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Commentary on Turner

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Commentary on: D. Turner's "Tempting Mistakes: Toward a Rylean Account of Fallacies"

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       Dale Turner makes a tripartite claim about the fallacies. He thinks that the notions of fallacy, competence and temptation are linked in telling ways. I think so too, but for reasons somewhat different from Turner's own. In this very interesting paper, Turner is quite clear about the tie between fallacies and competence. He is less clear about how temptation enters the picture. As for the first, Tuner sees fallacies as the mismanagement of reasoning competencies. There are two parts to this claim. One is that fallaciousness is an affliction of competence beyond its limit. Reasoning beyond the limits of competence takes two forms for Turner. They are reasoning over one's head and reasoning under the influence of undermining motivations. Exemplifying the first is the Senator's inference that Lizet is a communist because the Senator has no reason to suppose that she is not. Exemplifying the second is the parent's conclusion against all evidence that his son simply could not have committed the crime of which he's been accused. Even assuming for the moment that Turner has got the linkage issue right as between fallaciousness and competence and that his are satisfactory exemplifications of fallacies so-conceived of, it is not wholly clear how the factor of temptation is involved. But, on a fair reading, I think we might be justified in attributing to Turner the following suggestion. A piece of fallacious reasoning involves the exercise of a skill that is inherently non-fallacious, and is fallacious only under local conditions. Thus the attractiveness of fallaciousness is that it is a property of a practice that is not fallacious, or anyhow not fallacious as such.

       I admire Turner's attempt to elucidate the factor of temptation in fallacious reasoning. He himself is drawn to what I will jestingly call the Hedy Lamar model, in which fallaciousness is the result of seduction. It is a charming idea. The reasoner falls from grace under the seductress's spell, but has a wonderful time in the process. For all its charm, the fallacy-as-cognitive-debauchery view is too good to be true. For what indeed *is* a fallacy but an argument, or a piece of reasoning, that has the look of a good argument or piece of reasoning? Except, of course, that the look of it is mistaken. It's appeal, then, is the appeal that a good argument or piece of reasoning that is good in that way. Adding Hedy Lamar to the exposition lends its charm, I grant you, but it also falsifies the ensuing account.

       I am also not quite convinced by the idea that fallaciousness is the exercise of a competency beyond its limits. Part of my difficulty lies in getting clear about what these limits are and the ways in which they might be transgressed. For reasons that I will get to in a moment, Turner's examples do not offer the desired clarification. In the interests of time, perhaps it would be best if I were to sketch an alternative version of Turner's basic tripartite claim. Turner and I are at one with the notion that fallaciousness is cognitive or dialectical performance that is subpar in a certain way. It is subpar in ways that are inapparent to competent reasoners. What urgently needs doing is illuminating the conditions under which such false apparencies arise. In this I think we may be abetted by considering a class of cases that are interesting and important in their own right, apart from any connection that they might be shown to have with the fallacies. The cases I have in mind are those that instantiate a link between the concepts of

genericity and default. Here is an example. Birds fly. Saying so captures part of what is characteristic of birds. It is a generic truth about them. Generic propositions are generalizations, for which there are types of true negative instances that don't falsify. Unlike a universally quantified conditional proposition, generic propositions are not brought down by any given true negative instance. Particularization on a true universally quantified conditional proposition is truth-preserving, but not in the case of generic propositions. Particularizing a generic truth produces a default. A default, in turn, is a proposition presumed true in the absence of contrary indications. Thus "Tweety flies" is presumed true if Tweety is a bird.

It is perfectly easy to see how someone could mistakenly think that Tweety flies. After all, Tweety is a bird, and birds fly. Tweety, of course, is also a penguin; but this is something that I hadn't been aware of. We may say that I have made a generic inference from true propositions, one a generic claim and the other that instantiates its head. Generic inference is defeasibly correct. This means that it is taken for correct, and is so with good reason, save for considerations to the contrary. But Tweety doesn't fly. My default is false. It is so, however, notwithstanding that I made a reasonable inference from a pair of true propositions. By reasoning just as I was supposed to, I reasoned my way to a proposition that turned out to be false. Fallacies are something like this. At least, they are somewhat like this when they are mistakes. (See here "A Resource-Based Approach to Fallacy Theory.") If so, what this tends to show is that fallacious performance is not one that exceeds competence, but rather that it is subpar performance that strikes at the very heart of competence.

In the time remaining, I should like to explain briefly my dissatisfaction with Turner's Lizet example. To do this it would be instructive to turn our attention to the criminal law. We begin with the presumption of innocence. This is a stipulated presumption, one that the legislators require to remain in force except when the opposite is shown against an exceedingly high standard. This is a strategic arrangement designed to protect accused persons from the miscarriage of justice. Thus while cognitively satisfying outcomes are sought in criminal proceedings, they are greatly constrained by cognitively unjustified protections of justice. But consider now a different set of proceedings, not in quest of the protections of justice but rather in the interests of national security. Here, too, strategic considerations are much in evidence. But the national security context is just about perfectly the opposite of the justice context. It is a context in which someone applies for or is required by conditions of his or her employment to submit to a security clearance. The standard default, and the cognitively justified thing to believe (albeit defeasibly) is that Harry is a reliable security-risk. But in the interest of national security, which requires exceedingly tough protections against betrayal, it is mandated that the default position is that Harry is not a reliable risk. What the proceedings then do is generate the conditions under which an exception to this default might reasonably be accepted. Even in the best of circumstances, this is an extremely high burden of proof, given the huge difficulty that often attends the proving of a negative. But the fact remains that the strategic character imposed on such proceedings wholly license something very like the inference that the Senator makes in Turner's example. Left on its cognitive own, it is a bad inference. Constrained by the requirements of national security, it is a good inference. So it is a fallacy, an argument that is (cognitively) bad but (strategically) good; hence a bad argument that looks good because it is good (in that sense). I might mention, in passing, that the excesses of the McCarthy era were not that strategic considerations were allowed to outweigh cognitive considerations, but rather that national security considerations were sometimes doubtfully invoked and that the standard of

proof appropriate to cases in which national security considerations were legitimate were misapplied. (Thus a Broadway playwright is not, as such, a candidate for security clearance.)