Fallacies:
do we 'use' them or 'commit' them?
Or: is all our life just a collection of fallacies?[1]

In this chapter, I am looking at how fallacies are used in Discourse-Historical Approach (DHA), a branch of Critical Discourse Analysis (CDA) that uses argumentation as one of its analytical tools. In view of this goal, I propose a rhetorical reading of Austin, an Austinian interpretation of Hamblin, and a hybrid Austino-Hamblinian perspective on fallacies (or what is considered to be fallacies).

I'll be asking four questions: what are fallacies? Are there obvious and unambiguous fallacies in natural languages? Aren't we forced to commit and live (in) fallacies? And, is it methodologically acceptable to use prefabricated lists of fallacies as an analytical tool in such a dynamical enterprise as (critical) discourse analysis?

J. L. Austin as rhetorician

J. L. Austin is usually considered to be the 'father' of speech act theory, and the 'inventor' of performativity. In a very general framework this is both true, but historically and epistemologically speaking there is a narrow and intricate correlation, as well as a deep rupture between the two theories.

Performativity came about as a result of Austin's deep dissatisfaction with classical philosophical (logical) division between statements/utterances

---

1   First version of this chapter was published in Frank Zenker, ed., *Argumentation: cognition & community: OSSA, May 18–21, 2011* (Ontario: Ontario Society for the Study of Argumentation, University of Windsor, 2011), CD-ROM.

that can be (and should be) either true or false (with no gradation in be-tween), and only serve to describe the extra-linguistic reality (a division that implies another opposition between saying and doing *in* language and *with* language).

Speech acts, on the other hand, came about as a result of Austin's dis-satisfaction with his own performative/constative distinction, a distinc-tion that placed on the one side the utterances with which we can do (per-form) something (and are neither true nor false) and the utterances with which we can only describe what is already there (and can be either true or false). After a careful consideration of what could be the criteria of per-formativity in the first part of his lectures (that later became a book), in the second part Austin comes to a conclusion that not only performatives do something (with words), but that every utterance does something (with words). 'Something' implying: not just describing reality. But between the two poles of the lectures, the performative one and the speech acts one, there is an important (I'll call it rhetorical) transitional passage that is usu-ally overlooked, and I would like to start my humble examination of falla-cies here, with this passage.

> Can we be sure that stating truly is a different *class* of assessment from arguing soundly, advising well, judging fairly, and blaming justifiably? Do these not have something to do in complicated way with facts? [...] Facts come in as well as our knowledge or opinion about facts. (Austin 1962/1980: 142)

There are two important epistemological innovations in this paragraph:

(1) Statements (stating truly) are given *the same status* as all other ut-terances we may produce;

(2) Facts are given *the same status* as (our, your, their ...) knowledge of facts.

And here is Austin's rationale for this:

> [...] consider also for a moment whether the question of truth or falsity is so very objective. We ask: 'Is it a *fair* statement?', and are the *good reasons and good evidence* for stating and saying so very different from the good reasons and evidence for perform-ative acts like arguing, warning, and judging? Is the constative, then, always true or false? When a constative is confronted with the facts, we in fact appraise it *in ways involving the employment*

of a vast array of terms, which overlap with those that we use in the appraisal of performatives. *In real life, as opposed to the simple situations envisaged in logical theory, one cannot always answer in a simple manner whether it is true or false.*[2] (Austin ibid.: 142–43)

What is true and what is false?

Truth and falsity therefore don't have objective criteria, but depend on 'good reasons and good evidence' we have for stating something. And even then, we assess constatives employing 'a vast array of terms', which should be understood as 'not just whether they correspond to facts or not'. And Austin's conclusion concurs with Hamblin's (as we will see later): it is easy to say what is true or false in logic, it is much more complicated and less evident in everyday life and everyday language use.

Here are Austin' arguments for this 'relativization':

Suppose that we confront 'France is hexagonal' with the facts, in this case, I suppose, with France, is it true or false? Well, if you like, *up to a point*; of course I can see what you mean by saying that *it is true for certain intents and purposes*. It is good enough for a top-ranking general, perhaps, but not for a geographer. 'Naturally it is pretty rough', we should say, 'and pretty good as a pretty rough statement'. But then someone says: 'But is it true or is it false? I don't mind whether it is rough or not; of course it's rough, but it has to be true or false, it's a statement, isn't it?' How can one answer this question, whether it is true or false that France is hexagonal? *It is just rough, and that is the right and final answer to the question of the relation of 'France is hexagonal' to France. It is a rough description; it is not a true or a false one.* (Austin ibid.: 143)

True, false or (just) rough

Statements/utterances can therefore not just be either true or false, there is (or at least should be) a gradation between what is false and what is true, between 0 and 1. What we say can be more or less true, true up to a (certain) point, or more precisely: true for certain intents and purposes. As 'France is hexagonal' is a rough description, so are 'France is a country of good wines', or 'France is a cheese country', for example. But these utterances are not

---

2   All emphases throughout the text are mine—IŽŽ.

true (or false) in any logical (or absolute) sense of the term: One must have good (specific) reasons and specific (appropriately oriented) intentions for uttering them.

Which brings us to an important part of this discussion, the question of framing.

> What is judged true in a schoolbook may not be so judged in a work of historical research. Consider the constative, 'Lord Raglan won the battle of Alma', remembering that Alma was a soldier's battle if ever there was one, and that Lord Raglan's orders were never transmitted to some of his subordinates. Did Lord Raglan then win the battle of Alma or did he not? Of course *in some contexts*, perhaps in a schoolbook, it is perfectly justifiable to say so——it is something of an exaggeration, maybe, and there would be no question of giving Raglan a medal for it. *As 'France is hexagonal' is rough, so 'Lord Raglan won the battle of Alma' is exaggerated and suitable to some contexts and not to others; it would be pointless to insist on its truth or falsity.* (Austin ibid.: 143–44)

Truth, falsity and the context

What we say can therefore not only be more or less true, true up to a point, or true for certain intents and purposes, it can also be true only in some contexts, but not in others. And that is not all, Austin's relativization continues:

> Thirdly, let us consider the question whether it is true that all snow geese migrate to Labrador, given that perhaps one maimed one sometimes fails when migrating to get quite the whole way. Faced with such problems, many have claimed, with much justice, that utterances such as those beginning 'All...' are prescriptive definitions or advice to adopt a rule. But what rule? This idea arises partly through not understanding *the reference of such statements, which is limited to the known*; we cannot quite make the simple statement that the truth of statements depends on facts as distinct from knowledge of facts. Suppose that before Australia is discovered X says 'All swans are white'. If you later find a black swan in Australia, is X refuted? Is his statement false now? Not necessarily: he will take it back but he could say 'I wasn't talking about swans absolutely everywhere; for example, I was not making a statement about possible swans on Mars'. *Reference depends on knowledge at the time of utterance.* (Austin ibid.: 144)

If we sum up all these Austin's hedgings, we get the following:

(1)   What we say can only be more or less true (i.e. true up to a point);

(3)   it can only be true for certain intents and purposes;

(4)   it can only be true in some contexts, and

(5)   its truth (or falsity) depends on knowledge at the time of utterance.

Circumstances, audiences, purposes and intentions —not truth or falsity

This is a real rhetorical perspective on communication (truth, logic, and philosophy) that was very often overlooked, mostly at the expense of classificatory madness that started with J. R. Searle. What Austin is proposing is that—outside logic, in the real world, in everyday communication, where we don't go around with propositions in our pockets and truth tables in our hands—the truth or falsity of what we say be replaced by *right or proper things to say, in these circumstances, to this audience, for these purposes and with these intentions*. Such a proposal is very Protagorean in nature and does justice to the first three canons of rhetoric, or more appropriately to the *officia oratoris*, placing emphasis on *inventio* and *elocutio*.

I will claim that Hamblin followed the same enterprise 15 years later with his *Fallacies*. These two ground breaking works follow the same pattern, run parallel, and I will (hopefully) show why.

C. L. Hamblin's pragmatic perspective

Formal language vs. natural language

(1) In real life, as opposed to the simple situations envisaged in logical theory, one cannot always answer in a simple manner whether something is true or false.

> Within a *formal language* it is generally clear enough which arguments are formally valid; but an ordinary-language argument cannot be declared 'formally valid' or 'formally fallacious' until the language within which it is expressed is brought into relation with that of some logical system. (Hamblin 1970/2004: 193)

The message of this passage is very clear: we can speak of formal validity (which includes truth and falsity, and, consequently, fallacies) only in formal systems (but Hamblin relativizes even that by saying '*it is generally clear enough*'), but not in 'natural languages'. If we want any kind of formal

validity in natural languages, which wouldn't involve only *la langue* (language) in de Saussure's conceptualization, but also his *la parole* (speech, (everyday) communication)—we need to bring it into relation with a formal language of a formal (logical) system. This 'bringing into relation' usually means: translating the very vast vocabulary (lexicon) of ordinary language, with its extremely ramified semantics and pragmatics, into a very limited vocabulary of logic with its even more limited semantics.

And we can do so, Hamblin argues, 'only at the expense of features essential to natural language'. (Hamblin ibid.: 213)

Arguments are meant to interpret, not describe 'reality'

(2) Reference depending on knowledge at the time of utterance.

> If the arguments we are discussing are arguments that John Smith produces within his own head and for his own edification, *the appraisal-criteria will refer exclusively to what is known to John Smith*, in doubt to John Smith, and so on. However, the paradigm case of an argument is that in which it is produced *by* one person *to convince* another.' (Hamblin ibid.: 239)

My interpretation of the above passage would be that there is no perennial and universal truth, and consequently, no perennial and universal truth-conditions or criteria. The truth is relative, but we shouldn't understand 'relative' as a trivial stereotype that everything changes and everything can be different. 'Relative' should be understood more in its etymological sense (*relativus* = having reference or relation to; from *relatus* = to refer (perf. pass. part.)), as a thing (concept, thought) having a relation to or being in a relation to another thing (concept, thought). In this particular relation, the truth is seen as such and such; in some other relation, the truth may be seen differently.

Arguments and acceptance: the role of the audience

(3) Right or proper things to say in these circumstances, to this audience, for these purposes and with these intentions.

> What good reasons various people may have for accepting various statements and procedures are, no doubt, themselves sometimes relevant to the worth of argument erected on them; but, if we are to draw the line anywhere, *acceptance by person the argument is*

aimed at—the person for whom the argument is an argument—*is the appropriate basis of a set of criteria*. (Hamblin ibid.: 242)

There are no universal arguments or universal criteria for what an argument should look like to be (seen as) an argument. An argument should be adopted and/or constructed *relative* to the (particular) circumstances and the (particular) audience, as well as to the purposes and intentions we, as arguers, have. Consequently, there can be no universal fallacies or universal criteria for what is a fallacy in everyday communication (persuasion and argumentation).

Arguments and truth-conditions? Whose truth conditions?

(4) Argumentation/persuasion has no necessary link with truth or falsity.

We must distinguish the different possible purposes a practical argument may have. Let us suppose, first, that *A* wishes to convince *B* of *T*, and discovers that *B* already accepts *S*: *A* can argue '*S*, therefore *T*' independently of whether *S* and *T* are really true. *Judged by B's standards*, this is a good argument and, *if A is arguing with B and has any notion at all of winning, he will have to start from something B will accept.* The same point applies to the inference-procedure. One of the purposes of argument, whether we like it or not, is to convince, and our criteria would be less than adequate if they had nothing to say about how well an argument may meet this purpose. (Hamblin ibid.: 241)

This is a kind of a corollary to the previous point (point 3): not only do we have to rely on arguments that are acceptable by the person the argument is aimed at, we have to use these arguments (at least as our starting points), even if we are not sure whether they are true or false, good or bad.

Rational arguments or/and rational choice of arguments?

This quote also openly exposes and emphasizes one of the facets of arguments that is too often timidly held in the shade by (some) argumentation theorists: one of the purposes of argument *is to convince*, not just to present a good, solid, valid 'evidence'. And in his plea for conviction, Hamblin even goes a step further, for some argumentation theorists maybe even over the edge:

(5) Conviction, of course, may be secured by threat, water torture or hypnotism instead of by argument, and it is possible that Logic should have nothing to say about these means; but we can hardly claim that an argument is not an argument because it proceeds *ex concesso*, or that such arguments have no rational criteria of worth. (Hamblin ibid.: 241)

Threat, water torture or hypnotism (we could add more) would be, no doubt, judged as fallacious means of securing conviction by standard, mainstream theories of argumentation (if there is any such thing). But Hamblin's point is worth some consideration: these means of 'conviction' are nevertheless arguments, they may not be rational arguments, but there may be rational criteria for using them (in particular circumstances).

Troubles with fallacies

In this light, Hamblin's claim from the beginning of his book that there has never yet been *a book* on fallacies becomes more understandable: Arthur Schopenhauer's *Art of Controversy* is, in his opinion, too short, Jeremy Bentham's *Book of Fallacies* is too specialized, the medieval treatises are mostly commentaries on Aristotle, and Aristotle's *Sophistical Refutations* are, in Hamblin's view, 'just the ninth book of his *Topics*' (Hamblin ibid.: 11).

So the state of the art would be that nobody is particularly satisfied with this corner of logic, concludes Hamblin.

Impossibility to classify fallacies

And, there may be a reason for that. Even if in almost every account from Aristotle onwards we can read that a fallacious argument is one that *seems to be valid*, but it *is not*, it is rather often argued that it is impossible to classify fallacies at all (and I have just presented Hamblin's own contribution(s) to this impossibility). Hamblin himself quotes De Morgan (1847/1926: 276, in Hamblin ibid.: 13): 'There *is* no such thing as a classification of the ways in which men may arrive at an error: it is much to be doubted whether there ever *can* be.' And Joseph (1906/1916: 569, in Hamblin ibid.: 13): 'Truth may have its norms, but error is infinite in its aberrations, and cannot be digested in any classification.' And Cohen and Nagel (1934: 382, in Hamblin ibid.: 13): 'It would be impossible to enumerate all the abuses of logical principles occurring in the diverse matters in which men are interested.'

Impossibility to avoid fallacies

On the other hand, it seems that certain fallacies are unavoidable, which raises the question whether they are fallacies at all (and even much more important ones: how to classify fallacies? Are there any stable criteria for detecting fallacies? All the way to the obvious one: do fallacies exist at all?).

Port Royal Logic warns:

> Finally, we reason sophistically when we draw a general conclusion from an incomplete induction. When from the examination of *many particular* instances we conclude to a general statement, we have made an induction. After the waters of *many seas* have been found salty and the waters of *many rivers* found fresh, we can conclude that sea water is salty but river water is fresh ... It is enough to say here that imperfect inductions—that is *inductions based on examination of fewer than all instances*—often lead us to error. (Arnauld and Nicole 1662/1964: 264, in Hamblin ibid.: 46)

While David Hume (1748/1963, in Hamblin ibid.: 29) is quite unambiguous: *every* argument from particular cases to a general rule must be fallacious.

Are all fallacies fallacious?

Hamblin, 200 years later, opens a new perspective on this problem: if some fallacies seem to be omnipresent and unavoidable, maybe we shouldn't treat them as fallacies: 'Fallacy of *Secundum Quid* [hasty generalization] is an ever-present and unavoidable possibility in practical situations, and any formal system that avoids it can do so only at the expense of features essential to natural language.' (Hamblin ibid.: 213) *Ignoratio Elenchi* [ignoring the issue, irrelevant conclusion] is another fallacy of this unavoidable kind. Hamblin argues:

> This category can be stretched to cover virtually every kind of fallacy. If an arguer argues for a certain conclusion while falsely believing or suggesting that a different conclusion is established, one for which the first conclusion is irrelevant, then the arguer commits the fallacy of irrelevant conclusion. The premises miss the point. (Hamblin ibid.: 31)

Secundum Quid, for example, could thus be interpreted just as an instance of *Ignoratio Elenchi*.

Begging the question [*Petitio Principii*, circular reasoning] fits in the same category; already J. S. Mill (in his *System of Logic*, 1843) claims that all valid reasoning commits this fallacy. While Cohen and Nagel affirm:

> There is a sense in which all science is circular, for all proof rests upon assumptions which are not derived from others but are justified by the set of consequences which are deduced from them ... But there is a difference between a circle consisting of a small number of propositions, from which we can escape by denying them all, or setting up their contradictories, and the circle of theoretical science and human observation, which is so wide that we cannot set up any alternative to it. (Cohen, Nagel 1934: 379, in Hamblin ibid.: 35)

A possible conclusion we could draw from this observation: on the micro level, we can fuss about small things, everyday conversation and everyday reasoning, and pass our time in inventing numerous fallacies, but when it comes to the macro level, to big things (the big picture), fallacies are not objectionable any more—because there is no alternative. A problem that is very similar to Gödel's incompleteness theorem:

> Any effectively generated theory capable of expressing elementary arithmetic cannot be both consistent and complete. In particular, for any consistent, effectively generated formal theory that proves certain basic arithmetic truths, there is an arithmetical statement that is true, but not provable in the theory. (Kleene 1967: 250)

This theorem was designed to prove inherent limitations (incompleteness) for axiomatic systems for mathematics, but what Cohen and Nagel are claiming is, *mutatis mutandis*, an application of Gödel's (first) incompleteness theorem to possible theories of fallacies. Graphically, we could represent this dialectical dynamics between macro and micro level like this:

No fallacies

...

...

Fallacies

And a verbal explanation of this superposing of circles could read like this: smaller the systems or frameworks (of interest and work), with specific and unambiguous rules, easier it is to detect and declare something a fallacy. Bigger the systems or frameworks ('naturally' comprising many small(er) ones), with less specific and more loose rules, harder and less relevant it is to detect and declare something a fallacy. We could thus represent the relationship between social relations (practical reasoning in everyday life/society) and 'formal' relations (logical reasoning) as follows:

**Social realations/
Practical reasoning**

...

...

**"Formal" relations:
logic**
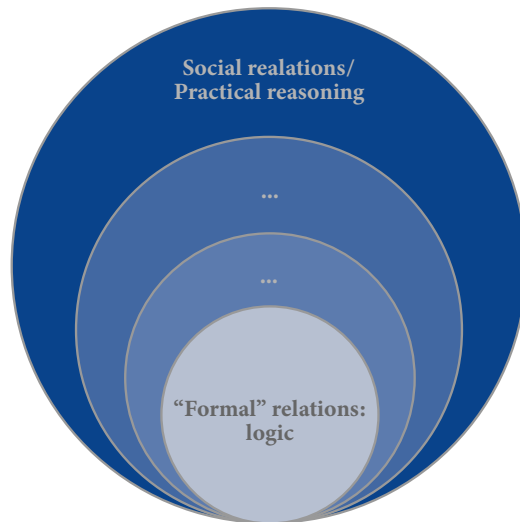
Or put differently: from a small circle perspective (micro-level), what is going on within the biggest circle (macro-level) could easily be described as fallacious (according to micro-level standards and criteria). And what is going on within the biggest circle might be described as absolutely correct, valid and/or sound (according to macro-level standards and criteria), while the standards and criteria of the small(est) circle might easily be described as fallacious (according to macro-level standards and criteria). What is a bit surprising, even strange about this micro-macro relationship, is that both levels (micro and macro) could and would use the same 'conceptual' grounds for declaring something as fallacy.

Here is an illustration from well developed fields within humanities and social sciences, the difference between macrohistory and microhistory:

A macrohistory takes a long view of history, looking at multiple societies and nations *over the course of centuries* to reach *broad-ranging conclusions about the march of history*. Using vast amounts of data—some verified but *much of it estimated*—the macrohistorian makes *conjectures based on averages*. This approach might appear to have the most interest on a general level, but often *loses sight of local and individual differences*.
When writing microhistory, the author *concentrates upon a single individual or community* and through study and analysis, attempts to reach *understanding of wider issues at play*. Very tightly *limited both spatially and temporally*, a microhistory might appear of rather *limited importance to a reader whose interests lie beyond that particular point in time and space* but, in fact, the approach does have certain advantages. The author of such a history is usually *an expert in their field*, knowing not just the generalities but also the *minutae* of their study. This allows a level of depth not usually found in more broadly based works. In addition, they may avoid the natural biases that come in macrohistories from the area of specialization of the author. (Steele 2006)

If we sum up: when a macrohistorian 'takes a long view of history, looking at multiple societies and nations over the course of centuries to reach broad-ranging conclusions about the march of history', making 'conjectures based on averages', for a microhistorian he may be committing a *Straw-man* fallacy, namely taking facts and data from a particular context and projecting them on a much larger screen. Such a generalization necessary implies 'conjectures based on averages', while conjectures based on averages usually qualify as yet another (very general) fallacy, namely 'hasty generalization' or *Secundum Quid*.

On the other hand, when microhistorian 'concentrates upon a single individual or community', 'very tightly limited both spatially and temporally', he may be—again, but from the opposite direction—taking facts and data out of the context and restricting them to a much narrower screen. Thus microhistorian may be committing a *Straw-man* fallacy for a macrohistorian, as well as a hasty generalization or *Secundum Quid*, because he is not taking into account all the elements of a larger picture. We could, once more, represent this relationship as follows:
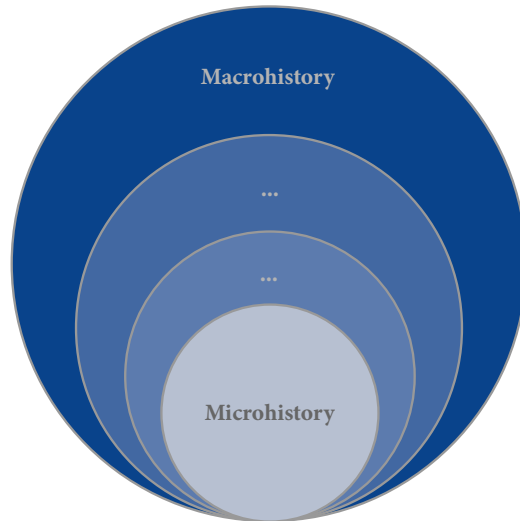
From a historical perspective, macrohistory, no doubt, embraces microhistory. But from a perspective of historiography, what counts as the basic operating principle (even basic epistemological and methodological precept) of macrohistory could easily be seen as a fallacy by microhistory, and *vice versa*.

Superabundance and redundance of fallacies

If we take a look at a situation 40 years after Hamblin, which is today, what we see is an enormous interest in fallacies: there are many, even too many writings on fallacies, and many, even too many definitions of what fallacies are. But the reason for this inflation of writings on fallacies (and even production of ever new ones) may be the same as the one Hamblin mentioned for the shortage of accounts on fallacies: the impossibility to unequivocally and unambiguously classify fallacies at all.

Here is a sample of definitions we can find online; I emphasized the most ambiguous and vague parts of these definitions, and provided short glosses between square brackets:

Vagueness and ambiguity of definitions

(1)   A fallacy is, *very generally*, [not specific enough, no informative value] an error in reasoning. This differs from a factual error, which is simply being wrong about the facts. To be more specific, a fallacy is an 'argument' in which the premises given for the conclusion do not provide the *needed degree of support* [what kind of support? to what degree? where are the limits of the 'needed support' and how is it defined?] (Labossiere, The Nizkor Project (http://www.nizkor.org/features/fallacies/))

(2)   In *logic and rhetoric* [logic and rhetoric have very different principles of functioning] a fallacy is incorrect *reasoning in argumentation* [unclear; what is 'reasoning in argumentation'? isn't every reasoning based on arguments?] resulting in a *misconception* [misconception of what?]. By accident or design, fallacies may exploit *emotional triggers* in the listener or interlocutor (e.g., appeal to emotion), or take advantage of *social relationships between people* (e.g., argument from authority) [unclear and vague descriptions, not even definitions; no clear criteria to recognize the mentioned fallacies]. (Wikipedia (http://en.wikipedia.org/wiki/Fallacy)).

(3)   A fallacy is *a kind of error* [unclear; what does 'a kind of ...' mean?] in reasoning. ... Fallacies should not be persuasive, but they often are. Fallacies may be created unintentionally, or they may be created intentionally in order to deceive other people. (Internet Encyclopedia of Philosophy (http://www.iep.utm.edu/fallacy/))

(4) Fallacies are *defects* [what kind of defects?] that *weaken* [does 'weaken' mean that these arguments are still arguments, but with less argumentative force?] arguments. [...] It is important to realise two things about fallacies: First, fallacious arguments are very, very common and can be quite persuasive, at least to the casual reader or listener ... Second, it is sometimes hard to evaluate whether an argument is fallacious [is it, therefore, at all possible to detect such 'defects'? what purposes can such a 'definition' serve at all?]. (Handout and links (http://www.unc.edu/depts/wcweb/handouts/fallacies.html))

(5) A 'fallacy' is a *mistake* [any kind of mistake?], and a *'logical' fallacy is a mistake in reasoning* [is every mistake in reasoning—incidentally, what does count as a mistake in reasoning?—a 'logical' fallacy? there are many 'fallacies' that seem to be contextual or circumstantial]. There are, of course, other types of mistake than mistakes in reasoning. For instance, *factual mistakes are sometimes referred to as 'fallacies'* [repetitive, even circular, but not explicative enough]. (Fallacy files, http://www.fallacyfiles.org/introtof.html)

Inventing the fallacies

Obviously, there is quite a confusion about what fallacies are nowadays. And this confusion, this inability (impossibility?) to propose clear-cut criteria, boundaries and definitions, generates new fallacies. Actually, there is quite an inflation of (new) fallacies nowadays as well avalanche. Here are a few of my favourite ones:

(a) *Poisoning the Well Fallacy*
(Nizkor project: http://www.nizkor.org/features/fallacies/poisoning-the-well.html) This sort of 'reasoning' involves trying to discredit what a person might later claim by presenting unfavorable information (be it true or false) about the person. This 'argument' has the following form:

(1) Unfavorable information (be it true or false) about person A is presented.
(2) Therefore any claims person A makes will be false.

Example

Before Class:

Bill: 'Boy, that professor is a real jerk. I think he is some sort of eurocentric fascist.'

Jill: 'Yeah.'

During Class:

Prof. Jones: '...and so we see that there was never any "Golden Age of Matriarchy" in 1895 in America.'

After Class:

Bill: 'See what I mean?'

Jill: 'Yeah. There must have been a Golden Age of Matriarchy, since that jerk said there wasn't.'

First, it is not quite evident that this is a fallacy; fallacy is a fallacious argument and a fallacy is yet to be extracted from the above dialogue (if there is any).

Secondly, if we apply a kind of a principle of charity on this artificially constructed dialogue, and concede there is an argument in the above dialogue, we don't need any new fallacy, it could easily be analysed as *Ignoratio Elenchi, Secundum Quid* or even *Petitio Principii*[3] (if we stay with the all embracing fallacies (or 'fallacies'). But it could easily be a version of *Ad Hominem,*[4] *Straw-man,*[5] even *Ad Populum.*[6] So, why create a new fallacy? Maybe because it is hard to choose between the existing ones, since the criteria are so unclear?

(b) *Nirvana fallacy*

(Wikipedia: http://en.wikipedia.org/wiki/Nirvana_fallacy) The *Nirvana fallacy* is the logical error of comparing actual things with unrealistic,

---

3   Please, see the definitions on the previous pages.

4   'An Ad Hominem is a general category of fallacies in which a claim or arguments is rejected on the basis of some irrelevant fact about the author of or the person presenting the claim or argument.' The Nizkor Project: http://nizkor.com/features/fallacies/ad-hominem.html

5   'The Straw Man fallacy is committed when a person simply ignores a person's actual position and substitutes a distorted, exaggerated or misrepresented version of that position.' http://nizkor.com/features/fallacies/straw-man.html

6   'The basic idea is that a claim is accepted as being true simply because most people are favorably inclined towards the claim.' http://nizkor.com/features/fallacies/appeal-to-popularity.html

idealized alternatives. It can also refer to the tendency to assume that there is a perfect solution to a particular problem.

> Example: 'If we go on the Highway 95 at four in the morning we will get to our destination exactly on time because there will be NO traffic whatsoever.'

First, there is no reason or justification to label this 'fallacy' a 'logical error', it is purely circumstantial. Secondly, even if criteria for detecting fallacies are not very clear, it is rather obvious that 'Nirvana fallacy' could be analysed as *Ad Consequentiam*[7] or/and *Ad Ignorantiam*[8] (leaving aside at least the ubiquitous *Secundum Quid* or the obvious *Ignoratio Elenchi*).

(c)   *Argumentum ad Hitlerum*
(Wikipedia: http://en.wikipedia.org/wiki/Reductio_ad_Hitlerum) *Reductio ad Hitlerum*, also *argumentum ad Hitlerum*, (dog Latin for 'reduction to Hitler' or 'argument to Hitler', respectively) is an ad hominem or ad misericordiam argument, and is an informal fallacy. It is a fallacy of irrelevance where a conclusion is suggested based solely on something or someone's origin rather than its current meaning or context. This overlooks any difference to be found in the present situation, typically transferring the positive or negative esteem from the earlier context. Hence this fallacy fails to examine the claim on its merit.

> *Example: Hitler was a vegetarian, so vegetarianism is wrong.*

As, surprisingly, already mentioned in the 'definition' this is an *Ad Hominem* argument (or an *Ad Misericordiam* one), so why create a new one? Maybe because it could also be interpreted as *Ignoratio Elenchi* and *Secundum Quid*, even as *Ad Populum* or/and *Ad Baculum*.[9] And in order to avoid ambiguity, another fallacy is created, which paradoxically

---

7   *Ad Consequentiam* 'is an argument that concludes a hypothesis (typically a belief) to be either true or false based on whether the premise leads to desirable or undesirable consequences'. https://en.wikipedia.org/wiki/Appeal_to_consequences *Ad Consequentiam* can, of course, be a logical fallacy as well, just the case in question is not.

8   *Ad Ignorantiam*, 'also known as *appeal to ignorance* (in which *ignorance* represents 'a lack of contrary evidence') is a fallacy in informal logic. It asserts that a proposition is true because it has not yet been proven false or proposition is false because it has not yet been proven true'. https://en.wikipedia.org/wiki/Argument_from_ignorance

9   *Ad Baculum* 'is the fallacy committed when one makes appeal to force or threat of force to bring about the acceptance of the conclusion. One participates in argumentum ad baculum when one points out the negative consequences of holding the contrary position'. https://en.wikipedia.org/wiki/Argumentum_ad_baculum.

increases the (possibility of) ambiguity as far as criteria and definitions are concerned.

Replacing analysis with fixed lists of fallacies: the case of CDA

All the epistemological and methodological objections, ambiguities and *caveats* on one side, as well as the practical, empirical multiplications of fallacies and their overlapping on the other, make the study of fallacies a thriving enterprise, a field of its own and in its own right. But, can we use such a shaky ground as an analytical tool (as one of the analytical tools) in another theoretical enterprise, within another theory?

Let us have another look at one of these theories, a Critical Discourse Analysis (CDA from now on), more precisely at Ruth Wodak's Discourse-Historical Approach (other branches of CDA don't use fallacies as one of their analytical tool), a theory we were critically examining in the first chapter, regarding their use of topoi.

What is critical discourse analysis?

Here is some more historical background. In short, CDA is usually associated with names such as Norman Fairclough, Ruth Wodak, Teun van Dijk, Paul Chilton, Guenther Kress, Michael Billig and Theo van Leuween, to name just a few. Their work is based on 'critical linguistics' that started mostly at the University of East Anglia in the 1970s (and was associated with the names of Robert Hodge, Roger Fowler and Guenther Kress), while the work of these critical linguists was based on the systemic-functional and social-semiotic linguistics of Michael Halliday whose approach is still crucial to CDA.

In Ruth Wodak's words, CDA

studies real, and often extended, instances of social interaction, which take (partially) linguistic form. The critical approach is distinctive in its view of (a) the relationship between language and society, and (b) the relationship between analysis and the practices analysed. (Wodak 1997: 173)

Or with the words of Jan Blommaert, CDA's sympathizer, but also a harsh critic:

CDA focuses its critique on the intersection of language/discourse/speech and social structure. It is uncovering ways in which

social structure relates to discourse patterns (in the form of power relations, ideological effects, and so forth), and in treating these relations as problematic, that researchers in CDA situate the critical dimension of their work. It is not enough to uncover the social dimension of language use. These dimensions are the object of moral and political evaluation, and analysing them should have effects in society: empowering the powerless, giving voices to the voiceless, exposing power abuse, and mobilising people to remedy social wrong. (Blommaert 2005: 25)

The discourse-historical approach and the (mis)use of argumentation

Ruth Wodak initialised her own 'school' of CDA, called Discourse-Historical Approach. Its programmatic view and its shortcomings, especially when using argumentation (topoi) in their analyses, can be found in the first chapter of this book (see also Žagar 2010, 2011). And it was these analyses of how DHA uses and misuses topoi that made me interested in how they use (and mostly misuse) fallacies.

The work of reference for DHA is the book *Discourse and Discrimination* (*D&D* from now on) by Martin Reisigl and Ruth Wodak, published in 2001 (Routledge). I say the work of reference, because it is the only book in the DHA tradition that gives any substantial overview of the theoretical approaches and concepts DHA is using. All the subsequent works would just quote *Discourse and Discrimination*, these quotes would get shorter and shorter, and in one of the Wodak's last books, *The Discourse of Politics in Action: Politics as Usual* (2009), even some authors of theoretical approaches and concepts DHA is using would be lost and replaced—with the names of Wodak and collaborators ...

Fallacies as seen by DHA

Here is the passage that introduces fallacies in *D&D*:

If one wants to analyse the persuasive, manipulative, discursive legitimation of racist, ethnicist, nationalist, sexist and other forms of discrimination and the pseudo-argumentative backing and strengthening of negative, discriminatory prejudices, one encounters many *violations of these ten rules*. In rhetoric and argumentation theory, *these violations* are called 'fallacies' (among

many others see Kienpointner 1996; van Eemeren, Grootendorst, Kruiger 1987: 78–94; van Eemeren and Grootendorst 1992, Lamham 1991: 77ff.; Ulrich 1992). (Reisigl, Wodak 2001: 71)

The 'violations of these ten rules' refer to pragma-dialectical ten rules for critical discussion that Reisigl and Wodak introduce on the previous page. But these ten rules for 'rational arguing' as Reisigl and Wodak call them are not valid just for 'persuasive, manipulative, discursive legitimation of racist, ethnicist, sexist and other forms of discrimination', but for *every form of discussion* that aims at resolving the difference of opinion in a rational way by means of critical discussion. Racist, ethnicist, sexist and other forms of discrimination usually don't aim at resolving the difference of opinion in a rational way.

Besides that, 'violations of these ten rules' is the way fallacies are defined in pragma-dialectics, not in rhetoric and argumentation theory in general. In rhetoric and argumentation theory there are many different approaches to fallacies that don't even mention those ten rules of critical discussion, even theories that are unfamiliar with those ten rules or refuse to use them.

Another problem for this hasty DHA definition arises if we confront it with a definition from pragma-dialectics itself:

> In the pragma-dialectical approach, a fallacy is defined as a *speech act that counts as a violation of one or more of the rules for critical discussion*, which impedes the resolution of a difference of opinion. *Fallacies are conceived and analysed from the same view as Aristotle originally approached them*: *The dialectical perspective* [my emphases]. They are incorrect, unreasonable moves in a debate or in discussion in which (at least) two parties participate. (van Eemeren, Garssen, Meuffels 2009: 20)

In pragma-dialectics, fallacies are conceived and analysed from the dialectical perspective: they are incorrect, unreasonable moves *in a debate or in a discussion*. In DHA, on the contrary, *a list* of 14 fallacies is constructed (at least in *D&D*: 71–74), with a short description and an even shorter example of each one of them. On the following 200 pages occasional references would be made to this list, without any analysis or justification why the examples on these 200 pages (mostly taken from the press) would represent any of the 14 fallacies listed (on pages 71–74), and the ten rules for

critical discussion are never mentioned again. This is the very same way DHA deals with *topoi* (see previous chapter).

Eight years after the *Discourse and Discrimination* was published, in Wodak's *The Discourse of Politics in Action*, we get the following definition of fallacies:

> Reisigl and Wodak (2001) also draw on van Eemeren and Grootendorst (1992) and Kienpointner (1996) when providing *the list of **general common** fallacies*, which includes the following *very frequently **employed** argumentative devices*: *argumentum ad baculum*, i.e. 'threatening with the stick', thus trying to intimidate instead of using plausible arguments; the *argumentum ad hominem*, which can be defined as a verbal attack on the antagonist's personality and character … instead of discussing the content of an argument; *the fallacy of hasty generalization*, when making generalizations about characteristics attributed to a group without any evidence; and finally, the *argumentum ad populum* or *pathetic fallacy*, which consists of appealing to prejudiced emotions, opinions and convictions of a specific social group or to the *vox populi* instead of employing rational arguments. (Wodak 2009: 43–45)

An attentive reader has no doubt noticed that the list of references got shorter, that the list of 14 fallacies from *D&D* got a new denomination: 'general common fallacies' (without any explanation how 'general common' is defined, or what constitutes 'general common' fallacies in relation to less 'general common' fallacies), and that within these 'general common fallacies' an even narrower list for 'very frequently employed' fallacies was constructed. It is just these four fallacies that are used in the analyses that follow. Let us have a look how.

Detecting fallacies in the Discourse of politics in action

The Discourse of Politics in Action: Politics as Usual is a book about European politics, more precisely, about how politics is done—in all possible details—in the European parliament. In her own words, Wodak wanted to

> find out 'how politics is done', 'what politicians actually do', and 'what the media convey about how politics is done'. Moreover, I also wanted to probe the implications of the public's lack of knowledge about the behind-the scenes reality of 'politics as usual' in an era of politics that many characterize in terms of an increasing

and widespread disenchantment with politics, depoliticization and the so-called 'democratic deficit'. (Wodak ibid.: xii)

In chapter 4, 'On being European', Wodak examines the discursive construction of MEP's identities[10] by analysing the responses of MEPs to questions about whether they see themselves as European or not.

Here is one of her conclusions about these interviews:

In contrast to the European Commission officials who tended to speak of themselves in terms of 'we', referring to the Commission, and equating this with the European Union, the MEP's constructed and performed numerous identities, both professional and personal (Wodak, 2004b). [Different identities are enumerated] Many of these 'presentations of self' manifest themselves in brief personal anecdotes or longer narratives, *used as argumentum ad exemplum, i.e. one generalizable incident; this could also be analysed as **employing** the fallacy of hasty generalization.* (Wodak ibid.: 99)

Wodak doesn't present any concrete data, not even an example on which the above claims would be based. But if there is no data, no analysis can be performed. And if data as well as the analysis of these hypothetical data are missing, it is impossible to judge whether we are dealing with fallacies or not. In this respect, it is crucial to remember what Hamblin keeps emphasizing:

A fallacy is a fallacious argument. Someone who merely makes false statement, however absurd, is innocent of fallacy unless the statements constitute or express an argument. (Hamblin ibid.: 224)

What Wodak does offer is a short summary that many of these '"presentations of self" manifest themselves in brief personal anecdotes or longer narratives, *used as argumentum ad exemplum, i.e. one generalizable incident'.*

Is there any other way of presenting oneself in an interview than brief personal anecdotes or longer narratives? I can't think of any. It is quite a mystery why Wodak labels these presentations of self, be it personal anecdotes or longer narratives, as *argumentum ad exemplum*; a classical definition of *argumentum ad exemplum* would be 'arguing against a particular

10 MEP is an acronym for a Member of European Parliament.

example cited rather than the question itself', but in this case, we don't even have an example and there is certainly no question (except the one Wodak asked). She goes on by paraphrasing(?)/explaining(?) *argumentum ad exemplum* as 'one generalizable incident'. If we set aside that she is using wrong definition and classification, and that she is obviously not familiar with the standard terminology in rhetoric and argumentation (fallacy research included), one could wonder why a presentation of self would be described as a 'generalizable event'? If somebody is presenting herself, why should that personal presentation be generalizable to others? Wodak doesn't say (she doesn't even present any of the self-presentations she is referring to), but she does claim that this *argumentum ad exemplum* (which is not an *argumentum ad exemplum*), i.e. one generalizable incident (which, again, is not generalizable), 'could also be analysed as *employing* the *fallacy of hasty generalization*'.

We are encountering two problems here: (1) Wodak claims that this non-existing *argumentum ad exemplum* could be analysed as the *fallacy of hasty generalization*; (2) she further claims that this non-existing *argumentum ad exemplum* could be analysed as *employing* the *fallacy of hasty generalization*.

Setting up fallacies as analytical procedure

A few critical remarks are in order here:

Ad 1

Once more, I would like to quote Hamblin here: 'Fallacy of *Secundum Quid* is an *ever-present and unavoidable possibility in practical situations*, and any formal system that avoids it can do so only at the expense of features essential to natural language.' (Hamblin ibid.: 213)

But let alone Hamblin's *caveat*, Wodak would first have to show that these individual self-presentations were not presented as presentations of self, but as events (she refers to them as 'incidents') that could be generalized, that usually are generalized, that were meant to be generalized, i.e. as instances of a more general pattern. But she doesn't, she doesn't even present the 'examples' she is talking about.

Ad 2

Wodak then claims that these un-existing *argumenta ad exempla* could be analysed as *'employing the fallacy of hasty generalization'*. 'Employing' clearly implies that something was done intentionally, with a purpose of

achieving a certain goal. In our case (i.e. Wodak's case), this goal seems to be to deliberately create (later on, Wodak even uses a much stronger term, i.e. 'setting up') a fallacy. Which raises an important epistemological as well as methodological question: do we *commit* fallacies (with a technical meaning: producing/coming up with/perpetrating a fallacy *without* knowing that it was a fallacy; I am not claiming here that the English verb 'to commit' is restricted to this meaning, I am just using it in order to point to a dichotomy and construct an opposition), or do we *employ* them, even *set them up* (i.e., we are conscious of the fact that we have used a fallacy)?

The answer is easy with witless examples like 'Everything that runs has feet; the river runs: therefore, the river has feet': it is obvious that these examples were set up with a certain goal or intention. But what about the ever-present 'fallacies' like hasty generalizations? As Hamblin pointed out, they are unavoidable, that is the way we reason all the time, because in everyday life we have no alternative: when reporting somebody's words or actions, we simply can't take into consideration all the instances of a particular case, it would be practically impossible. In everyday life, we usually make our decisions on a limited number of analogies and examples, even on examples or experiences we don't have direct access to (we were just told about them). Does that mean that we are talking and living (in) fallacies?

But let us proceed with Wodak's book. What follows is the analysis of excerpts of different interviews:

> Just before this excerpt begins, MEP 3 and the interviewer have been talking about the kind of contact MEPs have (or believe they should have) with their constituencies. In this context, MEP 3 contrasts her own behaviour with that of what she considers to be typical of (male) politician, *thus providing a stereotypical generalization and setting up a straw-man fallacy.* (Wodak ibid.: 105)

Again, there is no example (excerpt), and no analysis that would follow. We are told that MEP 3 contrasts *her own* behaviour with that of what *she considers* to be typical of (male) politician. We don't get to know what and how that is. But, if somebody is comparing her own behaviour with the behaviour of some other group she is witnessing in her professional life, this is her own personal experience, not (necessarily) a 'stereotypical generalization'. It may sound stereotypical, if there are similar descriptions of a certain professional group circulating in a certain public sphere (though we would first have to answer the question, why do we find them stereotypical,

and what stereotypical really means (how it is defined)). But what MEP 3 might have said could in no way be described as generalization: she was simply comparing her own behaviour with *what she sees* (herself, not 'public opinion' or 'vox populi') to be typical of male politicians. She is therefore expressing her own opinion, not in any way a general one.

But Wodak goes even further in her analysis (or 'analysis'): MEP 3 isn't just guilty of 'stereotypical generalization', she is also *'setting up a straw-man fallacy'*, in other words, MEP 3 has deliberately, intentionally constructed a fallacy.

I have already touched the difference between intentionally and unintentionally 'producing' fallacies in the previous section. A few words now about the *Straw-man* fallacy for which—in my opinion—we could use almost the same *caveat* Hamblin used for *Secundum Quid*: *Straw-man* fallacy is an *ever-present and unavoidable possibility in practical situations*. Why? Let us have a look at few 'popular' definitions that are available online:

(Nizkor Project: http://www.nizkor.org/features/fallacies/straw-man.html) The Straw Man fallacy is committed when a person simply ignores a person's actual position and substitutes a distorted, exaggerated or misrepresented version of that position.

And here is a more detailed definition:

(Wikipedia: http://en.wikipedia.org/wiki/Straw_man) The straw man fallacy occurs in the following pattern of argument:

(1) *Person A has position X.*

(2) *Person B disregards certain key points of X and instead presents the superficially similar position Y.* Thus, Y is a resulting distorted version of X and can be set up in several ways, including:

(2.1)　Presenting a *misrepresentation* of the opponent's position and then refuting it, thus giving the appearance that the opponent's actual position has been refuted.

(2.2)　Quoting an opponent's words out of context—that is, choosing quotations that misrepresent the opponent's actual intentions.

(2.3)　Presenting someone who defends a position poorly as the defender, then refuting that person's arguments—thus

giving the appearance that every upholder of that position (and thus the position itself) has been defeated.

(2.4)   Inventing a fictitious persona with actions or beliefs, which are then criticized, implying that the person represents a group of whom the speaker is critical.

(2.5)   Oversimplifying an opponent's argument, then attacking this oversimplified version.

(3) *Person B attacks position Y, concluding that X is false/incorrect/ flawed.*

How are we to understand and interpret this? That every time we don't take in consideration *all* the facts, or *all* the data available on a certain topic, *everything* a person we are talking about has said (and we hardly ever can, because not only human capabilities are limited, so is the time we have at our disposal), we can be accused of committing a *Straw-man* fallacy? Quoting an opponent's words out of context is a ubiquitous example we can hardly avoid we simply can't repeat everything that person has said. When writing reviews, for example, concentrating on what seemed important from our point of view, and pointing to possible weak points, is easily (and rather often) described (by the author under review) as misrepresenting author's views, oversimplifying or even inventing a fictitious persona. Accusations that somebody has committed a *Straw-man* fallacy are therefore (or at least can be) a handy rhetorical technique when we don't like someone's arguments (or don't agree with them). And there is always something that we leave out (that, for different reasons, we *have to* leave out), and we can never include everything a particular author has said or written.

Let us turn to more detailed analysis now. This is how Wodak continues:

In lines 1–3 she casts the typical politician as preferring to meet with citizens indirectly, through the media. Alternatively, the typical politician might 'drop in' on his constituency only briefly, in a condescending, patronizing […] and elitist […] manner.

[9 lines of summing up the interview dropped]

Several topoi, strategies and fallacies are *employed here*: the *topos of history*, which refers to her experience as evidence for a more general claim, *combined with the fallacy of hasty generalization*; the *topos of urgency*, which stereotypically characterizes

politicians' lives, and the *topos of difference* combined with the discursive strategy of singularization, which serves to construct herself as unique. (Wodak ibid.: 105)

And this is the excerpt Wodak's analysis refers to:

(Example 4 (Text 3.28)), 9 lines out of 22:

—1 *I mean I know that* —— even on / on a: national level
—2 *I mean there are very many politicians all sorts in all parties* ——
—3 *that <u>prefer</u> to / to meet the / the* —— eh / *the citizens through – media*
—4 eh —— / so *I know that I'm not that sort.*
—5 so I prefer to meet the people. ——
—6 it / it could be hard but it's more interesting.
—7 and that's the way *I* learn all the time—a lot.
__8 ... and a (xx) of —— / I met so very many politicians —— during my —— living
__9 years (Wodak ibid.: 104–105)

When comparing the excerpt and the analysis, a few questions come to mind. First, where in the excerpt could all these topoi and fallacies mentioned in the 'analysis' be found in the first place? What constitutes them as topoi and fallacies? How do topoi 'combine' with fallacies (or discursive strategies), what exactly is meant by that? Wodak would leave all these crucial questions unanswered.

But if the reader of her book is left without these answers (if it is not clearly showed in the analysis and in the excerpt where the topoi and fallacies are, and what constitutes them as topoi and fallacies), what can we learn from such an 'analysis'? What is its added value, its explanatory force in terms of cognition and comprehension?

If we try to find answers in the text itself, we can easily see that MEP 3 is saying *I know that* [...] *there are very many politicians* [...] *that prefer to meet the citizens through media* (lines 1–3), *I prefer to meet people* (line 5). And what I, as a reader, can conclude from this is that MEP 3 is expressing a purely personal experience, with no intention of generalization. (She is saying: *I* know —— very many politicians (not all). In her own view, *she* knows the situation, and that is all that *she* is saying.) So, where is the fallacy of Hasty Generalization? The analyst should point to it, show how

it is constructed, and that it is a fallacy at all (i.e. fallacious argument). Otherwise everything (every single utterance, not just a combination of an argument and a conclusion) could be judged a fallacy.

Here is another analysis, this time from the chapter *One day in a life of an MEP*. Hans, an Austrian MEP, is meeting a Slovenian delegation (at that time Slovenia was an accession country) and Wodak gives the following analysis of the conversation:

> Once again, Hans emphasizes his contrary in a very explicit factual statement: 'enlargement costs a lot of money!' This time the audience for his argument is actually a delegation from an accession country, to whom he conveys in no uncertain terms the dominant—and in his view erroneous—beliefs about enlargement held by many politicians inside the EU. *This topos of the actual costs of enlargement,* and the corresponding representation of the EU as harbouring misguided beliefs on the subject (Hans even characterizes the Eurocrats as 'empty heads' (*Hohlköpfe*), in a colloquialism indicating the informal context and by *employing* the *fallacy of hasty generalization* again) might also serve as a legitimation strategy later on, should enlargement not go according to plan. (Wodak ibid.: 141–142)

And here is the conversation the above analysis refers to:

31 S1: in other words do you mean that one can now

32   that one can assume that the basic decision

33   that one will begin discussion with six countries

34   that any fundamental obstacles could still be in the way?

35 H: uh I would not make any strong predictions uh today

36 S1: yes

37 H: even if the monetary union is over

38   its side effects are not finished yet

39   politics can develop its own dynamics

40   politics develops its own dynamics when money is the issue

41   uh this is not unjustified

42   *but the only thing that makes sense to the hollow European skulls (Hohlköpfe)*

43   is that nothing can cost anything

44 S1: yes

45 H: eastern enlargement costs money

46 S1: yes yes (Wodak ibid.: 141–142)

Again, it is completely unclear where and what the fallacy of hasty generalization should be. There are (only) two possible candidates, 'the only thing (that makes sense) ...' or 'hollow skulls'. But it is hard to understand why these two should be fallacies: 'the only thing (that makes sense ...)' is (or at least could be) an amplification or hyperbole, a rather standard(ized) rhetorical device we use for emphasizing. While the 'hollow skulls' is clearly a metaphor (or a metonymy in certain interpretations), serving the same purpose as hyperbole at the beginning of the turn, but hardly a fallacy—unless every trope is a potential fallacy, of course. And even if every potential trope would be a potential fallacy, *the hollow European skulls* would be more of a candidate for a *Straw-man* fallacy or even *Ad Hominem*, not a fallacy of *Hasty Generalization*.

We could go on with many more examples from Wodak's book, but they are all repeating the same pattern described. A tentative conclusion may therefore be in order.

Conclusion: back to Austin and Hamblin

I would like to conclude in the same way I started, with Austin and Hamblin. After pointing out that the reference depends on the knowledge at the time of utterance, Austin emphasizes:

> It is essential to realize that 'true' and 'false', like 'free' and 'unfree', do not stand for anything simple at all; but only for *a general dimension of being a right or proper thing to say* as opposed to a wrong thing, *in these circumstances, to this audience, for these purposes and with these intentions.* In general we may say this: with both statements (and, for example, descriptions) and warnings, &c., the question can arise, granting that you had the right to warn and did warn, did state, or did advise, whether you were right to state or warn or advise—not in the sense of whether it was opportune or expedient, but whether, *on the facts and your knowledge of the facts and the purposes for which you were speaking, and so on, this was the proper thing to say.* (Austin ibid.: 144–145)

Whenever we are judging, not only whether something is true or false, free or unfree, but also whether something is a fallacy or not, we have to take into consideration the circumstances, the audience, the purposes as well as the intentions of the utterer. And when we do, we also have to bear in mind the following:

> When there are two or more parties to be considered, an argument may be acceptable in different degrees to different ones or groups, and a *dialectical appraisal* can be conducted on a different basis according to which party or group one has in mind; but again*, if we try to step outside and adjudicate, we have no basis other than our own on which to do so.* Truth and validity are onlookers' concepts and presuppose a God's-eye-view of the arena. (Hamblin ibid.: 242)

The choice of arguments, criteria and acceptability of their use is always a matter that only the parties involved in the argumentative discussion can decide on. According to their *knowledge at the time of the discussion, the circumstances in which the discussion takes place, the audiences that are involved in the discussion, the purposes and intentions the parties in the discussion have. And since these discussions take place in natural languages, in particular circumstances and at specific times, logic as an artificial system can't really help.*