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Commentary on: Juhani Rudanko's "Identifying a new type of fallacy in political discourse"

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1. INTRODUCTION

Rudanko makes a case for recognizing a new kind of fallacy which he calls *ad urgentiam*. In his words, "*ad urgentiam* concerns using questionable tactics to railroad an audience into agreeing to an initiative without having a chance properly to debate the measure and to expose any problems with the measure in the course of debate." Rudanko's example of an *ad urgentiam* argument is an excellent one. Senator Overman's argument was part of a well-documented debate, and its context can be well-understood. Moreover, the way in which Senator Overman presents his case for expediting the debate (and passage) of the Sedition Act of 1918 leaves little doubt that Overman is disingenuous in the reasons he gives.

Though Rudanko locates the *ad urgentiam* fallacy in political discourse, I think we can also recognize this argument type in other areas of discourse. Legislatures are not the only forums in which people have much to gain from creating an artificial sense of haste in their audience. Consider a classic sales ploy that you might hear on a TV infomercial:

If you call to order the Kitchen Logician in the next 30 minutes, we'll throw in this fabulous set of steak knives—a \$25 value! Act now! Operators are waiting!

Rudanko identifies *ad urgentiam* as a companion piece to the *ad socordiam* argument, which is another purported fallacy. An *ad socordiam* argument is one in which the arguer urges the postponement of a debate or decision and evidently does so because he wishes to avoid the possibility of the debate or decision going the wrong way. These argument types are so similar in form—one involves the use of questionable tactics to hasten a vote or decision and the other to postpone a vote or decision—that I think that Rudanko is right to suggest that *ad urgentiam* and *ad socordiam* stand or fall together, but I will limit my comments here to *ad urgentiam*.

In the remainder of this commentary, I consider two potential roadblocks to Rudanko's analysis and to his case for recognizing *ad urgentiam* as a fallacy within the tradition of informal logic.

2. CAN FALLACY ATTRIBUTIONS BE BASED ON INFERENCES ABOUT COVERT INTENTIONS?

Rudanko's analysis of the *ad urgentiam* fallacy involves attributing covert intentions to arguers. For Rudanko, a key question is the basis on which one might make inferences about the intentions of speakers for the purposes of assessing fallaciousness. (p. 4) The basis that Rudanko gives—the speaker's track record, and the wider context of the debate—strikes me as fully adequate for this purpose. But I'd like to take a step back from this question and raise the issue of whether inferences about the speaker's intentions have a place in the analysis of fallacies.

One impulse is to say that fallacy attributions should never rely on inferences about speakers' intentions, but this surely goes too far. It is often crucial to make inferences about the speaker's meaning in the attributing informal fallacies, and inferences about the speaker's intentions undoubtedly play a part in this. Moreover, there is at least one instance of what I take to be a "fallacy in good standing" in which a fallacy attribution always requires inferences about covert intentions—the "veiled-threat" *ad baculum*. (Woods, 1995, pp. 248-250)

The veiled-threat *ad baculum* is one in which, perhaps for the sake of deniability, the perpetrator of an *ad baculum* argument uses indirect terms to present the threat on which the argument rests. For example, if a reputed mobster walks into your place of business and says to you, "Although my trash hauling company charges higher rates than the competition, I believe you'll find it in your best interests to sign on with my company," you will probably be able to see that he is not merely making a promise of excellent service. An inference about the speaker's intentions is undoubtedly crucial to recognizing that this is an *ad baculum* argument and a fallacy.

Most *ad baculum* arguments, as John Woods argues, are not fallacious; they can function as fully cogent prudential arguments "when compliance with their conclusions is the best cost-benefit or risk aversion outcome." (Woods, 1995, p. 250) But Woods also argues convincingly that a veiled-threat *ad baculum* argument can be fallacious if it has the effect of misrepresenting prudential reasons as alethic reasons. The mobster's argument, for example can be fallacious if it leads the business owner to believe that signing on with the mobster's trash hauling company is not only the most prudent course of action but also a way to achieve good value for the money (perhaps because he doesn't want to think of himself as being vulnerable to intimidation). Though it is only a "sometimes" fallacy, the veiled-threat *ad baculum* is an instance in which a fallacy attribution depends upon making inferences about hidden intentions.

Still, a reliance on using speakers' intentions in identifying fallacies poses a problem for the Rudanko's analysis of *ad urgentiam* arguments. As Jansen points out in a commentary on an earlier paper by Rudanko, one consequence of using speakers' intentions in identifying fallacies is that "the same utterance must be judged fallacious when the intention is bad and sound when the intention is good." (Jansen, 2009, p. 2) This consequence is hard to accept in the case of *ad urgentiam*. Imagine that a naïve junior senator was convinced by Senator Overman's *ad urgentiam* argument and makes the same argument to a colleague, but does so with a sincere belief that the impending bond sale is sufficient reason for keeping the debate short and with no covert intentions to push the Sedition Act through the

Senate. There would be no basis to conclude that the junior senator's reasons are disingenuous, and so the argument is not deemed a fallacy when the junior senator makes it but is a fallacy when Senator Overman does. But why should this be so? The argument functions the same way in each case.

This problem seems inevitable under the "covert intentions" analysis of this alleged fallacy, but perhaps it's possible to find an alternative analysis that focuses on the effect that the argument might have on its audience rather than the intentions of the speaker.

3. WHERE DOES COGNITIVE ERROR FIT IN?

If we extend our comparison between the veiled-threat *ad baculum* and *ad urgentiam*, we come upon an important difference. The veiled-threat *ad baculum* is sometimes a fallacy, if you accept Woods's analysis, because it can induce cognitive error. The business owner who rationalizes that the mobster trash hauler will provide better service makes one specific cognitive error. A politician who comes to believe that a certain policy is ethically right because a veiled threat promises dire political consequences if she doesn't support that policy likewise makes a cognitive error.

But a close look at *ad urgentiam* arguments shows us that, *with respect to the central issue of debate*, the error that these arguments induce is *metacognitive*. As Rudanko puts it: "The informal fallacy...consists in Overman attempting to deprive the Senate of a reasonable opportunity to debate the bill..." (p. 6) The argument then, is not an inducement to any particular cognitive error. Not taking enough time to consider a serious and complex issue like this one would, however, be a mistake in metacognition—a failure to bring about the proper conditions for your best cognitive effort. While metacognitive error can eventually lead to cognitive errors, it's not itself a cognitive error.

Likewise when an infomercial offers an inducement for calling in the next 30 minutes, the goal is to get the customer to act while he's still under the spell of the sales pitch. This is an inducement for the metacognitive error of allowing yourself to make a hasty decision. While this metacognitive error might increase the likelihood of cognitive error in general, it doesn't push the customer to any specific cognitive error.

The question becomes that of whether there can be a fallacy that is not a direct inducement to cognitive error. Can an argument be fallacious because it induces error at the metacognitive level? My sense is that a direct inducement of cognitive error is necessary, but I admit that the issue needs deeper investigation.

Though I'm not convinced that *ad urgentiam* should be recognized as a fallacy, I don't think this takes much away from its importance as an argument type. Self-serving arguments aimed at convincing others to shorten debate or reach a quick decision are too widespread not to merit our attention. Even if they are not fallacies, they can still be denounced for the ethically questionable tactics they exhibit and the suspect motivations they reveal. Moreover, this type of argument does have a prominent place in political discourse, which Rudanko capably investigates, and this adds to its importance. (In this regard, we could add that *ad*

urgentiam arguments are often used in a justificatory role for invoking parliamentary procedures that bring debate to an early end and for shuffling the order of items on legislative agendas.) Fallacy or not, there is much to be gained from the study of these arguments, and Rudanko's paper is a welcome contribution.

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