than those originally in dispute. So common is this variety of distraction that the pattern of argument that relies on it has long carried its own name: the straw man argument.

In controversies of a moral or a political nature, a successful argument almost invariably requires some reasonable and nuanced distinctions, and
perhaps also some narrowly described exceptions. The extreme position in any dispute—the claim that conduct of a certain kind is *always* wrong, or *always* justified—is likely to be difficult if not impossible to defend. Therefore it is often a fallacious device to contend that what one aims to defeat is indefensible because it is categorical or absolute. Victory may be achieved over this fictitious opponent, but one will have destroyed only a straw man.

One who urges the enlargement of the authority of some central administration may be fallaciously accused of seeking to transform the state into a “big brother” whose reach will extend into every corner of citizens’ private lives. Such a “big brother” is likely to be no more than a straw man. One who urges the devolution of authority from central to more local governments may be portrayed, with similar fallacy, as the enemy of an efficient and effective administration—and that, too, is likely to be a straw man. In general, straw man arguments often take the form of supposing that the position under attack adopts the most extreme view possible—that *every* act or policy of a certain kind is to be rejected. The argument is easy to win, but its premises are not relevant to the conclusion that was originally proposed. The straw man argument often presents a genuine objection or criticism, and the objection may be sound, but it is aimed at a new and irrelevant target.

Straw man arguments present a special risk to their proponents. If, in controversy, a critic depicts her opponents in a way that is clearly more extreme and more unreasonable than is justifiable in the light of what they had written or said, readers or members of the audience are likely to recognize the exaggeration and to respond in a way quite opposite to what was hoped for. Readers (or listeners) may sense the unreasonableness of the portrayal and be offended by the unfairness. Even further, the readers or listeners, recognizing the distortion, may be caused by its unfairness to move intellectually to the side of the party that has been misrepresented, formulating in their own minds the response that may justly be made to the fallacious attack. Neutral persons who were to be persuaded may be thus transformed, by unfair fallacious argument, into adversaries. Every fallacious argument presents some risk of this kind; the fallacy of the straw man invites it with special force.

**R4. ARGUMENT AGAINST THE PERSON (ARGUMENT AD HOMINEM)**

Of all the fallacies of irrelevance, the argument against the person, or *ad hominem*, is among the most pernicious. Such arguments are common, as many fallacies are. But these, in addition to being unfair to the adversary (as straw man arguments are also) are hurtful, often inflicting serious personal damage without any opportunity for the fallacy to be exposed or its author chastised.
The phrase *ad hominem* translates as “against the person.” An *ad hominem* argument is one in which the thrust is directed, not at a conclusion, but at some person who defends the conclusion in dispute. This personalized attack might be conducted in either of two different ways, for which reason we distinguish two major forms of the argument *ad hominem*: the *abusive* and the *circumstantial*.

A. Argument *ad hominem*, Abusive

One is tempted, in heated argument, to disparage the character of one’s opponents, to deny their intelligence or reasonableness, to question their understanding, or their seriousness, or even their integrity. But the character of an adversary is logically irrelevant to the truth or falsity of what that person asserts, or to the correctness of the reasoning employed. A proposal may be attacked as unworthy because it is supported by “radicals,” or by “reactionaries,” but such allegations, even when plausible, are not relevant to the merit of the proposal itself.

Personal abuse can be psychologically persuasive, however, because it may induce strong disapproval of some advocate, and by unjustifiable extension in the mind of the hearer, disapproval of what had been advocated. For example, Judge Constance Baker Motley, long active in the civil rights movement, defends affirmative action with an *ad hominem* attack on its critics. She writes:

> Those who resist [affirmative action programs] deny that they are racists, but the truth is that their real motivation is racism, a belief in the inherent inferiority of African-Americans and people of mixed racial backgrounds.

However, the merits (or demerits) of arguments about affirmative action are not illuminated by denigrating the character of those who take the side one rejects.

*Ad hominem* abusive has many variations. The opponent may be reviled (and his claims held unworthy) because he is of a certain religious or political persuasion: a “Papist” or an “atheist,” a member of the “radical right” or the “loony left,” or the like. A conclusion may be condemned because it has been defended by persons believed to be of bad character, or because its advocate has been closely associated with those of bad character. Socrates was convicted of impiety partly because of his long association with persons known to have been disloyal to Athens and rapacious in conduct. And very recently, when Clyde Collins Snow was called a racist because of the conclusions he reached as a forensic scientist, he replied as follows:

> My work devoted to the investigation of the disappearance, torture, and extrajudicial execution of human rights victims in many countries has often made me the target of public criticism and official outrage. To date, however, none of my critics has called me a racist. Among my detractors have been apologists for the brutal military junta in Argentina, representatives of General Pinochet’s military in Chile,
the Guatemalan Defense Minister, and Serbian government spokesmen. Thus Mr. Goodman [Snow’s accuser] finds himself in interesting company.9

The accusation of guilt by association is a common form of ad hominem abuse.

B. Argument ad hominem, Circumstantial

The circumstances of one who makes (or rejects) some claim have no more bearing on the truth of what is claimed than does his character. The mistake made in the circumstantial form of the ad hominem fallacy is to treat those personal circumstances as the premise of an opposing argument.

Thus it may be argued fallaciously that consistency obliges an opponent to accept (or reject) some conclusion merely because of that person’s employment, or nationality, or political affiliation, or other circumstances. It may be unfairly suggested that a member of the clergy must accept a given proposition because its denial would be incompatible with the Scriptures. Or it may be claimed that political candidates must support a given policy because it is explicitly propounded in the platform of their party. Such argument is irrelevant to the truth of the proposition in question; it simply urges that some persons’ circumstances require its acceptance. Hunters, accused of the needless slaughter of unoffending animals, sometimes reply by noting that their critics eat the flesh of harmless cattle. Such a reply is plainly ad hominem: The fact that the critic eats meat does not even begin to prove that it is right for the hunter to kill animals for amusement.

When the circumstances of the speaker are used not merely as grounds for attack—suggesting a foolish inconsistency or the like—but used rather in a plainly negative spirit, a special name is given to such ad hominem arguments. They are called by their traditional Latin name, tu quoque. This Latin expression does not translate simply, but it means, in essence, “You’re another,” or more loosely, “Look who’s talking.” The substance of the fallacy is to contend that you (the first party) are just as bad as I am, just as guilty of whatever it is that you complained about. But of course that response is not a refutation of the original complaint. It may be true that the first party is guilty of the conduct in question, but calling that guilt to attention does not support the innocence of the second party, which is the issue in the argument at hand.

An illustration will be helpful. A correspondent for CNN interviewed Osama bin Laden, leader of the terrorist organization Al Queda, some years ago in Afghanistan. The exchange went like this:

**Cliff Arnett (CNN):** The United States government says that you are still funding military training camps here in Afghanistan for militant, Islamic fighters and that you’re a sponsor of international terrorism. . . . Are these accusations true?
Osama bin Laden: ... At the time that they condemn any Muslim leader who calls for his rights, they receive the highest official of the Irish Republican Army at the White House as a political leader. Wherever we look we find the U.S. as the leader of terrorism and crime in the world. The U.S. does not consider it a terrorist act to throw atomic bombs at nations thousands of miles away. ... The U.S. does not consider it terrorism when hundreds of thousands of our sons and brothers in Iraq die for lack of food or medicine. So there is no basis for what the U.S. says. 

How the United States conducts its international relations is rightly open to criticism—but whatever may be true about that behavior, attacking it is no response to the allegation of Al Qaeda terrorism. This is a classic *tu quoque*.

The circumstances of an opponent are not properly the issue in serious argument. It is the substance of what is claimed, or denied, that must be addressed. It is true that highlighting one’s opponent’s circumstances may prove rhetorically effective in winning assent, or in persuading others, but the effectiveness of this device does not make up for its error. Arguments of this kind are fallacious.

Circumstantial *ad hominem* arguments are sometimes used to suggest that the opponents’ conclusion should be rejected because their judgment is warped, dictated by their special situation rather than by reasoning or evidence. However, an argument that is favorable to some group deserves discussion on its merits; it is fallacious to attack it simply on the ground that it is presented by a member of that group and is therefore self-serving. The arguments in favor of a protective tariff (for example) may be bad, but they are not bad because they are presented by a manufacturer who benefits from such tariffs.

One argument of this kind, called *poisoning the well*, is particularly perverse. The incident that gave rise to the name illustrates the argument forcefully. The British novelist and Protestant clergyman Charles Kingsley, attacking the famous Catholic intellectual John Henry Cardinal Newman, argued thus: Cardinal Newman’s claims were not to be trusted because, as a Roman Catholic priest (Kingsley alleged), Newman’s first loyalty was not to the truth. Newman countered that this *ad hominem* attack made it impossible for him, and indeed for all Catholics, to advance their arguments, because anything they might say to defend themselves would then be undermined by others’ alleging that, after all, truth was not their first concern. Kingsley, said Cardinal Newman, had “poisoned the well of discourse.”

Between the abusive and the circumstantial varieties of argument *ad hominem* there is a clear connection: The circumstantial may be regarded as a
special case of the abusive. When a circumstantial ad hominem argument explicitly or implicitly charges the opponents with inconsistency (among their beliefs, or between what they profess and what they practice), that is clearly one kind of abuse. When a circumstantial ad hominem argument charges the opponents with a lack of trustworthiness by virtue of group membership, that is an accusation of prejudice in defense of self-interest and is clearly also an abuse.

An important qualification is called for at this point. Ad hominem arguments are fallacious (and often unfair to the adversary) because an attack against some person is generally not relevant to the objective merits of the argument that person has put forward. However, there are some circumstances in which it is indeed reasonable to raise doubts about some conclusion by impeaching the testimony of one who makes a claim that would (if true) support the conclusion in question. In courtroom proceedings, for example, it is acceptable, and often effective, to call a jury’s attention to the unreliability of a witness, and by so doing to undermine the claims upheld by the testimony of that witness. This may be done by exhibiting contradictions in the testimony given, showing that at least some of what has been asserted must be false. It may be done by showing (not merely asserting) that the witness lied—an abusive but in this context appropriate counterargument. Testimony may also be undermined by exhibiting the great benefits that would accrue to the witness from the acceptance of his testimony—impeaching by circumstance. These are, strictly speaking, ad hominem considerations, and yet they are not fallacious because of the special context in which those assertions are being put forward, and because of the agreed-upon rules for the evaluation of conflicting witnesses.

Even in these special circumstances, an attack on the person of the witness does not establish the falsehood of what had been asserted. Revealing a pattern of past dishonesty or duplicity, or showing an inconsistency with testimony earlier given, may cast justifiable doubt on the reliability of the speaker, but the truth or falsity of the factual claim made can be established only with evidence that bears directly on that claim, and not merely on some person who denies or asserts it. In each case we must ask: Is the attack on the person relevant to the truth of what is at issue? When, as commonly occurs, the attack is not relevant to the merits of the claim, the ad hominem argument is indeed fallacious.

R5. THE APPEAL TO FORCE (ARGUMENT AD BACULUM)

It seems odd to suppose that one could hope to establish some proposition as true, or persuade some other person of its truth, by resorting to force. Threats or strong-arm methods to coerce one’s opponents can hardly be considered arguments at all. Traditionally, a category of fallacies of this kind has been identified as the appeal to force or the argument ad baculum (the appeal ad baculum
means literally appeal to the stick!), and it surely is clear that however expeditious force may prove to be, it cannot replace rational methods of argument. “Might makes right” is not a subtle principle, and we all reject it.

The force threatened need not be physical, of course. In 2000, two professors of law at Boise State University published (in a law journal of the University of Denver) an article that was harshly critical of the Boise Cascade Corporation, one of the world’s largest producers of paper and wood products. Subsequently, the university issued a formal “errata” notice that “this article has been retracted for its lack of scholarship and false content.”

Why did the university retract the article? Did Boise Cascade threaten the university with a lawsuit? “Well,” said the university’s general counsel, “‘threaten’ is an interesting word. Let’s just say they pointed out that the objections they raised did rise to the level of being actionable.” The university, it turns out, had received a highlighted copy of the article in question from the general counsel of Boise Cascade, together with a letter saying, “I have been advised to proceed with litigation against Denver University if any of these highlighted areas are republished by Denver University in any form.”

There are some circumstances in which threats may be introduced with more subtlety, and in such circumstances we may say that something like an argument—a plainly fallacious argument, to be sure—has been presented. What is put forward may be a veiled threat, or a proposition that suggests some danger if the proposition in question is not given full assent. It may be that certain behaviors are of importance, whatever may be doubted or believed. To illustrate, when the U.S. attorney general in the administration of President Ronald Reagan was under strong attack in the press for misconduct, the White House chief of staff at the time, Howard Baker, opened one meeting of his staff by saying:

The President continues to have confidence in the Attorney General and I have confidence in the Attorney General and you ought to have confidence in the Attorney General, because we work for the President and because that’s the way things are. And if anyone has a different view of that, or any different motive, ambition, or intention, he can tell me about it because we’re going to have to discuss your status.12

One might say that nobody is fooled by an argument of this sort; the threatened party may behave appropriately but need not, in the end, accept the truth of the conclusion being insisted on. To this it was answered, by representatives of twentieth-century Italian fascism, that real persuasion can come through many different instruments, of which reason is one and the blackjack is another. But once the opponent is truly persuaded, they held, the instrument of persuasion may be forgotten. That fascist view appears to guide many of the governments of the globe to this day; but the argument
ad baculum—reliance on the club, or on the threat of force in any form—is by reason unacceptable. The appeal to force is the abandonment of reason.

**R6. MISSING THE POINT (IGNORATIO ELENCHI)***

Among the fallacies of relevance, the final category to be identified is perhaps the most difficult to describe with precision. It arises when the argument goes awry—when, on close examination, there is a "disconnect" between the premises and the conclusion. The twist may on occasion be an instrument of deliberate deception, but more often the fallacy is the product of sloppy thinking, a confusion in reasoning that the author of the argument herself does not fully recognize, or grasp.

Aristotle, the first to give a systematic classification of the informal fallacies, explains the fallacy we call missing the point, or ignoratio elenchi, as a mistake that is made in seeking to refute another’s argument. The Latin word elenchi is derived from a Greek word that means a disproof, or a refutation. An ignoratio elenchi is a mistaken refutation, one that goes haywire because the person presenting it does not fully understand the proposition in dispute. He refutes, or tries to refute, a claim other than that which was originally at issue. He misses the point.

As an example, suppose that one person emphasizes how important it is to increase funding for the public schools. His opponent responds by insisting that a child’s education involves much more than schooling and gets underway long before her formal schooling begins. That assertion is entirely reasonable, of course, but it misses the point of what was said earlier. One party presents an argument for P, to alleviate the need for funds; his interlocutor counters with an irrelevant Q, about the importance of preschool education.

Or suppose that some very controversial amendment to the tax code is proposed—say, the elimination of inheritance taxes. Such taxes, it is argued, are not fair because the money in the estate of a deceased person was already taxed at the time it was earned—and therefore to tax it again upon the person’s death is to tax the same funds twice. But, responds the supporter of the tax, inheritance taxes are imposed only on large estates that can well afford the tax; and furthermore (the advocate of the tax continues), our government needs that money. This response is an ignoratio elenchi. The inheritance tax may certainly be defended, but the size of estates taxed and the need for the resulting funds misses the point of the argument that had been put forward: the claim of unfair double taxation. Similarly, in a controversy over a new and very expensive

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*A variety of alternative names have been applied to this category, including irrelevant conclusion and mistaken refutation.
weapons system for the military, criticized (let us suppose) for its doubtful practicality and enormous expense, the premises of an argument offered in support of the new weapons will miss the point if they do no more than underscore the pressing need for strong national defense. Objectives stated in general terms—national security, a balanced budget—are easy to endorse; the difficult questions in dispute are likely to be whether some particular proposed measure (a particular weapon system, a particular tax) will in fact promote the end sought, and whether it is likely to do so as effectively and efficiently as its alternatives. Bypassing the hard questions by emphasizing our agreement on easy generalizations about larger objectives commits the *ignoratio elenchi*: It misses the point.

There is a sense in which every fallacy of irrelevance is an *ignoratio elenchi*, because in all these fallacies there is a gap between the premises and the conclusion. Premises that are not relevant—red herrings, straw men, personal attacks—all miss the point. That is true. But we reserve this name for those fallacies of irrelevance that do not fit into other categories. The *ignoratio elenchi* is, we may say, a catchall class of fallacies: fallacies in which the premises simply fail to connect to the intended conclusion with the coherence that rational argument requires.

There is another expression with similar breadth and flexibility, the widely used phrase *non sequitur*. Its meaning is “does not follow”: A *non sequitur* is an argument in which the conclusion simply does not follow from the premises. Thus every fallacy is, in that general sense, also a *non sequitur*. As a candidate for the presidency of the United States in 2000, George W. Bush indicated that he was planning to grant a reprieve (under his authority as the governor of Texas) to a man who had been convicted of murder and was scheduled for execution. Why, he was asked, did he telegraph his intention before announcing his formal decision? He replied:

> I believe this is a case where it’s important for me to send a signal about what I may do because it’s a case where we’re dealing with a man’s innocence or guilt.  

The term *non sequitur* is most commonly applied when the failure of the argument is obvious, when the gap between the premises and the conclusion is painfully wide. “A great, rough *non sequitur*，“ Abraham Lincoln observed in a speech in 1854, “was sometimes twice as dangerous as a well polished fallacy.”

And yet there are times when what appears at first to be a *non sequitur* will be seen upon reflection not to be one. Consider this report of a historic “legal fiasco.”

The prisoner pleaded guilty. He then said he had made a mistake, and the judge allowed him to change his plea to not guilty. The case was tried. The jury acquitted. “Prisoner,” said Mr. Justice Hawkins, “a few minutes ago you said you were a thief. Now the jury say you are a liar. Consequently you are discharged.”
EXERCISES

A. Identify and explain the fallacies of relevance in the following passages.

1. If you can’t blame the English language and your own is unforgivably precise, blame the microphone. That was the route Jacques Chirac took after his nuclear remark about a nuclear Iran. “Having one or perhaps a second bomb a little later, well, that’s not very dangerous,” Mr. Chirac said with a shrug. The press was summoned back for a re-take. “I should rather have paid attention to what I was saying and understood that perhaps I was on the record,” Mr. Chirac offered, as if the record rather than the remark were the issue.


OVERVIEW

Fallacies of Relevance

R1. The Appeal to Emotion (ad populum)
An informal fallacy committed when the support offered for some conclusion is an inappropriate appeal to the emotions—patriotism, pity, or the like—of the listeners.

R2. The Red Herring
An informal fallacy committed when some distraction is used to mislead and confuse.

R3. The Straw Man
An informal fallacy committed when the position of one’s opponent is misrepresented and that distorted position is made the object of attack.

R4. Argument Against the Person (ad hominem)
An informal fallacy committed when, rather than attacking the substance of some position, one attacks the person of its advocate, either abusively or as a consequence of his or her special circumstances.

R5. Appeal to Force (ad baculum)
An informal fallacy committed when force, or the threat of force, is relied on to win consent.

R6. Missing the Point (ignoratio elenchi)
An informal fallacy committed when one refutes, not the thesis one’s interlocutor is advancing, but some different thesis that one mistakenly imputes to him or her.
2. Nietzsche was personally more philosophical than his philosophy. His talk about power, harshness, and superb immorality was the hobby of a harmless young scholar and constitutional invalid.

—George Santayana, *Egotism in German Philosophy*, 1915

3. Like an armed warrior, like a plumed knight, James G. Blaine marched down the halls of the American Congress and threw his shining lances full and fair against the brazen foreheads of every defamer of his country and maligner of its honor.

For the Republican party to desert this gallant man now is worse than if an army should desert their general upon the field of battle.

—Robert G. Ingersoll, nominating speech at the Republican National Convention, 1876

4. However, it matters very little now what the king of England either says or does; he hath wickedly broken through every moral and human obligation, trampled nature and conscience beneath his feet, and by a steady and constitutional spirit of insolence and cruelty procured for himself an universal hatred.

—Thomas Paine, *Common Sense*, 1776

5. This embarrassing volume is an out-and-out partisan screed made up of illogical arguments, distorted and cherry-picked information, ridiculous generalizations and nutty asides. It’s a nasty stewpot of intellectually untenable premises and irresponsible speculation that frequently reads like a “Saturday Night Live” parody of the crackpot right.


6. I was seven years old when the first election campaign which I can remember took place in my district. At that time we still had no political parties, so the announcement of this campaign was received with very little interest. But popular feeling ran high when it was disclosed that one of the candidates was “the Prince.” There was no need to add Christian and surname to realize which Prince was meant. He was the owner of the great estate formed by the arbitrary occupation of the vast tracts of land reclaimed in the previous century from the Lake of Fucino. About eight thousand families (that is, the majority of the local population) are still employed today in cultivating the estate’s fourteen thousand hectares. The Prince was deigning to solicit “his” families for their vote so that he could become their deputy in parliament. The agents of the estate, who were working for the Prince, talked in impeccably liberal phrases: “Naturally,” said they, “naturally, no one
will be forced to vote for the Prince, that’s understood; in the same way that no one, naturally, can force the Prince to allow people who don’t vote for him to work on his land. This is the period of real liberty for everybody; you’re free, and so is the Prince.” The announcement of these “liberal” principles produced general and understandable consternation among the peasants. For, as may easily be guessed, the Prince was the most hated person in our part of the country.


7. According to R. Grunberger, author of *A Social History of the Third Reich*, Nazi publishers used to send the following notice to German readers who let their subscriptions lapse: “Our paper certainly deserves the support of every German. We shall continue to forward copies of it to you, and hope that you will not want to expose yourself to unfortunate consequences in the case of cancellation.”

8. In *While Europe Slept: How Radical Islam Is Destroying the West from Within* (2006), Bruce Bawer argues that “by appeasing a totalitarian [Muslim] ideology Europe is “imperiling its liberty.” Political correctness, he writes, is keeping Europeans from defending themselves, resulting in “its self-destructive passivity, softness toward tyranny, its reflexive inclination to appease.” A review of the book in *The Economist* observes that Mr. Bawer “weakens his argument by casting too wide a net,” and another reviewer, Imam Fatih Alev, says of Bawer’s view that “it is a constructed idea that there is this very severe difference between Western values and Muslim values.”

—“Clash Between European and Islamic Views, in Books,”

9. To know absolutely that there is no God one must have infinite knowledge. But to have infinite knowledge one would have to be God. It is impossible to be God and an atheist at the same time. Atheists cannot prove that God doesn’t exist.

—“Argument Against Atheism,”

10. When we had got to this point in the argument, and everyone saw that the definition of justice had been completely upset, Thrasymachus, instead of replying to me, said: “Tell me, Socrates, have you got a nurse?”

“Why do you ask such a question,” I said, “when you ought rather to be answering?”

“Because she leaves you to snivel, and never wipes your nose; she has not even taught you to know the shepherd from the sheep.”

—Plato, *The Republic*
11. I also admit that there are people for whom even the reality of the external world [is] a grave problem. My answer is that I do not address them, but that I presuppose a minimum of reason in my readers.


12. Clarence Darrow, renowned criminal trial lawyer, began one shrewd plea to a jury thus:

You folks think we city people are all crooked, but we city people think you farmers are all crooked. There isn’t one of you I’d trust in a horse trade, because you’d be sure to skin me. But when it comes to having sympathy with a person in trouble, I’d sooner trust you folks than city folks, because you come to know people better and get to be closer friends.

—Irving Stone, Clarence Darrow for the Defense, 1943

13. A national organization called In Defense of Animals registered protest, in 1996, against alleged cruelty to animals being sold live or slaughtered in Chinese markets in San Francisco. Patricia Briggs, who brought the complaint to the city’s Animal Welfare Commission, said: “The time of the crustaceans is coming. You’d think people wouldn’t care about lobsters, because they aren’t cuddly and fuzzy and they have these vacant looks and they don’t vocalize. But you’d be surprised how many people care.” To which response was given by Astella Kung, proprietor of Ming Kee Game Birds, where fowl are sold live: “How about the homeless people? Why don’t the animal people use their energy to care for those people? They have no homes! They are hungry!”


14. The U.S. Department of Agriculture operates a price support program for the benefit of tobacco producers; its regulations limit the amount of tobacco that can be grown, and thus keep the price of tobacco high. Those same producers fight against consumer health regulations. On what ground? One analyst observed:

For the proponent of price support regulations to turn around and fight consumer-health regulations on the grounds that government regulation is unwarranted interference by big brother and bad for the economy is the kind of argument that makes rational people wince.

15. During World War I, the British government deliberately inflamed the anti-German sentiments of the people with cartoons: one of these cartoons appears immediately below.

![Cartoon Image]


B. Each of the following passages may be plausibly criticized by some who conclude that it contains a fallacy, but each will be defended by some who deny that the argument is fallacious. Discuss the merits of each argument and explain why you conclude that it does or does not contain a fallacy of relevance.

1. The chairman of General Electric, Jack Welch, was challenged at a stockholder’s meeting recently by a nun who argued that GE was responsible for the cleanup of the Hudson River where pollutants from GE’s plants had for many years been allowed to collect. Welch flatly denied the company’s responsibility, saying, “Sister, you have to stop this conversation. You owe it to God to be on the side of truth here.”


2. Gender feminism is notoriously impossible to falsify: it chews up and digests all counterevidence, transmuting it into confirming evidence.
The fact that most people, including most women, do not see the pervasive and tenacious system of male power only shows how thoroughly they have been socialized to perpetuate it. The more women who reject the gender feminist perspective, the more this proves them in thrall to the androcentric system. Nothing and no one can refute the hypothesis of the sex-gender system for those who . . . see it so clearly “everywhere.”

—Christina Sommers,
*Proceedings of the American Philosophical Association*, June 1992

3. As the American Revolution began to appear likely, some Americans sought reconciliation with England; Thomas Paine opposed reconciliation bitterly. In *Common Sense* (1776), he wrote:

   . . . all those who espouse the doctrine of reconciliation may be included within the following descriptions. Interested men, who are not to be trusted, weak men who cannot see, prejudiced men who will not see, and a certain set of moderate men who think better of the European world than it deserves; and this last class, by an ill-judged deliberation, will be the cause of more calamities to this Continent than all the other three.

4. “But I observe,” says Cleanthes, “with regard to you, Philo, and all speculative sceptics, that your doctrine and practice are as much at variance in the most abstruse points of theory as in the conduct of common life.”

   —David Hume, *Dialogues Concerning Natural Religion*, 1779

5. A press release from the National Education Association (NEA) begins with the following statement. “America’s teachers see smaller classes as the most critical element in doing a better job, a survey by the NEA indicates.” . . . But the NEA, of course, is interested in having as many teachers in the schools as possible. For example, in a 3,000-pupil school system with 30 pupils assigned to each class, the teaching staff would be approximately 100. But if class size were changed to 25 the total number of teachers would rise to 120. And in a time of shrinking enrollments, that is a way to keep teachers on the public payroll. . . . It is unfortunate that an organization with the professional reputation the National Education Association enjoys should be so self-serving.

   —Cynthia Parsons, *Christian Science Monitor Service*

6. I testify unto every man that heareth the words of the prophecy of this book. If any man shall add unto these things, God shall add unto him the plagues that are written in this book: And if any man shall
take away from the words of the book of this prophecy, God shall take away his part out of the book of life, and out of the holy city and from the things which are written in this book.

—Rev. 22: 18–19

7. Anytus: “Socrates, I think that you are too ready to speak evil of men: and, if you will take my advice, I would recommend you to be careful. Perhaps there is no city in which it is not easier to do men harm than to do them good, and this is certainly the case at Athens, as I believe that you know.”

—Plato, *Meno*

8. The Greek historian Thucydides, in his *History of the Peloponnesian War*, gave the following account of an Athenian’s appeal to representatives of the small island of Melos, to join Athens in its war against Sparta:

> You know as well as we do that, in the logic of human nature, right only comes into question where there is a balance of power, while it is might that determines what the strong exhort and the weak concede . . . . Your strongest weapons are hopes yet unrealized, while the weapons in your hands are somewhat inadequate for holding out against the forces already arranged against you . . . . Reflect that you are taking a decision for your country, a country whose fate hangs upon a single decision right or wrong.

9. In that melancholy book, *The Future of an Illusion*, Dr. Freud, himself one of the last great theorists of the European capitalist class, has stated with simple clarity the impossibility of religious belief for the educated man of today.

—John Strachey, *The Coming Struggle for Power*, 1933

10. The classic trap for any revolutionary is always “What’s your alternative?” But even if you could provide the interrogator with a blueprint, this does not mean he would use it; in most cases he is not sincere in wanting to know.


### 4.4 Fallacies of Defective Induction

The premises of the fallacious arguments described in the preceding section are not relevant to the conclusions drawn. However, there are many fallacious arguments in which the premises are relevant and yet are wholly inadequate.