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Ad hominem arguments in political discourse
(An analysis of Croatian Parliamentary debate)

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1. *Ad hominem* arguments – fallacy or legitimate argument

Ad hominem or arguments against person are very common in public discourse and are directed to undermine credibility of an opponent. For that reason they are usually classified as ethotic arguments, "that is, arguments that deal with some feature of the character of the speaker". (Tindale, 2007, p. 82)

Identification and explanation of *ad hominem* type of argument has been attributed to the philosopher John Locke (1632-1704) but the idea of argument against person can be traced in Aristotle's work. Nuchelmans (1993) writes about two lines of the phrase *ad hominem*, but both originating from Aristotle. The two kinds of argument not only share common features, but they are often referred to by similar or identical expressions. One is traced in Aristotle's works *On Sophistical Refutations* (165a37) and *Topics* (101a25), which refers to "arguments that are based on propositions which have been conceded by the adversary" ((Nuchelmans, 1993, p. 38, cited after Walton 2006). This type of argument from commitment is also known as *ex concessis* argument and *disputatio temptiva* by Boethius (480– 524 CE). The other meaning is close to that of the personal attack type of argument and "was picked up by Aquinas (1225–1274) from passages in Aristotle's *Metaphysics*, (1005b35, 1062a2), where Aristotle distinguishes between proof in an absolute sense and proof relative to a particular person." (Walton, 2006)

In 17th century logic textbooks were using the phrase *argumentum ad hominem* "referring to arguing about any subject-matter at all from the concessions of one's interlocutor, a usage attested as a scholastic commonplace" (Nuchelmans 1993: 41, cited after Hitchcock, 2006). Also in 17th century, Galileo uses the expression "*ad hominem*" for an argument whose author derives a conclusion not acceptable to an opponent from premises accepted or acceptable by the opponent but not the arguer (Finocchiaro 1973-74, cited after Hitchcock, 2006). The personal attack type of *ad hominem* argument is described by Locke in his Essay Concerning Human Understanding as "pressing a man with

consequences drawn from his own principles or concessions." (Cited after Tindale, 2007, p.82).

Traditionally, *ad hominem* arguments are considered to be fallacious as irrelevant for discussions based on attacking an arguer's character rather than the claim his making. However, what seems to be generally accepted in logic from the beginning of 20th century has been questioned in the work of many scholars. The first theorist who claimed that there are situations in which attacking a person's character is not just irrelevant but it can be reasonable was Johnstone (1952, 1959). He opened a question on how to differ a reasonable from fallacious *ad hominem* argument. Logic textbook authors Copi and Cohen (1986, p.98) think of *ad hominem* arguments to be fallacious because personal character of a speaker is logically irrelevant to truth of the claim and correctness of an argument. However, they make an exception for arguments in legal discourse where *ad hominem* can be relevant and legitimate argument.

"There is one context in which an argument that appears to be *ad hominem* is not fallacious. In the court of law or other formal proceedings, when sworn testimony is given and it is believed by the opponents to be perjury, deliberate falsehood, the unreliability of the person giving the testimony may appropriately be exhibited."

Argumentation scholars in 20th century treat *ad hominem* argument as fallacy of diversion but emphasizing the difficulty in recognizing the strict line between fallacy and legitimate argument. One of those argumentation scholars are informal logicians Johnson and Blair (2006) who treat *ad hominem* as a fallacy but also write on the difficulties in making a strict difference between relevant and irrelevant attacks on speaker's character. Among relevant attacks on speaker character is one when we question or refute arguments from authority or expert opinion (Mizrahi, 2010), when candidates for public position are examined (previous accomplishments, good moral character etc.) and when we examine arguments based on a person's testimony.

In order to recognize legitimate use of *ad hominem* it is relevant to take into account several aspects of argumentative discourse: context, situation, participants in the discussion, stages of argumentation process etc. Considering the context, Walton (2002)

writes about *ad hominem* arguments in legal discourse depending on a stage in trial and concludes that *ad hominem* is irrelevant in argumentation stage but relevant in sentencing stage. Salamon (2007, p.121) also includes legal discourse as a context in which *ad hominem* is legitimate argument e.g. credibility of a witness. In addition she mentions two more situations for legitimate *ad hominem* to occur: arguments against the pronouncements of scientific cranks and arguments against the exaggerated claims of salespersons.

In his paper Hoaglund (1981:9) tries to answer the question on how we can tell weather *ad hominem* is fallacious or not.

"The *ad hominem* material tends to be fallacious when it directs attention *ab re* or away from the issue being considered. An *ad hominem* can be valid when the person or his circumstances are the issue, in which case is *ad rem*."

Determining the difference between fallacious and non fallacious *ad hominem* was the goal of Brinton's (1995) work in which he draws attention to three elements important in argumentation: person, person's advocacy of a claim and the proposition or the claim itself. Understanding the difference between them is helpful in recognizing the difference between fallacious and non fallacious *ad hominem*. Referring to Britnon, Tindale (2007, p. 86) writes:

"From this perspective, fallacious cases of ad hominem would be ones that denied a claim or proposition in question solely on the basis of person's advocacy of it – which is to say that all good ad hominem argument could do is to show that a person's is not a good reason for believing the claim; it does not show that the claim is false. The individual participating in or witnessing the debate must decide, on the basis of his scrutiny of all the factors, whether the ad hominem material is pertinent to the issue or not."

Yap (2013, p. 99) claims that although character traits might be logically irrelevant to the argument they could be relevant in argumentation process in general because they contribute to establishing credibility of a speaker and his expertise.

"It is not fallacious to call someone's credibility as a witness into question when they have been known frequently to lie, or have strong motives to lie. Similarly, we can question someone's expertise if they have no training or experience in that field."

However, it is important to distinguish between undermining the credibility of a speaker using *ad hominem* argument and pure insult. Calling someone names, offending or humiliating does not contribute to civilized communication process but it is not logically fallacious. Woods (2007, p. 109) makes a distinction between rhetorical and logical domain of *ad hominem* argument.

Rhetorical *ad hominem* is "the heart and soul of slanging. Slanging is a rhetorical device, as old as the hills. Its objective is to expose, embarrass, ridicule, mock, calumniate or humiliate one's opponent, typically with the intent of rattling him dialectically."

Woods emphasizes that slanging is not argument assessment; it has nothing to do with opponent's argument, it is not a reaction on his claim or proposition and therefore is of no interest to logicians. Woods refers to Hitchcock (2006) who claims that what is known as abusive *ad hominem* argument does not exist as a fallacy. It is either a legitimate argument relevant for the discussion or a pure diversionary tactic. Fallacy is usually defined as a mistake in reasoning, as an argument which looks like a real argument but is in fact deceptive. So, by making a difference between pure offensive talk and mistake in reasoning, Hitchcock conclude that abusive *ad hominem* argument cannot be a fallacy.

"It can be a relevant attack on some aspect of an opponent's *ethos* that bears on the acceptability of her position. It can be purely diversionary, an attempt to divert attention from the substantive claim or argument of one's opponent. In the latter case, it is generally objectionable as a rhetorical strategy, but is not a kind of reasoning, and so not a mistake in reasoning. Hence, on the conception of fallacy with which we are working, it is not a fallacy."

Another perspective on *ad hominem* argument is provided by pragma-dialectical approach to argumentation which treats fallacies as violations of discussion rules. The specific discussion rule that is violated with *ad hominem* argument is the freedom rule.

This rule says that ‘‘no limitation whatsoever is imposed on the standpoints that may be brought forward, or equally on the persons that bring forward a standpoint or cast doubt on a standpoint‘‘(van Eemeren et al.2009, p. 52).

Unlike contemporary argumentation scholars who mostly treat *ad hominem* argument as a legitimate strategy in the right conditions pragma-dialectic approach always see *ad hominem* argument a fallacy.

As a conclusion to a discussion on whether *ad hominem* argument is a fallacy, a legitimate argument or in some cases pure diversionary tactic it is important to emphasize one more time that each particular argument should be assessed considering the context, situation, audience, topic etc.

A good summary of critical questions and general problems concerning *ad hominem* argument is provided by Tindale (2007, p. 88-89):

"1. An arguer concludes that a person's position is false on the basis of introducing material that questions the person's credibility. This is a case of concluding too much, since the most that can be shown is that the person's advocacy of the position is not enough to warrant believing it.
2. The features of the person's character to which the arguer draws attention are irrelevant to the position that person is advocating. This is a case of introducing irrelevant considerations.
3. In the context of a dialogue, an arguer attempts to prevent another party from advancing her view by attacking her in some way and not addressing her view. This is a case of ignoring the issue in favor of addressing the person instead."

To answer a question when, how and why sometimes *ad hominem* arguments are considered a fallacy and sometimes a legitimate argument, it has to be said that "for some *ad hominem* arguments, the line between the cases where character or circumstances are relevant, and those in which they are not, is not always clear" (Yap, 2013, p. 103).

1.1. Classifying the types of *ad hominem* argument

Logic textbooks define *ad hominem* argument as a "fallacious attack in which the trust is directed, not at a conclusion, but at the person who asserts or defends it" (Copi and

Cohen, 1986, p. 97). Further on, the same authors (1986, p. 97-98) make a distinction between two major forms of *ad hominem* arguments: abusive and circumstantial.

Abusive *ad hominem* is illustrated by a typical argument in politics:

"To contend that proposals are bad or assertions false because they are proposed or asserted by "radicals" (of the left or right) is a typical example of the fallacy ad hominem, abusive. Abusive premisses are irrelevant – but they may sometimes persuade by the psychological process of transference"

On the other hand, circumstantial *ad hominem* fallacy is:

"the irrelevant connection between the beliefs held and the circumstances of those holding it that gives rise to mistake. An opponent ought to accept (or reject) some conclusion, it is argued fallaciously, merely because of that person's employment or nationality or other circumstances."

In addition to abusive and circumstantial *ad hominem* argument, Tindale (2007, p. 94) describes Tu Quoque *ad hominem* argument which is a subtype of circumstantial *ad hominem* and "shows inconsistency between what a person does and what he says, or what he said in the past and what he is proposing now."

Further on, Tindale writes about specific type of *ad hominem argument*: Guilt by association which represents an attack

"based on real or alleged association that person has, weather the association is with another person, organization or way of thinking. The attack assumes that any "guilt" that characterizes the other part of the association can be transferred to the person making the argument."(Tindale, 2007, p.96)

Walton (2007, p.168) writes about several types *ad hominem* arguments. Apart from direct or abusive and circumstantial, he describes Bias type of *ad hominem* argument

"which is different from direct and circumstantial types and represents attack on the opponent credibility in which the proponent argues that the respondent is bias and therefore his arguments should not be taken as plausible. Bias of this sort can be shown by number of indicators, such as having something to gain or being strongly committed to a viewpoint."

Bias *ad hominem* argument is a similar to a situationally disqualifying argument and it is described with one also typical example from politics.

"No matter what the politician says, because of his financial involvement, his argument is bound to be discredited. It may seem to follow then, that in this kind of case, the *ad hominem* argument is fallacious, because it leaves the politician no further room to argue." (Krabbe and Walton 1993, p.82).

Those kinds of arguments are often dialectically strong and rhetorically effective.

Similar to what Tindale calls Guilt by Association, Walton (2007, p 68) describes Poisoning the well *ad hominem* in which

"the proponent alleges that the opponent is strongly committed to some position in a rigid and dogmatic way. It is concluded that he can never be trusted to judge an argument on its merits, in an open-minded way, and will always push on his preferred position."

2. Analysis of ad hominem arguments in Croatian political discourse

Corpora for the analysis were based on Croatian Parliamentary debate during the period of one year (from May 2012 until May 2013). Debates are available on the official web site of Croatian Parliament (http://itv.sabor.hr/video/) and included discussions on various topics (economic issues and budget cuts, laws on violence prevention, science and education, social issues etc.).

The main goal of this analysis was to determine which type of *ad hominem* argument appears most frequently and to analyze every specific case considering the context and situation and to determine whether it is a legitimate argument or a fallacy. Analysis was directed also in differentiating real fallacies (i.e. errors in argumentation) from pure insults which serve as rhetorical strategies in political speeches.

Zarefsky (2008, p. 318) writes about characteristics of political argumentation which is specific for its lack of time limits, not clear ending of a discussion, heterogeneous audience and open access.

"Political argumentation is about gaining and using power, about collective decision-making for the public good, about mobilizing individuals in pursuit of common goals, about giving effective voice to shared hopes and fears."

One of the specifics of political argumentation is the importance of so called ethotic arguments. Persuasiveness of political speech is closely connected to speaker's *ethos*. We tend to have more trust in people who are known to be honest, credible, people of good moral qualities and expertise. As Aristotle (1991, p.38) explains in *Rhetoric*.

"There is persuasion through the character whenever the speech is spoken in such a way as to make the speaker worthy of credence; for we believe fair-minded people to a greater extent and more quickly [than we do others] on all subjects in general and completely so in cases where there is not exact knowledge but room for doubt."

It can be concluded that when a speaker is know by good character, high expertise and reputation it will enhance plausibility of the argument he advocates especially in political argumentation. Therefore, undermining speaker's ethos is often a way to gain advantage in a political discourse, especially in election campaigns and the crucial reason for *ad hominem* argument to be one of the most frequent fallacies.

Walton (2007, p. 161) writes: The *ad hominem*, or personal attack, argument is now highly familiar in politics, especially in the use of negative campaign tactics in elections." *Ad hominem* is based on drawing attention to credibility of the speaker claiming he is not credible i.e. he is of a bad character, he is bias, he is not an expert etc... If a person is not credible, his argument should not be taken as plausible.

3. Results and discussion

3.1. *Ad hominem* argument as a fallacy

Very common type of fallacious *ad hominem* argument in political discourse is, what Krabbe and Walton (1993) call situationally disqualifying *ad hominem* attack. The typical example is: proponent (political representative of opposition in Parliament) criticizes Government for bad economic decisions, poor results in the investment policy etc. The opponent responds with: *When your party was leading the country you left nothing but*

debts. We are now forced to clean after you. One even more typical response is: *You have had your chance when you were in power. Now, let us do our job*.

This is a situation when a politician is discredited just by belonging to a party which was previously in power. It is worth to mention that when a party is affected by scandals it gives opponents a good reason to criticize it and a bad reputation of political party is used to discredit any argument form the party member. In Croatian political discourse the strongest party in opposition has gain bad reputation while its former president is in jail accused for corruption. Therefore, their criticism on the policy of current Government is disqualified due to the fact that they belong to particular party.

Specific characteristic of this situationally disqualifying *ad hominem* is that it is always fallacious because it does not leave room for the speaker to defend himself. For instance, when someone's expertise are in question (whether or not he is a qualified, educated, experienced etc.) one can always defend himself by presenting a proof of expertise. In the case of using situationally disqualifying *ad hominem* discussion reaches the end, politician is disqualified form any further argumentation process and his arguments are not taken into account.

Further on, specific type of *ad hominem* which frequently appears in Croatian political discourse is poisoning the well type. Walton (2007, p. 163) describes it:

> In this type of attack, the proponent alleges that the opponent is strongly committed to some position in a rigid and dogmatic way. It is concluded that he can never be trusted to judge an argument on its merits, in an open-minded way, and will always push instead for the side of his preferred position.

Left-wing political party in Croatia is frequently connected to Communist party of former Yugoslavia and is therefore even today "accused" to be closed-minded and "poisoned" with totalitarian regime and communist ideology. This is a source of poisoning the well *ad hominem* argument especially when social and ideological issues are discussed in Parliament. However, even the discussions on budget or education have raised ideological differences between right and left-wing parties. For instance, current Government (left-wing party representatives) proposes budget cuts in Croatian Army

which includes discharging the military chaplains. On their explanations opposition representatives respond: *Your actions are driven by the hatred toward Catholic Church. You are driven by Christian phobia. What is next? Persecutions, imprisonment and killings of priests and bishops like in 1945?* Combination of *ad hominem* arguments and slippery slope is a reaction to argumentation on budget cuts in military. Similarly, during the heated discussion in Parliament on the issue of introducing sexual education as a subject in Croatian schools, left wing representatives were accused on working against Catholic heritage by introducing topic on homosexuals in elementary schools which is once again result of the hatred toward Church and love for atheism and communism.

3.2. *Ad hominem* as legitimate argument

Argumentation theorists generally agree that ad hominem argument can be a legitimate rebuttal of argument from authority.

Walton (2007: 191) writes:

> A personal attack can be a reasonable criticism of an arguer's position by showing that the concessions or commitments of that arguer are inconsistent with the propositions asserted in his argument. Some might say that such an attack is, or can be, specious because it misses the real point of looking to the external evidence and instead, concentrates on the internal relationships within the arguer's position.

When a claim is defended by an argument from authority, for instance, when claiming that particular economic strategy is going to show results next year according to Minister of Economy, or particular law is going to help attract investors according to Professor of Law, revealing the lack of competence and expertise of Minister of economy or law professor is legitimate, relevant argument.

Results of the analysis of Croatian political discourse have shown that only several examples of legitimate *ad hominem* arguments appear.

When presenting the reconstruction of Croatian Electricity Company (the largest state company) the president of the company argued that solutions presented are the best based on his experience and knowledge. Response to that argument was reminding the public on several of his business failures: *Two of the companies you were running went*

bankrupt. Interestingly, his response to criticism was: *Let us be civil and let us not get personal*. Rarely anyone reacts to personal criticism so it is a surprise when it happened in the wrong moment. In this case arguer's businesses experience, competence and expertise are not personal but professional issues.

The other example might strike as ambiguous. During the discussion on the topic of sexual education in Croatian schools one of the representatives tells the other: *You have always been more close to the thinking's of agnostics and atheists*. Of course, criticism continues with examples which put addressee in the position which is more close to atheists. This would be irrelevant if any other representative was in question but is relevant when it was directed to the former priest, independent representative in Parliament. In this case, it is irrelevant for the topic of the discussion but is relevant for the credibility of the representative in general. This is an example when even if the fallacious attack is recognized as an irrelevant piece of information, it may nevertheless detract from the credibility of the agent under attack. Yap (2012:98) writes:

> The way in which it may do so is a result of unconscious bias. And the implication is that there may be certain illegitimate moves an agent can make in the course of a critical discussion which may, even if retracted, render it very difficult to return to an equitable discussion.

3.3. Abusive *ad hominem* argument as a rhetorical strategy in political discourse

Humiliating, discrediting political opponent is the most frequent rhetorical strategy in Croatian political discourse. Using abusive *ad hominem* arguments and using irrelevant attack on the character or competence of the opponent in cases when competence and character have nothing to do with the issue in question. The best example is former Prime Minister who was often a target of such irrelevant attacks. For example, Parliament representative says: *I did not ask my question in English Prime Minister so I am surprised that you did not understand me. How can an average person live of minimum salary?* In this example, representative is referring to Prime Minister's poor knowledge of English language which was publicly displayed during her conversation with foreign tourists. In this example representative is using her lack of foreign language competence just to humiliate her. The discussion was on social issues and Government policy on unemployment. Her language skills had nothing to do with issues discussed. In corpora

which was analyzed many such diversion tactics were used by the current Prime Minister and the main goal was to avoid difficult questions and to distract the opponent and public in general. Opponent asks a question: *What are the results of your economic strategies?* Prime Minister answers: *You have been preparing this question for four months and you are still not able to read it? Where have you been last four months while we were working? When was the last time you were sitting here in the Parliament?* By using abusive *ad hominem*, Prime Minister is avoiding the answer and humiliates the person who asked the question. If there was a discussion on increasing salaries or benefits for the Parliament representatives, his remarks might be important and relevant but in discussion on results of economic policies they are irrelevant. There are many more examples of the similar tactic Prime Minister uses for humiliating a person who asks a question and than ignoring the question itself. For example: *Please concentrate and read the proposal again* or *You are an educated man, why do you let them write questions for you which you don't even understand* or *I have been explaining this for two hours and you still don't get it.*

Analysis showed that abusive *ad hominem* arguments are not fallacies but diversionary tactics. They are not mistakes in reasoning but pure insults which are logically irrelevant to the argument or the claim itself. In that respect they are sometimes rhetorically effective but have nothing to do with arguments or argumentation.

As Hitchcock (2006:3) writes:

> The purely abusive *ad hominem* is either a relevant attack on the opponent's *ethos* in a rhetorical context or a diversionary tactic that does not involve reasoning and so is not a mistake in reasoning.

4. Conclusion

Traditional concept of *ad hominem* argument as fallacious and irrelevant attack on character of the speaker raises two questions. First, whether *ad hominem* can in some situations be relevant and legitimate argument, and whether fallacious *ad hominem* argument exists at all. This paper tried to answer those questions and illustrate possible answers with examples from political discourse. *Ad hominem* arguments are frequent fallacy in political discourse because political opponents often try to diminish ethos of their rivals. Credibility of the politician is a strong persuasive mean. Govier (1993:94) defined credibility as "his or her *worthiness* to be believed. Normative credibility depends on a person's sincerity, honesty, and reliability. A person is normatively credible if and only if he or she is honest and is in an appropriate position to be a believable asserter of the sort of claim made." Besides credibility, important characteristic of a politician is trustworthiness which, based on Govier (1993:94), depends on integrity, character, motivation and competence. It can be concluded that when we have reasonable doubts on politicians motivation, competence, integrity and character we can use *ad hominem* argument in legitimate way. However, it has to be emphasized that every particular case has to be analyzed and assessed separately taking context and situation into account. Based on several examples in Croatian political discourse it can be concluded that abusive *ad hominem* arguments are not fallacies because they are neither argument assessment nor refutations but are pure diversionary tactics. Trudy Govier sums up the standard conception of a fallacy in the logical tradition, as follows: "By definition, a fallacy is a mistake in reasoning, a mistake which occurs with some frequency in real arguments and which is characteristically deceptive." (Govier 1995:172). Based on this view, examples of abusive ad hominem arguments are not fallacies but pure slanging as rhetorical device.

Analysis of Croatian political discourse showed that most frequent fallacious *ad hominem* arguments are bias *ad hominem* and poisoning the well arguments. The final goal of this paper was to make a distinction between fallacious *ad hominem* argument, legitimate *ad hominem* argument and pure slanging as rhetorical tactic in order to contribute to understanding of argumentation in political discourse. Of course, author's intention is to

contribute to increasing the consciousness on importance of argumentation skills in Parliamentary debate and increase culture of communication in political discourse.

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