ARTICLES

Knockdown Arguments

MICHAEL WREEN *Marquette University*

Keywords: *argumentum ad baculum*, *ad baculum fallacy*, fear, threat, dialectical approach to argumentation, rhetorical approach to argumentation, individuation of arguments, coercive arguments.

Abstract: Two brainless curs, Alan Brinton and Douglas Walton, have recently had the impudence to suggest that several of my views on *argumentum ad baculum* are mistaken. While hardship and toil await them in this life and eternal damnation in the next, punishment begins with this paper. In it, I clarify my position, defend my views, and critique their arguments. Last, I argue *ad baculum* against both of them, threatening both with the loss of reputation, employment, and respect unless they repudiate every objection raised against me and publicly abase themselves.

Two critics—for such people, I regret to say, do exist—have recently made all sorts of nasty and altogether cloth-headed remarks about my articles on *argumentum ad baculum*. "Wreen must have taken one too many on the button himself," says the one. "His brains are as scrambled as Sunday's eggs." The other is no less insulting. "Perhaps his mother can forgive such idiocy," he smirks in a vain attempt at wit, "but personally I think that it should be beaten out of him."

Bears have probably eaten them both by now, like the children who made mock of the prophet Elisha. But in case they've temporarily managed to elude their fate, all will be remedied with this article. The blush of embarrassment will mantle their cheeks once it's published, and their colleagues will be of one voice for their resignation. Hungry job applicants in argumentation theory, then, please take note. Two positions will soon become available, one at Boise State University, another at the University of Winnipeg.

I

Actually, Douglas Walton has a number of positive things to say about my work on *ad baculum*, as well as some reservations about it. He agrees with me that one of Copi's examples of a supposed *ad baculum* fallacy,

> [a] lobbyist uses the *ad baculum* when he reminds a representative that he (the lobbyist) can influence so many thousands of voters in the representative's constituency, or so many potential contributors to campaign funds,[1]

won't do, and he quotes my critique (of the claim that the lobbyist's argument is fallacious) with approval:

> [The lobbyist's] conclusion is not that the bill [in question] is a good one, but that the politician ought, from the point of view of self-interest, to support it.[2]

Our reasons for thinking Copi wrong about the case, however, are really very different.

I think that Copi has misinterpreted the argument, and that it has an altogether different conclusion from the one he indicates, a fact which comes to the fore when the argument is explicitly reconstructed. Properly interpreted, the argument isn't fallacious at all, and is, in fact, quite strong.

Walton, on the other hand, thinks that Copi is guilty of (what I'll call) a dialogical oversight: the lobbyist's

> 'reminder' or 'threat,' however it has been taken or interpreted by the representative or others, may be exactly the means for the lobbyist to fulfill his legitimate goal of the dialogue—namely to get the representative to agree to support the legislation in question (p. 145).

But that just seems wrong. The argument is non-fallacious for the very mundane reason that, properly understood, its conclusion is well-supported by the reasons marshalled for it. The goals of the dialogue, whatever they may be, and whether they're legitimate or illegitimate (a notion I'll explore later), have nothing to do with it. In many cases, knowing what people are up to—and thus in some sense knowing what the goals of a dialogue are—can certainly be very helpful in reconstructing an argument, properly exercising charity in respect to it, and determining what standards of evidence are applicable. That I wouldn't dream of denying.[3] In the case at hand, for instance, we draw upon our everyday knowledge of people and lobbyists in order to reconstruct the argument and impute a conclusion on the order of: You, the representative, ought, from the point of view of self-interest, to vote for the legislation. But although we should use our general knowledge of the world in reconstructing arguments, and should also exercise charity in doing so, what sort of dialogue the argument is contained in (if indeed it occurs within a dialogue at all), and what the goals of the dialogue are, don't provide a criterion for, and have no bearing on, the strength of the duly reconstructed argument. *A fortiori*, they have no bearing on whether a fallacy has been committed. The lobbyist's ultimate goal (or, more obscurely, the goal of the dialogue), legitimate or not, might have been anything or its brother, but as long as the argument is what it is, it remains non-fallacious.[4] I bring this up because even though it seems obvious to me, and even common sense, it doesn't to Walton, and this case, one in which we seemingly agree, actually serves to highlight one major difference between us.

II

That difference is that Walton takes the concept of an argument to be essentially dialectical, and I don't. All arguments, and not just *ad baculums*, have to be

understood within a theoretical framework of a two- or more-person series of rule-governed linguistic exchanges, according to Walton. *Argument-types*[5] (such as *ad baculum* or *ad hominem*) and *fallacies*, as (at least I take it) concepts parasitic on that of an argument, would then also have to be understood as dialectical. I don't think that this is so, though this is neither the time nor the place to launch into a full-scale critical investigation of the dialectical approach to argumentation.[6] However, noting the difference between Walton and me on this point, and exploring it to some extent, is important for the purposes of this paper, for it affects and underlies a number of our differences.

III

Take another case discussed by Walton (but not by me). "A formidably large salesman takes out a bottle of window cleaner from his suitcase as Dagwood answers the door." The salesman says. "I'm selling this window cleaner. And I'm not a guy who likes to fool around. Either you buy it, or I'll punch your lights out." Walking back into the living room after buying two bottles of the miraculous stuff, Dagwood muses, "he has a very persuasive sales approach" (pp. 163-64).

Walton thinks that the salesman's argument is not just an *ad baculum*, but an *ad baculum* fallacy.[7] I agree that it's an *ad baculum*, but I doubt very strongly that it's fallacious.

According to Walton, the Dagwood case

> has the following elements of the *ad baculum* fallacy. First, the salesman makes a direct threat. Second, the salesman is supposed to be engaged in a persuasive dialogue where he uses arguments to convince Dagwood that this window cleaner is something he should buy because it is a good or useful product. . . . And third, in this context of persuasive dialogue, the threat does not constitute a good reason for buying the window cleaner.

A fourth element of the *ad baculum* fallacy may also be present, he thinks:

> The threat may also be a good prudential reason or argument basis for Dagwood's buying the window cleaner.

However, although fallacious here, an argument of this sort "may be a good reason or argument in some contexts of dialogue." It might be in, for example,

> a negotiation dialogue, where both parties are threatening each other with sanctions. But it is not a good reason in the type of dialogue which the salesman is supposed to be engaged in with Dagwood—a persuasive dialogue. In this latter type of dialogue, it is an inappropriate move that interferes with or even prevents the dialogue from carrying on in a normal or reasonable manner toward its goals (p. 164).

IV

None of this seems correct. Take the first element. Even on Walton's own reading, his first element can't be a partial constituent of an *ad baculum* fallacy

independently of the other elements, for he admits that threats can be "a good reason or argument" in other cases, such as the lobbyist case discussed above. For similar reasons, the fourth element also can't be a partial constituent of an *ad baculum* fallacy independently of the other elements. The threat not just may be but is "a good prudential reason or argument" for doing what the threatening party wants done in the case of the lobbyist.

The essence of the fallacy, then, must lie in the second and third factors.[8] The second is that the salesman isn't engaged in the type of dialogue he's supposed to be engaged in, namely persuasive dialogue. And the third factor is built on top of the second: threats aren't good reasons in the type of dialogue that the salesman is supposed to be engaged in, persuasive dialogue.

The heart of Walton's analysis of the fallacy is thus this: the salesman isn't doing what he should be doing, and is doing what he shouldn't be doing. What he should be doing is engaging in persuasive dialogue and convincing Dagwood that he ought to buy the window cleaner because it's a good or useful product. What he is doing is changing the dialogue-type: initiating a negotiation dialogue and offering, within that type of dialogue, what may be a good reason but which is irrelevant within the dialogue-type that he should be engaged in.

Put starkly like this, Walton's conception of the fallacy of *ad baculum* is, at base, and despite the disclaimers he issues, clearly ethical, or at least quasi-ethical.[9] In essence, the salesman's fallacy consists in threatening when he shouldn't be threatening, while the lobbyist commits no fallacy because there is no norm forbidding threatening in the type of dialogue he's engaged in. The difference here is analogous to that between someone who simply punches another person, and someone who punches his ring opponent. In one case, the norm

> One shouldn't punch people

has been violated, but in the other it hasn't, because the norm isn't applicable, or the case of boxing has been built right into the norm as a legitimate exception to it. I don't see how the norm in either case could be anything except a straightforward moral one. In the Dagwood case, it's something like:

> One shouldn't threaten people in order to get them to do things, or agree to do things;

or maybe, more specifically,

> One shouldn't threaten people in order to get them to buy things, or agree to buy things.

Those are fine norms, but they have nothing to do with argument evaluation, with whether an argument is strong, weak, fallacious, or whatever. They may have a great deal to do with whether a certain argument should be advanced, or whether a certain kind of act should be performed. It certainly may be unethical to advance an argument like the Dagwood one. That's about as far as the matter goes, though.

My own analysis of the Dagwood case is that, properly reconstructed, the salesman's argument is:

> If you don't buy a bottle of window cleaner, I'll lay into you in no uncertain terms.
> My laying into you in no uncertain terms is a substantial disvalue you would suffer.
> So you ought, from the point of view of self-interest, to buy a bottle of window cleaner.

So interpreted, the argument is clearly a strong one, at least prima facie. No doubt the argument might be weaker than it appears, for it may not take all the relevant facts into consideration. Dagwood, for all we know, might be a veritable Brutus, and say to the salesman, "There is no terror, Mr. Amway, in your threats, for I am armed so strong in honesty that they pass by me as the idle wind, which I respect not." Giving the sandwich man the benefit of the doubt here, the second premise would then be false, and the argument much weaker. But as it stands, absent such factors, no fallacy is committed. Morally speaking, the salesman ought not to offer such an argument; but if he does, his fault is no fallacy but the moral transgression of bullying or petty extortion.

Two final comments on the case. In specifying the second factor, the crucial one as far as commission of the fallacy of *ad baculum* is concerned, Walton writes that the salesman is supposed to be engaging in a persuasive dialogue, a dialogue in which he uses arguments to convince Dagwood that the "window cleaner is something he should buy because it is a good or useful product." But first, the "dialogue"—the salesman's remarks, really—*is* a persuasive one, if all that a persuasive dialogue is is a patch of speech, writing, gestures, or whatever that purports to offer persuasive reasons for a conclusion. The conclusion in question is simply that Dagwood ought, from the point of view of self-interest, to buy a bottle of window cleaner.

Second, Walton's remark that the salesman ought to be convincing Dagwood that he should buy the window cleaner "because it is a good or useful product" is a curious one. After all, Walton agreed with me that Copi is wrong in charging the lobbyist with the commission of a fallacy, and he agreed with my criticism of Copi. Copi had said that a fallacy was committed because the considerations the lobbyist had brought up had "nothing to do with the merit [the goodness or usefulness] of the legislation [that] the lobbyist" was attempting to influence. I said that that did not a fallacy make, and in fact could be seen to be irrelevant when the actual argument of the lobbyist was spelled out. Yet in the salesman case, a case structurally, and we can assume epistemically, identical to the lobbyist case, Walton argues in precisely the way that he earlier condemned in Copi: the salesman's threat has nothing to do with the goodness of his product, and so he commits a fallacy. The only difference between the two is moral. Thus, despite his protestations to the contrary, Walton seems committed to the view that fallacy theory is a branch of ethics.

V

Another issue on which Walton and I are at odds is whether the presence of a threat is necessary for an argument to be an *ad baculum*. I say, No. In the long run, Walton agrees, but only because he thinks that if a threat isn't present, the instillation of fear is, or at least the attempt to instill fear is. What's essential to an *ad baculum*, he thinks, is that there's "an appeal directed to the fear or timidity" of the person to whom the argument is directed (p. 188). In effect, this is to subsume threats under the broader rubric of attempts to instill fear, and to define "*ad baculum*" in terms of such an attempt. I don't believe that either, but I'd like to argue against it in the course of rebutting Walton's objections to another case I had originally brought up.

As an example of an *ad baculum* not involving force, the threat of force, or even threats at all, I had written of two people ("you" and "I") taking a walk, and one person ("you") accidentally walking into quicksand. Sinking fast, you scream for help, but I simply prattle on about how much I've always wanted that diamond ring you're wearing. Implicit though it is, the argument here is clear enough:

> If you don't give me your diamond ring, I won't help you and you'll soon be turning in the dinner pail.
>
> Exiting stage left this way is a great evil that you would suffer.
>
> Therefore, you ought, from the point of view of self-interest, to bung the ice in my direction.

After bringing up the case, Walton first asks, seemingly in a critical tone: "but does [this] case constitute an instance of the *ad baculum* fallacy?" (p. 151). His answer is a slightly guarded, No; but since I myself never say or suggest that the argument is fallacious, and since it's pretty clear that I think it isn't, I'm not sure that Walton thinks he's dogging my tail here.[10] All I claimed is that the argument's an *ad baculum*, and yet one in which no threat is present.

Anyway, that aside, I don't think that Walton's explanation of what's going on in the argument is correct. "I am trying to persuade you to make a deal, to offer the ring," he writes, "but I'm not trying to persuade you to accept some proposition as true or false, to take on a commitment respecting a point of view" (p. 151). But that's exactly what I *am* doing: trying to persuade you to take on a commitment respecting self-interest, a commitment which concerns what you ought to do from that point of view. You ought to come across with the sparkler. —That, in fact, is the proposition I'm trying "to persuade you to accept." Of course, I'm also trying to get you to fork over the ring—no doubt about it, and I wouldn't have offered the argument in the first place if that weren't my ultimate aim. My route to your action, however, is, as usual in an argumentative context, by way of convincing you that something is the case.

VI

But Walton also questions whether the ring argument doesn't involve a threat. "What I say is threatening to you, and I know it," he rightly notes. 'Hence, indirectly I am, in effect, threatening you."

The problem here is the "hence." The fact that what I say is threatening to you (and I know it) doesn't mean that I've threatened you. If I tell a student on academic probation that he's just flunked an exam, what I say is threatening to him, but I don't threaten him. Many times when I convey information of a negative sort respecting a person's own good, what I say is threatening to that person, but I don't threaten him. A fact or state of affairs (not necessarily "what I say" but certainly "what I can say") may even be threatening to a person without anyone else, *a fortiori* anyone else issuing threats, being present at all. The state of affairs may be the person's having incurable cancer—that's certainly threatening to him—or the fact may be that all of his supposedly secure financial resources have been embezzled.

What the ring argument really is is a refusal to render aid unless something is given in return. Refusals to render aid unless something is given in return are as common as buying (or not buying) a blanket at the local department store, or receiving (or not receiving) medical treatment at the local hospital. As our intuitive judgment is that neither department stores nor hospitals threaten us, I take it that I don't threaten you when I tell you that I won't help you unless you hand over the ring. Morally despicable I certainly am; but threaten you I do not—no more than someone who refuses hospital admittance to someone desperately in need of aid, or denies food to a starving person, or (a case obviously close to home here) watches another person drown rather than save him, or call for help.

VII

Moreover, I don't see that the ring case involves threatening someone on Walton's own analysis of threatening. According to him, in order for someone ("the speaker") to threaten someone else ("the hearer"),

> The hearer has [to have] reason to believe that the speaker can bring about the event in question; without the intervention of the speaker, it is presumed by both the speaker and the hearer that the event will not occur,

and

> The speaker is making a commitment to see to it that the event will occur unless the hearer carries out the particular action designated by the speaker (p. 163).[11]

Both these conditions are violated in the ring case. I don't bring about your death if I don't save you, anymore than every hospital in town brings about the death of someone who goes untreated. And "intervention" here seems even more misplaced. In such a case, the only thing that would qualify as an intervention on

my part is saving you; and without such intervention, without my saving you, it's precisely that "the event" *will* occur: you'll die.

The second condition fares no better. In taking advantage of the situation and refusing to render aid unless you give me the ring, I commit myself to nothing beyond that. In particular, I make no commitment "to see to it that" you die—and that's the untoward "event" in question in the ring case—unless you give me the ring. In the course of my babbling on, offering my argument, you might find some ingenious way of extricating yourself from the quicksand. The fact that I've offered the argument I have doesn't commit me to attempting to push your head under as you climb out of the muck.

If, then, Walton's two conditions really are necessary for threatening, I don't threaten anyone in the ring case, and I also don't make "an appeal directed to the fear or timidity of the other participant," or, in my words, attempt to instill fear in the other person. He could be Fearless Fosdick for all I know or care. My argument is what it is, an appeal to self-interest, to a great disvalue that someone would suffer, irrespective of the fact that that person may well have forgot the taste of fears, and we may both know as much. The psychological constitution of that person has nothing to do with what sort of argument I've offered, with whether it's an *ad baculum*.

(Actually, I doubt whether either of the two conditions Walton cites is necessary for threatening. I say that not just because languageless creatures can threaten and be threatened, though that's certainly a pertinent point: threatening needn't occur in the context of language- or even quasi-language-using creatures; *a fortiori*, it needn't be conceptualized in terms of speech acts. The first clause of the first condition is falsified by threats which the hearer, but not the speaker, knows that the speaker can't carry out. Maybe, unbeknownst to the speaker, he's been slipped a Mickey which will soon take effect. Still, he's threatened the hearer. The second clause of the first condition [which says something altogether different from the first clause, incidentally] is falsified if the threatened bad effect is overdetermined in the circumstances, and the hearer, but not the speaker, knows as much; or the hearer knows as much and the speaker is unsure; or both are unsure. If the speaker doesn't set him on fire, the hearer might know, the backdraft will. Again, though, he could have been threatened by the speaker. Rather than offer counterexamples against the other condition, let me just remark that at the least, it should be accompanied with an explanation. Threats can be categorical—e.g., "I'm going to beat the living daylights out of you!"—as well as conditional—e.g., "I'm going to beat the living daylights out of you unless you carry my books to school!" Walton's second condition, however, suggests that all threats are conditional. If the conditional "unless" is vacuously satisfied in cases of categorical threats, that fact should at least be duly noted and explained.)

VIII

One last bone I'd like to pick[12] with Walton concerns whether *ad baculum* is necessarily a two- or more-person affair. Again, I say, No. This time, however, Walton's answer is an unequivocal, Yes. A related issue we disagree over is whether an *ad baculum* has to be offered with a particular intention in mind. As might be guessed, I voice the word ever-popular with two-year-olds the world over, and say, No. And Walton once again says, Yes.

One, but only one, case I discussed in relation to these issues is a variant on one found in Copi. One of Jesus' Twelve Disciples says to him, "Jesus, if you don't get out of here, and quick, there'll be plenty big trouble for you. You'll probably be arrested, tried, convicted, and crucified." I commented that the Disciple might offer the argument intending to get Jesus to pack his bags, or he might not. He might be determining for himself whether, or re-confirming his belief that, Jesus is the man (or deity) he thinks he is, and not intending that Jesus be on the next train out of town. In fact, he might be firmly convinced that Jesus will stay put, and thereby, logically speaking, be incapable of forming the intention that Jesus get while the getting is good.[13] Or the Disciple might have no strong beliefs respecting Jesus' determination to stay put in Jerusalem, and simply be apprizing Jesus of his current situation and suggesting what's best to do from the point of view of self-interest. In that case, he wouldn't have any intention to get Jesus on the bus, or to convince him to pay another month's rent. In fact, he might not even offer such an argument to Jesus himself, and but simply be ruminating away, or muttering to himself, thinking about what's up in the land of Herod, and drawing conclusions about the current state of affairs.

Among the negative conclusions I draw from this case (and others as well) are that *ad baculum* needn't be a two-person affair, and that an arguer need not have any particular intention in mind when arguing *ad baculum*.

Walton thinks I'm wrong on both counts.

> Consider the . . . situation . . . where the disciple does not want Jesus to leave town, but is only apprizing him of his predicament. On analysis, this is not a threat but only a warning. It is in fact an argument from negative consequences. The disciple is pointing out to Jesus that if he does not leave, bad consequences are likely to occur. . . . It is simply an argument from consequences. It is not even an *ad baculum* argument (p. 186).

But since *ad baculums are* arguments from negative consequences, according to Walton, all he's really saying here is that Wreen's argument from negative consequences doesn't count as an *ad baculum* because the Disciple isn't threatening Jesus.

In responding to this objection, I don't want to bank exclusively on my earlier arguments that threatening isn't necessary for *ad baculum*, relevant though they are. What I'd like to do is note that Walton is simply declaring that the Disciple's apprizal argument isn't an *ad baculum* because no threat is present. That doesn't meet the point made: that two propositionally identical arguments

(arguments offered in identical epistemic situations, even) should be classified as the same argument (i.e., as two tokens of the same type). The way I individuate arguments is in terms of propositional content and inferential relation, and so an argument in which a threat is made, and an argument in which no threat is made, count as the same argument if and only if both have the same propositional content and inferential relation. And if they're the same argument, I don't know why one is an *ad baculum* and the other isn't. Same argument, same argument-type, it certainly seems. Maybe Walton can show why that isn't so, and why a threat has to be present if an argument is to count as an *ad baculum*. In the meantime, though, his claims here seem to me to rest on nothing more than arbitrary stipulation, or, what's equivalent, the simple fact that what I say doesn't jibe with his theory. (Incidentally, my other critic. Alan Brinton, is very much alive to the challenge I've issued, and is at pains to meet it. See sections XIV-XVII below.)

Much the same holds for Walton's critiques of the case of the Disciple muttering—simply "talking out loud"—to himself. In that case,

> there is even less of a basis for thinking that there could be an *ad baculum* fallacy.[14] . . . Indeed, from all the information given in Wreen's description of the case, there is no good reason to think that the disciple is arguing at all. It is not an *ad baculum* argument. It is not even an argument, so far as one can reasonably tell. In these cases [this and the apprizal case], what Wreen cites as examples of *ad baculum* arguments do not even count as *ad baculum* arguments by the criteria [which Walton has laid down] (p. 187).

But the reason for thinking that the Disciple is arguing is that the case is deliberately set up to be identical, propositionally and epistemically, to ones in which Jesus is threatened or warned. By hypothesis, the Disciple is rolling over the same considerations in his mind, or muttering them to himself, and drawing the same conclusion. If Walton wants to say that a person who does math proofs in his head, or goes around talking to himself, doing such proofs, isn't arguing, he can. Me, I'll stick with the intuitive view that he is, and is offering the same argument that he would if he were saying the same thing in a "persuasive dialogue" with his teacher.[15]

IX

In some sense, I suppose, I must admit to having put him to it, but Alan Brinton is also nothing if not critical. Offering a systematic and comprehensive critique of my views on *ad baculum*, Brinton not only plots the errors of my ways, but offers a deep diagnosis of my problems and develops a partial counter-theory in response. Better still, his critique is presented in a thoroughly enjoyable form, with a wry and impish sense of humor gently spiking a polite and easy-driving critical exposition. His article[16] is thus fun and very different from standard journal fare—and merely considered in and of itself, that's a strong point in its favor.[17] In addition, Brinton gets me right on every single major point—no small thing—and has a very thorough understanding of what I'm up to, and why.

In fact, I even suspect that Brinton's brain is rather large, and that he consumes an appreciable quantity of fish. He agrees with me on a large number of points, in other words. He thinks, for instance, that I'm right in thinking that

(1) *ad baculum* is inductive rather than deductive in nature (p. 86);

(2) *ad baculum* and other so-called informal fallacies (*ad hominem*, *ad ignorantiam*, *ad populum*, and so on) should be considered "*kinds* of argument, rather than logical errors" (p. 90);

(3) instances of the argument-type needn't concern causing positive harm, but "could just as easily involve allowing evils or depriving . . . goods" (p. 86);

(4) the harm in question in an *ad baculum*—more generally, the disvalue in question, in whatever form it may take (allowing evils, depriving goods, etc.)—needn't be a disvalue suffered by the arguer's interlocutor (pp. 86, 91);

(5) the logical form of an *ad baculum* is as a two-premised argument: the first premise is a conditional statement describing two non-valuational states of affairs (one of which is an action); the other premise is categorical and valuational; and the conclusion is an "ought" statement whose subject is a person (or some other creature capable of action) whose content concerns the state of affairs not described in the second premise (pp. 86, 88-89, 89-90, 91);

(6) not just a prudential "ought" but any of a variety of "ought"s—moral, legal, aesthetic, etc.—could figure in the conclusion of an (reconstructed) *ad baculum* (p. 86);

(7) an *ad baculum* needn't be linguistic (p. 86);

(8) the notion of fallaciousness shouldn't be built right into the very meaning of the term "*ad baculum*" (p. 86);

(9) nor should the argument-type be defined in terms of sleaziness or any other moral quality (p. 90);

(10) not all *ad baculum*s are fallacious (p. 86);

(11) most, in fact, are fairly strong;

(12) "the trouble with *ad baculum*s . . . is more often moral than logical" (p. 90);

(13) "exterminat[ting] the black-magical practice of naming innocent arguments into fallaciousness"—for example by simply identifying them as *ad baculum*s or *ad misericordiam*s—is a good thing" (p. 87).[18]

Well done, Professor Brinton! And you're on even solider ground when you praise me for my "detailed and methodologically self-conscious examination of a wide variety of examples" and my "attention to context, standards of evidence, and relevant background information" (p. 85). You neglect only to mention that I'm extremely handsome, filthy rich, and spend my days fighting off the impassioned advances of beautiful women.

X

With all the "Yes, yes, you're right, old buddy" in Brinton's article, you'd think he'd conclude the thing by suggesting that a monument be erected in my honor, or a national holiday named after me. But no. Perverse human nature reasserts

itself, and he spends most of the small space allotted him arguing against two of my claims. The flies in the ointment, according to him, are:

(1) an *ad baculum* needn't be a two- (or more-) person affair;

and, the pest that annoyed Walton so,

(2) threatening isn't essential to an *ad baculum*.

Let me defend the first claim, the more minor of the two, in this and the next section, and move on to the other in the remaining sections.

I brought up two cases in support of (1). In the first, I walk into the kitchen only to see Fido with his snout in the garbage can once again. Quickly grabbing and rolling up a newspaper, I approach the little devil with determination and anger written all over my map. Not a word is said, but my alert companion, looking up and fully understanding the import of bulging eyeballs and steam being emitted from the ears, hightails it out of there faster than you can say "Milk Bone."[19]

Brinton agrees—or at least he seems to agree—that the argument is an *ad baculum*, but he claims that I haven't proven my point, that a second person isn't needed because a languageless creature will do. My faithful companion, he says, "becomes an arguee precisely by being personalized." "Only insofar as Wreen can persuade us that Fido . . . [is] a recipient of reasons for action," he says, can he bring off the case as a genuine *ad baculum* (p. 86).[20]

I think that this is partly right and partly wrong. It's true that I have to conceive of Man's Best Friend as something that has at least rudimentary reasoning abilities, else the example won't work at all. But if we grant that, and most of us do, then all that's really needed is present. For granting that dogs have elementary reasoning ability doesn't mean that we "personalize" our K-9 friend—think of him as a person—much less conceptualize the situation in terms of two interlocutors, as a truly dialectical approach to argumentation requires.[21]

XI

In the second example, I argue, to myself, "If I don't get those papers graded before I go home tonight, no dessert." Brinton agrees that this is an (unreconstructed) *ad baculum*, but he claims that its plausibility as an example depends

> upon casting oneself into both first and second person roles. (1) "I won't have dessert if I don't finish these papers" is not a clear case [of *ad baculum*]; it might or might not be an *ad baculum*. But (2) "Self, no dessert for *you* unless you finish these papers" *is* a clear case. The crucial difference between the two is that (2) is explicitly addressed to a second (even though the same) person; (1)'s plausibility as a case of *ad baculum* will depend upon its being construed as implicitly second-person.

Adding, what I certainly agree with, that the burden of proof is on anyone who says that *ad baculum* isn't essentially dialectical, Brinton concludes that I've

failed to shoulder that burden, and thus we should stick with the standard view that it is.

Not so fast, though. First of all, even if everything Brinton says is correct, I've proved my point, strictly speaking. Here, I say, is an *ad baculum* that doesn't involve two people, or even two reasoning creatures. With that, Brinton has no quarrel: the argument is an *ad baculum*, and only one person is involved. In some very fundamental sense, then, *ad baculum* isn't necessarily a two-person affair, a first-person/second-person affair, or a dialectical affair, as the standard view has it.

But let me waive that point for the moment, since I'm not convinced by Brinton's argument even so. If I were to reconstruct Brinton's (1) in the most charitable way possible, though one true to my original argument, it would be as

> If I don't get those papers graded before I go home, I'll deny myself that luscious, rich, delectable, scrumptious, wonderful, ridiculously beautiful ... I'll withhold dessert from myself tonight;
>
> Denying myself that o so lovely, o so heavenly, o so wicked, o so delicious, o so . . . withholding dessert from myself would be depriving me of a, to say the least, great good I could enjoy;
>
> Therefore, I ought, from the point of view of self-interest, to get those papers graded before I leave.

Call this argument "(A)." The argument he labels "(2)" I would reconstruct as:

> If you, Dear Self, don't get those papers graded before you go home, I'll deny you that gustatory explosion, that mind-numbing jolt of pure pleasure, that ecstasy in a spoon that, that, that . . . tonight;
>
> Denying you the ineffable, holding back on the sensual substance *par excellence*, withholding paradise on a plate from you, Dear Self, would be depriving you of a great good you could enjoy;
>
> Therefore, you ought, from the point of view of self-interest, Dear Self, to get those papers graded before you leave.

Call this argument "(B)."

Strictly speaking, (A) and (B) are different arguments, since their propositional contents differ, however minutely. And I do want to emphasize that the difference is minute, for it amounts to nothing more than a partial replacement of first-person indexical elements in (A) with second-person ones in (B). The replacement can't be total, else the identification of "you" ("Dear Self") and "I" in the second argument would be lost, and (B) would be a different argument from Brinton's (2), and an argument which fails to correspond in any very close way to (1). In addition, indexical terms pick up a great deal of whatever conceptual content they contain from context, and "you," in this context, has little to draw upon except what is supplied by "I," in argument (A). So analyzed and understood, then, (A) and (B) are about as close to being identical as two arguments can be while still remaining two.

That alone, I think, is a good reason for thinking that if one is an *ad baculum*, the other is as well.

Independently of that consideration, though, but related to what has just been said about (2), I'm also uneasy with the claim that (2) is a first-person/second-person argument in anything more than a grammatical sense. Let me make myself clear. What I'm doubting is that the correct way to describe (2), logically speaking, is as a first-person/second-person argument. Rather, it would be more accurately described not in terms of who is offering and who is being offered the argument, as in terms of a single person considering himself both as agent and as patient, as do-er and as done-to. There is only one person present, after all, presumably a sane person, who therefore knows that he's the only one about. In the argument, in other words, one person, the arguer, represents himself under two aspects, and relates himself to himself under those aspects. Except grammatically, I see no reason to introduce a second party, even one identical to the first.

The situation here isn't unique to *ad baculum*. A person ruminating about committing suicide reasons in a similar fashion, as does anyone offering arguments about something as mundane as feeding himself, or tying his own shoes. Some small solace is also available me in this fact that when Brinton presents his own theory of *ad baculum*, he says that the argument-type "essentially involves an agent/patient relationship" (p. 90), a relationship that he, but not I, identifies with the first-person/second-person relationship.

XII

But Brinton is even more concerned to rebut my claim that *ad baculum* needn't involve a threat. One argument I brought up in support of it invokes the Fido case discussed above. My argument, quite charitably and correctly reconstructed by Brinton, is:

> Threatening is a speech act;
>
> Speech acts are linguistic;
>
> Some *ad baculums* (such as the one directed at Fido) are non-linguistic;
>
> Therefore, not all *ad baculums* involve threatening.

As I read Brinton, the chief difficulty here is that the first premise is false: not all threats are linguistic. Our four-footed friend was surely threatened by me, even though I didn't say a thing. Thus I haven't shown that threats aren't essential to *ad baculum*, for a threat *is* present in the case of the canine cowering in the corner.

This critique is 100% correct. On my own behalf, however, I'd like to add that I was well aware that the poor pooch was being threatened, and that my only objective in presenting the case was to take another shot at pragma-dialectical theories of argumentation. Such theories take arguments, argument-types, and fallacies—including the fallacy of threatening when you shouldn't be threatening—to be speech acts.[22] It was them, and them alone, that I was drawing a bead on.

XIII

More importantly, Brinton thinks that other cases I advanced in support of my negative thesis wouldn't do. Singled out, labelled, and briefly described by him are three—actually four—cases:

> The Extortion Case (this is the ring case, already discussed above in sections V-VII);
>
> The Supermarket Case: a supermarket doesn't threaten me, but argues *ad baculum* in saying, in effect: either pay the price, or leave without the food (actually, this is very similar to the ring case: both essentially involve a refusal to render aid unless something is given in return);

and

> The Warning Case: I yell to my friend: "Move fast, or you'll be run over by a truck!"; or Anytus, speaking to Socrates about the dangers of speaking ill of people in Athens, might just as well be warning Socrates rather than threatening him, or even doing neither (see the comment in the next paragraph).

Other examples of *ad baculum* not involving threats I had mentioned—third-person cases, cases set in the distant past, and purely hypothetical cases—are also briefly mentioned by Brinton. But what do such cases prove, he asks. Only that we have a choice. We can accept any or all of the three (really, four) listed above as an *ad baculum*, thereby widening "our conception of the *ad baculum*," or we can reject them as examples of the argument-type, and thank Wreen for having brought them to our attention. And thanks are due to He of the Big Bean, for in calling our attention to them, he's challenged us to say where and why they fall short of being true *ad baculums*. Responding to that challenge will force us to get clearer about the argument-type, and maybe even clearer about informal logic in general.

XIV

Speaking in my own voice now, let me say that in the main, what we're faced with here is a theoretical divide. On the one hand, I present cases similar to textbook cases in many important respects—the Socrates case is right out of Copi, in fact, and the Jesus case discussed earlier is simply a variant of it—and, as Brinton notes, easily put them in what I've identified as the logical form of *ad baculum*. This is a form which Brinton himself accepts as the correct form of the argument-type. The cases, I say, are thus *ad baculums*, even if they don't involve threats, and even if *some* don't appear in logic texts. Their not appearing in logic texts might be due to any number of reasons that have nothing to do with their being or not being *ad baculums*, I argue—pedagogical clarity springs to mind as an obvious factor—so that fact doesn't bother me to any appreciable extent. Further, and contrary to what Brinton says, I don't regard what I'm doing as broadening the concept of *ad baculum* so much as discovering its true nature and

extension. No one else, after all, has even done much in the way of looking into the matter.

Brinton, on the other hand, has a strong intuition that the cases aren't *ad baculums*, and thus that something in addition to being similar to textbook cases of the argument-type, and also in addition to being able to be rendered in the logical form that Wreen has (correctly) identified, must be necessary for an argument to be an *ad baculum*. What? Well, as I read him, the general answer is, Rhetorical factors. In essence, Brinton thinks that I've gotten the logical and epistemic story right, but that the entire rhetorical dimension of the argument-type, a dimension that's essential to a complete and correct understanding of it (just as an appreciation of depth is essential to a complete and correct understanding of cubes), is woefully absent from the tale I tell. Hence, what's needed are rhetorical factors, such as two-person-ness and the presence of a threat. In Brinton's own words:

> In our logical youth, we knew what Copi and his accomplices were talking about [respecting *ad baculum*] as soon as we saw their examples. We knew from bitter experience what it was to be ad baculized. Now we had a name for it. We didn't like having it done to us, though on occasion we might have done it ourselves, or enjoyed seeing it done, to others (p. 89).

That, in effect, is why his intuition isn't just an intuition, and why

> instead of taking Professor Wreen's examples as supports for his account of the *ad baculum*, we might take them to be a sort of *reductio ad absurdum* of his approach. . . . [Thus,] the reasonable conclusion is that an adequate characterization of the *ad baculum* will have to mention more than just its logical features. This will not mean that cases of *ad baculum* cannot be subjected to purely logical analysis and evaluation. It will just mean that what makes an *ad baculum* an *ad baculum* is more than just its logical features, and also that serious evaluation of *ad baculums* will require attention to whatever features distinguish them as a group from non-*ad baculums* of their same logical form (pp. 89-90).

Examine the textbook tradition, Brinton says, and we find an "ostensive definition" of the argument-type; and reflect on our own understanding of that tradition, and we can see why and how Wreen's examples fall short. The features missing from his account are, not surprisingly, two-person-ness and/or the presence of a threat. Neither a warning, nor a promise, nor anything else will do for an *ad baculum*.

The textbook tradition, moreover, helps us to realize that "what really bugs us about offending *ad baculums* is that they are inappropriately *coercive*. The kind of agent/patient relationship they involve is a coercive one," with the coercion, the threat of force, being of two kinds. First, in many but not all cases, there is a threat of "some sort of 'forceful' action against the recipient of the argument" (p. 90). (On this point, of course, Brinton and I are in agreement.) Second and less obviously, but more importantly, an *ad baculum* "is itself a kind of forcing or coercion. What kind of coercion? Coercion by way of threats" (pp.

90-91). An *ad baculum* may not always be coercive in the first sense, but it always is in the second. Thus,

> successful use of the *ad baculum* presupposes a relationship of power; appropriate questions for its evaluation are typically questions about legitimacy in the exercise of power. The unjustly ad baculized person experiences a felt loss of autonomy and personal dignity. Such feelings, however, are not the test [for fallaciousness], since they may be incorrect or deserved (p. 91).

This relationship of power and coercion is especially poignant in an *ad baculum*, for

> the arguer enters into the subject matter of the argument, into the content, in a quasi-performative way. The arguer imposes his or her own presence, thereby creating within the argument itself a reason for action. A relevant question about this aspect of the matter is about the appropriateness of the kind of reason thereby created relative to the question at hand. Another is about the authority of the arguer (p. 91).

XV

This is a well-thought-out and reasonable response, and one that nicely blends a concern for cases and the textbook tradition with the merits of theory, in particular rhetorical theory. Nevertheless, I have my doubts about it, many of which have already been aired in my replies to Walton.

Briefly, then: the Extortion or ring case is discussed at length in sections V-VII, and the Supermarket Case is structurally similar to it, differing only in our moral assessment of the person offering the argument, or the act of offering the argument. The Socrates case is strictly analogous to the Jesus case discussed in section VIII, and the case of the errant truck — no, that's not a Perry Mason mystery—is covered by, as indeed are all these cases, what I earlier argued respecting the individuation of arguments. Brinton, like Walton, has to say that in certain contexts an argument is an *ad baculum*, while in others, the very same argument isn't. Argument strength, the evaluation of two tokens of the same argument-type, isn't in question here; only argument classification is, only whether one and the same argument is of the same kind in two different contexts. Indeed, the contexts themselves need differ only in the most minimal way possible, since they need differ only in whether the first premise of the (reconstructed) *ad baculum* is conveyed in a threat or in some other way, e.g., in a warning, or in a statement, or in a mere thought. My view remains what I, at least, take to be the intuitive one: that if one is classified as an *ad baculum*, the other one should be as well.

As for drawing on the textbooks: that's where I begin, too. If the textbook tradition doesn't lead me to believe that threats are essential to *ad baculums*, that's because, for one thing, I don't see that all the textbooks or everyday-life examples of *ad baculum* have to be interpreted in terms of threats. But in addition, I don't see how the presence or absence of threats makes any logical difference, any difference in the content, structure, or strength of an argument,

and thus I don't see why it should be included as a defining feature of an argument-type. Only a difference that makes a difference should be included as a defining feature, it seems to me. By Brinton's own admission, an *ad baculum* and a non-*ad baculum* could have the same content and structure, could occur in the same epistemic situation, and could "be subjected to [the same] purely logical analysis and evaluation" (p. 90). Presumably, a purely logical analysis and evaluation would yield the same result in both cases. Why, then, should the presence of a threat be a defining feature of *ad baculum*, even on Brinton's own account of the argument-type?

XVI

For Brinton, this is virtually equivalent to the question, Why does a "serious evaluation of *ad baculums* . . . require attention to whatever features distinguish them .. from non-*ad baculums* of their same logical type" (p. 90)? His answer has to do with:

> (1) the "more significant agent/patient relationship" possible in an *ad baculum* but not its doppelganger (p. 90);
>
> (2) the fact that the *ad baculum* is prone to "peculiar kinds of sleaziness" (based on (1)) that its doppelganger isn't (p. 90);
>
> (3) the coercion of one party by another, this coercion being, more than anything else, at the heart of *ad baculum*, since it's the ground for both the two-person-ness and the threat that are essential to its nature;
>
> (4) the fact that "the arguer enters into the subject matter of the argument, into the content, in a quasi-performative way . . . and imposes his or her own presence" (p. 91);
>
> (5) the attempted exercise of power through the use of coercion (p. 91).

Note that a *certain sort* of coercion is the key here. Threats are always present in a true *ad baculum*, not because a threat of force, in the most basic sense of the term, is always present, but because *ad baculum* has to be understood in terms of "coercion by way of threats" (p. 91). As I understand Brinton's somewhat dark remarks on this matter, what he's saying is that with a true *ad baculum*, the very *issuing* of *that* argument, by *that* person, in *that* set of circumstances *constitutes* a threat directed to the other party. This is a threat, moreover, in which the arguer, being who he is and having said (or done) what he did, "enters into" the content of the threat, imposes his presence—his power and position—and thus is himself an essential component of the argument and of the threat issued. Hence (Brinton concludes), *ad baculum* is essentially two-personed and essentially involves a threat. It's the coercive relationship, based upon the inequality of power between the two parties, that underpins the *ad baculum* and makes possible the facts recorded in the last few sentences. It's certainly not something like a logical form that does or can do that. A logical form alone (even in the broad sense in which Wreen uses the term) can give an argument (partial) content and structure, but it can't give an argument a point or a place in human

discourse, and it thus can't explain what *ad baculum* is, or how it works—and that's true even if *ad baculum*s all do have a certain logical form.

XVII

That, anyway, is my understanding of Brinton, and I do have a lot of sympathy with the philosophical cum rhetorical explanation of the workings of (at least many an) *ad baculum* that he's tendered. Still, I just don't see that my question has been answered: Why are the elements he's identified essential to *ad baculum*—an *argument-type*, after all—when they don't make any difference to argument content, structure, or evaluation? In other words, what I see is that the "serious evaluation" that requires consideration of more than logical (and I would add epistemic) features is rhetorical, ethical, and political in nature: to evaluate from that, or those, points of view, we need, in the sorts of cases that Brinton has in mind, to consider exactly the sorts of factors that he's drawn our attention to.

But that doesn't mean that we should define the argument-type the way he indicates. A better alternative is to say that from the standpoint of logic or argument, an *ad baculum* is a certain kind of argument (indeed, that seems tautological), while from the standpoint of rhetorical theory, some *ad baculum*s, and a particularly important bunch they are, form a distinctive sub-class. Indeed, there are dangers to not hewing to that line, for if we don't, we risk blurring or erasing the distinction between the logical/epistemic evaluation of an argument, and the political/ethical/rhetorical evaluation of it. Walton already disregards that distinction to an appreciable extent (despite his evident desire to honor it), and Brinton, with his five factors and his talk of the "loss of autonomy and personal dignity," the imposition of "presence," "the appropriateness of the kind of reason" offered, the "authority" of the arguer, and the evaluation of an *ad baculum* in terms of "legitimacy in the exercise of power" (p. 91)—Brinton is in imminent danger of doing so as well. The correct definition of *ad baculum*, then, is not a merely verbal matter, nor an unimportant one. Something of some moment hangs on it.

Notes

[1] Douglas Walton, *The Place of Emotion in Argument* (University Park, PA: Pennsylvania State University Press, 1992). All parenthetically indicated quotations from Walton are from Chapter 5, "*Argumentum ad Baculum*," of this book. This remark is from p. 144.

[2] My articles on *ad baculum* are: "Yes, Virginia, There is a Santa Claus," *Informal Logic* 9 (1987): 31-39; "Admit No Force But Argument," *Informal Logic* 10 (1988): 89-96; "May The Force Be With You," *Argumentation* 2 (1988): 425-40; and "A Bolt of Fear," *Philosophy and Rhetoric* 22 (1989): 131-40. The remark of mine quoted by Walton is from "Yes," p. 37.

[3] In fact, I've emphasized it on a number of occasions, in analyzing particular cases. See, for example, "Yes," op. cit.

[4] Prima facie, that is. Since the argument isn't deductive, relevant considerations could be added which would weaken the inference, perhaps to the point where the label "fallacious" is appropriate.

[5] The term is my own, not Walton's, though I don't think he would object to it. I should also note that in this paper I use the term "token" in a broad sense, as roughly synonymous with "instance."

[6] However, in another paper, "Look, Ma! No Frans!," *Pragmatics and Cognition* 2(1994): 285-306, I critique the pragma-dialectical approach to the concept of a fallacy, an approach very similar to Walton's. Three other dialectical conceptions of a fallacy are also criticized in another paper of mine, "Look Before You Leap," in manuscript. I apologize if these footnotes are starting to sound like the self-advertisements that so many footnotes do.

[7] Another more minor difference between Walton and me is that I don't think that individual arguments or argument-tokens, such as the Dagwood argument, should be labelled "fallacies." The term seems wholly inappropriate, and even a "category mistake," since individual arguments aren't and couldn't be (identical with a certain kind of) argumentative flaw or weakness. For two reasons, I'm even reluctant to use the label for argument-types, such as *ad baculum* or *ad misericordiam*. To label an argument-type a fallacy is, initially at least, to suggest that tokens of that type are fallacious, and fallacious just because they're tokens of that type. No (non-deductive) argument, however, is fallacious just because it instantiates a certain form, or is a token of a certain argument-type. And even if the suggestion just noted is muted, calling an argument-type a fallacy is to imply that, generally speaking, tokens of that type are fallacious. I certainly doubt that that's the case for *ad baculum*, and I also doubt it for most of the other argument-types usually labelled "informal fallacies."

[8] "Factor" is my preferred term, but I don't think that Walton would object.

[9] And so, too, his conception of an argument and a fallacy in general.

[10] My thanks to Walter L. Weber for suggesting this expression.

[11] I've interpolated "to have" here in order to underscore the fact that Walton takes these considerations to be necessary for threatening.

[12] Again, my thanks to Walter L. Weber for suggesting an apt expression.

[13] I'm assuming here that it's a necessary truth that if I intend to bring about Jesus' leaving town, I believe that I can bring about Jesus' leaving town. A person can't intend to bring about what he doesn't believe he can bring about.

[14] I don't think that the Disciple commits a fallacy in such a case, and despite what is suggested here, Walton recognizes that I don't. The real issues are whether an *ad baculum* need be a two- or more-person affair, and whether a person offering an *ad baculum* need have a particular purpose or intention in mind.

[15] One point on which Walton and I do agree, however, is that arguments aren't just semantic structures, consisting of propositions standing in certain relations to one another. It would be hard to explain a number of things, including why, for example, arguments which beg the question are fallacious, if a strictly semantic (I prefer the term 'propositional') conception of argument were correct. What needs to be remembered is that, paradigmatically, arguments are justifactory structures.

[16] "The *Ad Baculum* Re-Clothed," *Informal Logic* 14(1992): 85-92.

[17] In my view, most journal articles are flat, colorless, unenjoyable, and staid, though there's no good reason for them to be that way—unless you count professional stuffiness, an absurd estimation of the importance of the issues discussed, and inflated but very delicate egos.

[18] Given the Hobbesian state of nature that prevails in the journals, life there being little more than a war of all men against all men, Brinton's agreement with me on so many points may be

well-nigh incomprehensible to many readers. However, it's actually very easily explained—and along Hobbesian lines. On p. 90, he says: "If Professor Wreen threatens to beat me up unless I agree with him ...." This keen insight respecting my character is probably due to Brinton's work on ethos and argument.

[19] Walter Weber originally brought this case to my attention. A dinner of T-bone steak was his reward for this important contribution to philosophy.

[20] Incidentally, the example doesn't require that Rin Tin Tin and the pack he runs with be able to "evaluate inferences," as Brinton claims. All that it requires is that they be able to make them.

[21] Not that Brinton necessarily thinks of the situation in terms of two interlocutors. His main inspiration is classical rhetorical theory, not speech-act theory, much less the pragma-dialectical theory of argumentation. Classical rhetorical theory, as I understand it, takes the concept of an audience as essential to argumentation, but not that of an interlocutor, strictly speaking.

[22] See, for instance Walton, *The Place*, op. cit., p. 163, where threatening is said to be a speech act.

MICHAEL WREEN
DEPARTMENT OF PHILOSOPHY
MARQUETTE UNIVERSITY
MILWAUKEE, WISCONSIN 53201-1881

❑