“Is there a Case for *Ad Hominem* Arguments?” first appeared in the *Australasian Journal of Philosophy*, Vol. 62, No. 2, June 1984, pp. 182-185.

Lawrence Hinman has argued (*Australasian Journal of Philosophy,* December 1982) that a case can be made for *ad hominem* arguments, at least in certain situations for certain classes of arguments. However, I think that the classes of arguments he indicates do not suffice to make any case for allowing *ad hominem* reasoning even in those contexts. By an *ad hominem* argument we usually have in mind something of the form:

* 1. The advocates of (proposition, claim, proposal) C have traits x, y, z, … .
  2. x, y, z, . . . are all bad.

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C is (probably) false.

Hinman allows that such reasoning is often clearly fallacious. Indeed, this is hard to deny in any country where elections are held. He also notes that in cases where C is some kind of testimony, the argument form is not fallacious (and most textbooks — even “bad old logic textbooks”— clearly state this).

So when may we accept arguments of this form if C is *not* a statement of testimony?

Hinman cites four classes of cases.

*Class 1:* Cases in which the advocates back up C by some premises (i.e. *argue* for C) and where one does not have sufficient independent evidence about those premises. In that case, “one must make some judgment about the reliability of the one who is claiming that those premises ought to be accepted.”

This seems dubious. Suppose an anti-nuclear-power spokesperson says “We should not build any more nuclear power plants”. Clearly to reject this claim on the basis of the (real or imagined) bias of that spokesperson is unwarranted. Unless you have reasons for or against the claim, you can conclude nothing about its truth. The bias of the spokesperson is not a reason for or against the claim (since it is not personal testimony).

Now suppose the anti-nuclear spokesperson says (i.e. *argues*), “The Fitch study has shown that nuclear power plants are more dangerous than coal-fired plants. The Stewart study has shown that our energy needs can be satisfied by coal plants alone. So we should not build any more nuclear power plants.” Despite what Hinman seems to hold, the case is again clear. We are just moving back a step from the conclusion to the premises. My knowing that the spokesperson is biased tells me nothing about whether the Fitch and Stewart studies have shown what the spokesperson alleges. If I have no “independent” (i.e. real) evidence about the Fitch and Stewart studies, I can draw no conclusion about the premises. Hence I can say nothing about the soundness of the spokesperson's argument. As a practical matter, I ought to read those studies myself.

Of course, this assumes the spokesperson is not making his claim as testimony on the basis of his/her expertise. That, all hands agree, is a quite different matter.

*Class 2:* Hinman next considers cases in which I and the other person are both considering some inductive evidence for a claim which interests us. (We are now talking not about a person making a claim, nor even about a person arguing, i.e., making a claim and offering reasons for it, but about someone evaluating an argument.) Hinman argues that I am within my logical rights to “raise questions about one's opponent's background and motives insofar as such questions are focused on the issue of whether the person's background and motives have led to setting the demand for certainty too high or too low.” (p. 340)

I am puzzled by this scenario. Suppose my opponent pegs the degree of inductive support the premises offer to the conclusion at 95%, and I agree with his assessment and with the premises. (If I disagree with his assessment of the degree of support, we must both turn to inductive logic — not his background — for information to decide the matter. If I disagree with the premises, we are back to the case discussed above.) If he judges that the conclusion ought to be accepted, that is a claim on his part. Logically, if I want to assess his claim, my only recourse is to look into the topic (not his background) and decide for myself whether 95% certainty is enough in this case. Again, unless my opponent is saying that I should accept his claim that 95% is enough on his say so as some kind of expert (in which case we are back to testimony), his background is not logically relevant.

*Class 3:* Hinman points out that Marxists, sociologists of knowledge and existentialists often accept *ad hominem* (more exactly, genetic) reasoning. (So as to not offend readers, let us be clear that we mean “some people who are generally taken to be Marxists,” and so on.)

To this the reply is “so what?” Are philosophers and sociologists necessarily good at logical reasoning? But Hinman has more to say: “…in the case of beliefs which include an account of their own origins (e.g. religious beliefs) or an account of the role that they play in contemporary society, an approach (whether based on Marxism, sociology of knowledge, or existentialism) which challenges the account of either the origins or the present function of those beliefs is clearly relevant to the assessment of those beliefs,” (p. 394)

This is again unclear. Which beliefs are we talking about? If the members M of a religion believe that God exists and He talked to prophet J, the leader of an ancient people P, I haven't proved *all* their beliefs wrong if I prove that in fact J never existed, and that P acquired those beliefs from a neighboring people. I have proved *only* that their belief in the origin of their belief system is mistaken. The other beliefs in that system still stand. And I haven't done it by looking at the background of the current group M, which would be *ad hominem.* I have presumably done it by looking at the ancient people P — which is *not ad hominem,* since the group P stands to the present-day group M in the role of witnesses giving testimony. No exception here.

*Class 4:* Hinman takes his start now from the Lockean version of *ad hominem* argument. This version involves pressing a man with the consequences of his own principles. I shall talk about this different version in a moment; for now, let us look at Hinman's class of counterexamples.

These involve transcendental arguments (including, I suppose, private language arguments). I waive the discussion as to whether these arguments are sound (i.e. whether the premises involve the verifiability principle, and whether it is defensible). The question is whether such arguments are *ad hominem* and, if so, whether they are therefore fallacious. Hinman believes they are *ad hominem* in nature, but are not fallacious:

Here we have the most forceful version of a Lockean *ad hominem* argument which may be sound. Considered as a parasitism argument, a transcendental argument typically proceeds in the following way. If a person asserts a proposition *p* (often a skeptical claim), one that attempts to show that *p* implies q, i.e. the truth of *q* is a necessary condition of asserting that *p* is either true or false; one then tries to show that *q* entails non-p. . . . And as such it is *ad hominem* in a very specific sense: given an original assertion, it attempts to show that this assertion is inconsistent with another proposition whose truth is presupposed necessarily by the one making the original assertion. (p. 343)

Whether transcendental arguments (and private language arguments and transcendental deductions) are sound or not again is a matter of dispute, but in contrast to Hinman, I don't see any *ad hominem* character to them. One's suspicions are aroused when one reads (p. 344), “They are indeed arguments directed toward the man, but what distinguishes them from other types of *ad hominem* arguments is that they claim to be equally valid no matter *which* man they are directed against.” This is a curious kind of *ad hominem* attack, indeed.

It seems clear that what we really have in transcendental arguments are arguments of the form:

1. If experience (language, assertion) is possible at all, *p* must be true *(a priori,*

necessary).

1. Experience (language, assertion) is possible.

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*p* must be true.

which is clearly not *ad hominem,* and the proof of premise 2 involves either asking the skeptic to verify it by examining his own behavior (testimony again), or else pointing out the skeptic’s own behavior. This last is not *ad hominem,* since you are proving that something is possible by pointing to at least one case where it happens. The only reason you pick the skeptic and not someone else is that the skeptic may have doubts about the existence of other minds. But (as Hinman himself notes) it doesn't matter who you pick, but only that you prove something is possible by indicating an occurrence of it.

What can be said in general about the Lockean version of pressing someone with the consequences of his/her own beliefs? We must be careful here. If I try to convince you of C by citing P where you believe P, but I don't, I am being illogical. I am persuading you, not by sound argument, but by what I believe to be unsound argument. If, however, I try to persuade you of C by citing P, where you and I both believe P, yet I cannot prove P, then that is different. For, while the best argument is one in which C follows from true premises, in reality the best we can hope for are arguments whose premises are “starting points” for our epistemic community— beliefs that are in our mutual commitment-store (to use Hamblin's phrase). So far as Locke may have had the second situation in mind, it seems to me not *ad hominem* at all.