Jun 6th, 9:00 AM - Jun 9th, 5:00 PM

Evaluating Fear Appeals

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ABSTRACT: I inquire into the issue of how to evaluate fear appeals. I propose modifications to Douglas Walton's position in *Scare Tactics: Arguments that Appeal to Fear and Threats* that will help improve assessment of fear appeals in complex argumentation such as political discourse. Walton has argued for attending to the underlying practical inference structure involved in fear appeals as well as the type of dialogue in which they occur. I propose, first, that theorists understand the practical reasoning not in terms of an underlying inferential structure but rather as an account of how discourse strategies give fear appeals force; and, second, that theorists not deduce norms and standards from so-called dialogue types but rather explain how discourse strategies engage norms of argumentation that give fear appeals force. This approach generates a normative pragmatic theory of fear appeals that has more explanatory power than Walton's theory, because it explains how discourse strategies agents actually use engage norms of argumentation and are therefore compelling. I submit that compelling fear appeals are designed to show addressees (1) risks to themselves of not carefully assessing the fearful circumstances and (2) risks to the arguer of misjudging whether circumstances merit fear.

KEY WORDS: fear appeals, Patrick Henry, normative pragmatics, Douglas Walton

INTRODUCTION

I inquire into the issue of how to evaluate fear appeals. The issue is significant given the ubiquity of fear appeals in public discourse past and present and the potentially serious consequences of such arguments. I propose to suggest modifications to Douglas Walton's position in *Scare Tactics: Arguments that Appeal to Fear and Threats* that will help improve assessment of fear appeals in complex argumentation such as political discourse. Although other theorists of argumentation have discussed fear appeals, I focus on Walton because his treatment of them and other "scare tactics" is the most systematic and extended, thus meriting serious attention.

To evaluate fear appeals Walton (2000) has argued for attending to the underlying practical inference structure involved in fear appeals as well as "the dialogue structure in which the inference is used for some purpose" (p. 129). I propose, first, that theorists understand the practical reasoning not in terms of an underlying inferential structure but rather as an account of how discourse strategies give fear appeals force; and, second, that theorists not deduce norms and standards from goals of so-called dialogue types but rather explain how discourse strategies engage norms of argumentation that give fear appeals force. This approach generates a normative pragmatic theory of fear appeals that has more explanatory power than Walton's theory, because it explains how discourse

strategies people actually use engage norms of argumentation and are therefore compelling. I submit that compelling fear appeals are designed to show addressees (1) risks to themselves of not carefully assessing the fearful circumstances and (2) risks to the arguer of misjudging whether circumstances merit fear.

WALTON ON THE INFERENTIAL STRUCTURE OF FEAR APPEALS

What should we evaluate when we evaluate fear appeals? Should we evaluate a reconstruction of the fear appeal in premise-conclusion form intended to display its underlying practical inference structure? Or should we evaluate its actual presentational design? Walton opts for reconstruction because this helps critics to assess logical cogency. He asserts that "[t]he new theory of fear and threat appeal arguments is that their basic underlying structure is that of the practical inference" (2000, p. 130). He summarizes the form of fear appeals as follows:

> 1. If you (the respondent) bring about *A,* then *B* will occur.
> 2. *B* is a very bad outcome, from your (the respondent's) point of view (or interests).
> 3. *B* is such a bad outcome that it is likely to evoke fear in you (the respondent).
> Therefore, you (the respondent) should not bring about *A*. (2000, p. 200)

This inferential structure is evaluated by considering the acceptability of the premises and by asking critical questions. As Walton (2000) puts it:

> if both premises are accepted by an agent, then surely the agent is also *rationally bound* [italics added] to accept the conclusion as following from the premises. Of course, such an argument is not deductively valid [. . .] One could still ask, for example, whether there might be a better way of [achieving the goal than performing the action]. (p. 130; see also p. 138)

Walton (2000) develops further the point that addressees are "rationally bound" to accept a conclusion by describing the kind of interaction that may take place as a speaker tries to pressure a hearer to respond as she wishes.

> By putting the argument in the form of a practical inference, the speaker tightens a kind of *logical net* [italics added] around the hearer. [. . .] The question then posed is how the hearer can wriggle out of this net by challenging the premises, or finding some weakness in the linkage whereby the premises force the conclusion drawn in the argument. The hearer needs to respond to this logical argument by examining, or critically questioning its strong or weak points as a practical inference. The speaker and hearer can be seen as engaging in a kind of *logical dialogue* [italics added] with each other. This theory represents a logical model of how the two parties are reasoning with each other in an orderly and structured way that represents a kind of practical rationality. (p. 131)

Walton (2000) holds that working out the details will reveal "how an agent should reason who wants to put forward a fear appeal or threat appeal argument [. . . and] how each agent should react to the moves made by the other party in the dialogue" (p. 132). This account focuses exclusively on the strategy of manifesting logical cogency and the norm of making logically cogent arguments, and explains what should happen rather than what does happen.

Although it appears that an agent is "rationally bound" in such a case, two factors complicate this judgment: this reconstruction of the underlying inferential structure or the

interaction as a "logical dialogue" is not what in fact was said; and even if the agent did speak in just this way, logical cogency alone may not be compelling in a particular case. Argumentation theorists may explain these factors in a number of ways including the following: the speaker may be attempting to dupe the audience with strategies she knows are more effective than paradigm cases of rational argument, the audience may not be versed in correct inferential structures and critical questions, the forum where the speaker argues may provide insufficient time or space for developing a logically cogent case.

What is a theorist of argumentation to do? One possibility is to proceed with evaluating the reconstructed fear appeal anyway because, the theorist may judge, the reconstruction is how the speaker ought to have spoken. But this position assumes that manifesting rationality is the only strategy that can reasonably engage standards or norms of argumentation in particular situations. Another possibility--what I advocate--is to analyze strategies other than reason-giving that create practical reasons for listeners to act as the speaker desires (Goodwin 2001, 2002; Kauffeld 1995, 1998; Manolescu, 2005a, b).

Arguers design arguments to address situational constraints, some of which are created by how they argue and by how opponents argue (Goodwin 2001, 2003). This view of arguers as agents is compatible with Walton's (2000) definition of agents who carry out practical inferences:

> An agent is an entity that has the capability for carrying out actions, of being aware of its environment, and of responding to perceived changes in its environment by carrying out new actions over time, as it gets information on the consequences of its old actions. (p. 130; see also p. 136)

For example, other things being equal, designing an argument that makes manifest its logical cogency--actually presenting it in the premise-conclusion form typical of a reconstruction--makes it difficult for a listener to deny its logical merits without incurring criticism for failing to understand standards of logic (Manolescu 2005a, p. 339; Manolescu 2006, pp. 329-30). Thus to some degree this design feature--manifesting logical cogency--constrains the addressee's response and creates a practical reason for him, in turn, to design argumentation that manifests the rationality or superior rationality of his competing position. The practical reasoning involved in this account is not a reconstructed premise-conclusion complex which then serves as the object of evaluation. The transaction is not rewritten as a kind of "logical dialogue." Instead the practical reasoning is an account of how strategies work to create practical reasons to pressure addressees to act as the speaker desires. Since the strategies work because they engage norms of argumentation, the argumentation theory generated integrates the descriptive and normative and, therefore, may be described as "normative pragmatic" (Goodwin 2000; Manolescu 2005b; see also van Eemeren and Grootendorst 2004, p. 10).

THE DIALOGUE STRUCTURE OF FEAR APPEALS

To evaluate the relevance of fear appeals Walton (2000) also holds that critics ought to consider the context of the appeals which he defines as the type of dialogue in which the appeals occur: "we can judge the relevance of a fear appeal argument by evaluating the argument with respect to how it was used in a given case within a normative framework of dialogue" (p. 145, see also pp. 177, 180, 203; Walton 1992). Evaluation is based on whether the argument facilitates or impedes the goal of a particular dialogue type. In

cases where it is difficult to judge what dialogue type the argument is part of, he recommends that critics submit an evaluation in this form: "if this argument was supposed to be part of a dialogue of type *x*, then it is fallacious (nonfallacious), from the standpoint of the normative standards of dialogue of type *x*" (2000, p. 203). Walton (2000) notes that a political debate "can involve persuasion dialogue, negotiation dialogue, deliberation, and eristic dialogue, all in the same case" (p. 182; Walton 1992, p. 81) and warns critics not to "condemn all *ad baculum* arguments on the grounds that they are irrelevant in a critical discussion or informed deliberation of political issues" (p. 199).

Goodwin (2007) has detailed problems with defining the context of argumentation as a dialogue type in which arguments function. Here I will simply note that, besides the difficulties involved in classifying actual cases of argumentation as a dialogue type or types, it is problematic that critics deduce standards or norms for argumentation from the dialogue type and then hold arguers accountable to them. If critics cannot classify a case as an identifiable dialogue type, it does not seem fair to hold arguers, who may understand a particular situation better than critics, accountable to the standards of a so-called dialogue type that they neither recognize nor acknowledge. In any case, a "persuasion dialogue," "critical discussion," and the like are better understood as critical ideals to which actual arguments correspond or not to varying degrees. Instead of using a top-down approach to context, a normative pragmatic theory examines the context created by the argumentation; it explains how the strategies arguers use to engage norms of argumentation in particular cases create practical reasons for addressees to respond as the arguer desires.

EVALUATING FEAR APPEALS IN THE VIRGINIA RATIFICATION DEBATES

To illustrate a normative pragmatic approach to evaluating fear appeals--explaining how strategies work to engage norms of argumentation that pressure addressees to respond to fear appeals as the arguer desires--I propose to examine select fear appeals in the 1788 debates in Virginia over whether Virginia delegates should vote to ratify the U.S. Constitution, and in particular speeches by Patrick Henry. A classic in the annals of American political discourse, this is a case of actual, complex argumentation in which each side makes fear appeals and responds to opponents' fear appeals. Fear is particularly salient as Antifederalist opponents to ratification such as Henry appeal to fears that a strong centralized government will result in circumstances meriting fear; as Henry asserts: "This Constitution is said to have beautiful features; but when I come to examine these features, sir, they appear to me horribly frightful" (Elliot 1891, p. 58). Federalist proponents of ratification appeal to fears that not ratifying the Constitution will result in circumstances meriting fear, such as weakening or destroying the new nation. The stakes of the Virginia debate were high; nine states needed to ratify, and by the time of the Virginia convention, only eight ratifications were possible and all of the remaining states were the strongest opponents to ratification (Briceland 1988, pp. 210-11).

Although this is a case of complex political argumentation, perhaps it is less complex than some. It may not be inappropriate to classify it as a "persuasion dialogue" since the results of the convention depended on about six votes (Federalists counted eighty-six votes and Antifederalists counted eighty) and since Antifederalists could appeal to specific interests of delegates from counties where some margin for persuasion existed

(Briceland 1988, pp. 212-13; Einhorn 1990, pp. 148-49). One historian has described the Antifederalist strategy as "one of delay and attrition" since they knew they did not have the votes at the start of the debate and needed "time for Mason's logic and Henry's passion to work upon those delegates who were only weakly committed to the Constitution" (Briceland 1988, p. 213). Eventually the Federalists defeated the Antifederalists, but only by an eight-vote margin (Rutland 1966, p. 250).

But Henry does not say he will stall deliberations in order to persuade even though he may have intended to do just that as his speeches alone are said to constitute as much as one quarter of the deliberations (Briceland 1988, p. 211; Rutland 1966, p. 226, 233). We need not look long or hard in Henry's speeches for details about the perilous situations he says he fears. In fact on the last day of the debates Henry's fear appeals were punctuated by lightning and thunder that rattled the windows and, he said, pointed to "beings of a higher order anxious concerning our decision" (Elliot 1891, p. 625; Rutland 1966, p. 248). Critics could assess the logical cogency of the fear appeals by reconstructing an underlying practical inference structure along the lines suggested by Walton (2000, p. 200):

> 1. If you vote to ratify the Constitution, then the United States will be in peril.
> 2. A perilous situation is a very bad outcome from your point of view.
> 3. A perilous situation is such a bad outcome that it is likely to evoke fear in you.
> Therefore, you should not vote to ratify the Constitution.

However, such an analysis elides much of what Henry says to make his fear appeals compelling because it assumes the cogency of a reconstructed premise-conclusion complex only does make or ought to be what makes the argument compelling in a given situation

We may begin the evaluation of Henry's fear appeals with a different object evaluation--by asking what strategies Henry uses to create compelling practical reasons for addressees to manifest that they take his fears seriously. Goodwin's (2001) "blackmail-bond" model of authority helps to explain how such strategies work in this case. The blackmail-bond model, adapted to fear appeals and put simply and reductively, pressures addressees to act on the fear appeals, first, by making manifest the risks to addressees of not carefully assessing the fearful circumstances (blackmail); and, second, by making manifest the risks to the arguer of misjudging whether circumstances merit fear (bond). In this case the sign of careful assessment that Henry solicits on the basis of fear appeals is deliberation. In his opening speech he pleads to be counted among the people "who wish to be thoroughly acquainted with the reasons of this perilous and uneasy situation, and why we are brought hither to decide on this great national question" (Elliot 1891, p. 21). He asks if other states would not "acquiesce in our taking time to deliberate--deliberate whether the measure be not perilous, not only for us, but the adopting states" (Elliot 1891, p. 63). He wonders if states that have already ratified the Constitution were tricked and asserts that, if not, "still they were too much hurried in its adoption. [. . .] If we also accede, and it should prove grievous, the peace and prosperity of our country, which we all love, will be destroyed" (Elliot 1891, p. 63). Thus Henry engages a norm that we ought to deliberate in perilous situations. Presumably by soliciting deliberation there will be a chance for the undecided or weakly committed delegates to be persuaded by the force of the better argument. Thus in this case fear

appeals are designed to promote deliberation rather than short-circuit it or shut it down.

But how does Henry design compelling fear appeals? First, consider the "blackmail" side of the transaction. What strategies does Henry use to make manifest risks of not seriously deliberating about the fearful circumstances he invokes? One strategy is displaying false modesty such as when he "confess[es] my exclamations are not worthy the hearing" of posterity (Elliot 1891, p. 56); asks addressees to "forgive the solicitation of one unworthy member to know what danger could have arisen under the present Confederation, and what are the causes of this proposal to change our government" (Elliot 1891, p. 23); and hopes that addressees may "be fully apprized of the dangers of [ratifying the Constitution], not by fatal experience, but by some abler advocate than I" (Elliot 1891, p. 64). These conventional displays of modesty constrain addressees' responses; they pressure addressees to show that they take his fear appeals seriously by deliberating about them. Displays of false modesty make manifest that Henry knows addressees know his reputation as a hero of the American Revolution, popular statesman in Virginia, and oratorical force. One historian has described Henry as "persuasive to the point that it was hardly safe to leave any but the most zealous Federalists with him, for fear that another Henryite might be created" (Rutland 1966, p. 221). Refusing to engage Henry's fear appeals is a fallible sign that addressees either do not recognize able advocacy or refuse to acknowledge able advocacy. The risk of refusal is serious since Henry states his fears that few have the virtue upon which depends the success of the proposed government (Elliot 1891, pp. 47, 49, 57, 59, 61), and since poor judgment about the merits of advocacy is a fallible sign of just such a lack of virtue. Their refusal would be a sign that Henry's fears have already come to pass, and not only this particular fear.

Another fearful circumstance Henry invokes is tyranny by a minority over a majority (Elliot 1891, pp. 50, 58-59). Since the strategy of displaying false modesty makes manifest that more than a simple majority of people thinks Henry is an able advocate, it positions those who do not think so in a minority, so refusal to deliberate would mean that another of Henry's fears has already begun to come to pass: tyranny by a minority. Further, since Federalists at the convention constitute a simple majority and could call a vote without deliberating, and since Henry also fears tyranny by a simple majority (Elliott 1891, p. 50), refusal to deliberate would be a sign that yet another of his fears has already begun to come to pass.

This is not the only strategy Henry uses to "blackmail" addressees into taking his fear appeals seriously, but it may be sufficient for beginning to sketch the blackmail side of the transaction. As for the "bond," Henry stakes his reputation on the legitimacy of the fear appeals; he makes manifest that he subjects himself to public criticism if he has misjudged whether circumstances merit fear. Henry asserts that "conscious rectitude" both compels him to state his fears of the proposed Constitution even though these appeals have lead opponents to charge him with being a demagogue and, in these circumstances, consoles him (Elliot 1891, pp. 45, 54). Given concerns at the time about how one will look to "posterity," a concern that Henry makes manifest as he hopes their descendants "will preserve, and hand down to their latest posterity, the transactions of the present times" in which "they will see that I have done my utmost to preserve their liberty" (Elliott 1891, p. 56), Henry can expect his "bond" to have legitimacy for addressees. The displays of false modesty also work to create a "bond" since they make manifest that Henry misjudging damages his reputation. By manifesting his willingness

to stake his reputation on his argumentation, Henry leaves with addressees the power to judge the legitimacy of the appeals; if it turns out that the fears are unfounded, his reputation will suffer. Thus he creates a practical reason for addressees to deliberate about the fearful circumstances.

CONCLUSIONS

In sum, Walton's method of evaluating fear appeals focuses on logical cogency to the exclusion of other strategies arguers use to design compelling arguments. These other strategies--strategies in addition to but different from reason-giving--are reason-creating and involve situated judgments by arguers and addressees. Therefore they ought not to be viewed as outside the scope of argumentation proper; on the contrary, attending to such strategies gives argumentation theory more explanatory power.

Walton's (2000) construction of a theory of fear appeals involves using an underlying practical inference structure as the object of evaluation to which are applied tests of informal logic and standards based on goals of a so-called dialogue type. In contrast, a normative pragmatic theory of fear appeals provides an account of the practical reasoning involved in a particular transaction based on reasons created by strategies arguers actually use, and explains why they are or are not compelling in a given situation. Therefore this approach to theory construction, first, accounts for a broad range of strategies that arguers actually use to design compelling argumentation and, second, is not constrained by the limits of so-called dialogue types.

The normative pragmatic theory of fear appeals that I have begun to sketch here explains their force as based on a "blackmail-bond" model (Goodwin 2001): broadly speaking, an arguer designs her argumentation such that (1) an addressee's failure to manifest signs of taking the fear appeals seriously will make him look bad and (2) she (the arguer) makes manifest that she will look bad if the fear appeals do not merit serious consideration. The strategy of manifesting the logical cogency of arguments is explained by the model: a sign that an addressee takes an argument seriously may include making cogent counterarguments; and a sign that an argument merits serious consideration is its logical cogency. But the model also explains how any number of design strategies work to engage norms of argumentation that make fear appeals compelling. Therefore, I submit that a normative pragmatic perspective offers a better way of evaluating fear appeals than focusing on logical cogency alone or logical cogency coupled with norms deduced from goals of dialogue types.

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