Chapter 8

AND SO INDEED ARE PERFECT CHEAT

[A]ll the artificial and figurative application of Words Eloquence hath invented are for nothing else but to insinuate wrong Ideas, move the Passions, and thereby mislead the Judgment; and so indeed are perfect cheat; And therefore, however laudable or allowable Oratory may render them in Harangues and popular Addresses, they are certainly, in all Discourses that pretend to inform or instruct, wholly to be avoided...


In this present chapter, we shall see how the concept of arguments that make reference to personal factors extends to a class of arguments more usually associated with the notions of *ad populum*. In their most elementary and *ad verecundiam* sense. These are arguments that rely on a structure of relations having to do with how other people behave. Part of this story involves an examination of bias.

The received view is that there is no fit place for bias in our cognitive and argumental lives. The complaint against bias is that it is an emotional factor, and that emotions have a natural tendency to cloud judgement and destabilize arguments. There isn’t the slightest doubt that some emotions sometimes have such effects. But they do not have them *intrinsically*, as I shall attempt to show in this chapter.

1. "Fallacies" that aren’t Fallacies

Among the gang of eighteen there are fallacies which appear to involve the factor of *bias* or *prejudice*. The emotive fallacies, for example, turn on matters of human feeling which are thought to intrude bias into what otherwise would be impartial reflection and deliberation. In some forms,
ad populum arguments are direct appeals to bias, and there are instances of hasty generalization which pivot on the factor of pre-conceived opinion or prejudice.

My task in this chapter is to achieve some understanding of these notions of bias and prejudice. We saw in the previous chapter something of the human reasoner’s disposition to act in ways that disconform to theories he holds true, and we said that such behaviour could not always be condemned as unreasonable or unjustified. In chapters 4 and 5 we saw that there are cases galore in which prudence trumps the alethic virtues, and that it is far from clear that the trump is unreasonable or unjustified. A further task of the present chapter is to show that neither bias nor prejudice is an intrinsically unjustified position for a human reasoner to be in. This is very much a matter to be considered in a book on fallacies, especially a book in which it is repeatedly asserted that reasoning that instantiates one or other of the gang of eighteen is not intrinsically fallacious. We meet with fallacy theory in its most difficult challenge when we attempt to show what the factors of mitigation are, when something that has the name of a fallacy isn’t actually a fallacy. So it is with our present targets of bias and prejudice.

2. Bias

English displays a lexicographical ambivalence toward bias. “bias”, the noun, denotes any preconceived opinion, and preconceived opinions, inevitable in any case, that are innocent until convicted. The verb tells a different story. To bias is to impair the validity of a claim or statement, and although some claims deserve to have their validity impaired (namely the invalid ones), a certain caution is called for. In this use, “to bias a claim” indicates a dubious strategy, suggesting that the impairment of validity by the means at hand may not be appropriate even if the claim isn’t valid. This caution is nicely caught by the allied technical notion of biased statistics. A claim may be challenged on statistical grounds, the claim (say) that universities have practised persistent and systematic discrimination against women. If the challenge is underwritten by biased statistics, there is plenty of room for complaint. But the complaint cannot succeed if it is merely that the original claim is impaired. If the original claim is untrue, it deserves to be impaired. Rather the objection is, or should be, that it ought not to have been impaired in that way — by those statistics.

The cautionariness of the idioms of bias is also reflected in the kindred expressions of “prejudice”. Parties to a disagreement will sometimes forward concessions “without prejudice” to the main issue. Such concessions can be said to carry conversational implicatures (in the sense of