The *Ad Baculum* as a fallacy. *False vs. bad argumentation*

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1. Threats and fallacies

The *ad baculum* fallacy has been traditionally characterized as argumentation appealing to force in order to cause the acceptance of a conclusion (Copi & Cohen, 1990: 105). Yet different authors have proposed more accurate definitions of the *ad baculum* that question this traditional general account. Among these alternative accounts, there are two which reject the idea that the *ad baculum* is a fallacy at all: on the one hand, the already almost classical account by Michael Wreen, and on the other hand, Don S. Levi’s proposal, developed in his article “The Fallacy of Treating the *Ad Baculum* as a Fallacy” (1999).

Since 1987, Michael Wreen has argued in several articles that any form of the *ad baculum* must be reconstructed as certain type of inductive argument and is, most of the time, not fallacious at all. Actually, in his view, many types of utterances and performances are apt to be reconstructed as argumentative acts. That is why he considers that there are cases of the *ad baculum* which are not linguistic at all. Thus, for example, the price on a store item or a shouted warning to a pedestrian of an approaching car should be reconstructed, like any other appeal to force, as an argument whose basic structure is:

- **Premise 1**: If you don’t do X, then Y will happen.
- **Premise 2**: Y is a substantial disvalue for you.
- **Conclusion**: You ought, from the standpoint of self-interest, to do X

As Wreen observes, this type of argument is an inductive one because its premises may be true and its conclusion false; for example, if there exists a substantial disvalue for you, which is greater than the disvalue of Y and unavoidable if you do X. Yet, according to Wreen, we would have an impeachable inductive argument of a practical type. Thus, for example, respecting the price on a store item, Wreen would consider that X would be something like “you have to pay such amount”, and Y would be something like “you don’t get this product”. Alternatively, in the case of a warning shout, X would be something like “stop right now” or “look at your left”, etc and Y would be something like “being damaged”, etc.

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In response to this peculiar conception of the *ad baculum*, Don S. Levi has argued that, effectively, it is not a fallacy, but just because it is not any kind of argumentation whatsoever. According to Levi, in order to be allowed to reconstruct a certain utterance as an argument we must consider, first of all, which type of speech act it is. And, with respect to the *ad baculum*, Levi says that no argumentation is going on “because intimidation is used instead of argument to put an end to any further argument” (1999: 145). According to his analysis, the *ad baculum* is, above all, a tactic to force someone to do something. Consequently, we would not be authorized to interpret such moves as attempts to persuade by reasons, but just as attempts to force others’ responses. In this sense, we should assume that Levi is suggesting that a warning is not a genuine form of the *ad baculum*; otherwise, it seems difficult to accept that no form of the *ad baculum* is argumentative. Actually, I am going to argue that we may consider that the main difference between a threat and a warning is, precisely, whether we can interpret the utterance as an argumentative act or not.

2. *Ad baculum* and *ad carotam*

Threats and warnings seem to have in common that they are attempts at establishing claims like:

Do/avoid x so that y, which is a disvalue for you, does not happen

But, as John Woods (1995: 245) has argued, threats, as cases of the *ad baculum*, would be on a level with bribes as cases of the *ad carotam*. Actually, not only bribes but also advice would have a very similar schema. Their difference respecting the *ad baculum* is that their goal would not be to avoid a disvalue but to get a value:

Do/avoid x so that y, which is a value for you, does happen

This way, we may assume that there exists a similarity between threats and warnings, on the one hand, and bribes and advice, on the other. Taking into account this similarity, I would like to consider how far it is possible to find cases of the *ad baculum*, and also of the *ad carotam*, which constitute fallacies, in the sense of “argumentative flaws”. Assuming, up to a point, Levi’s position, I think that bribes and threats should not be reconstructed as arguments because they are not acts of arguing. They are not attempts at justifying a target claim, but rather attempts at bringing about a certain attitude or action by the addressee. But how can we defend this view? Would it be right to say, for example, that threats and bribes are commissive acts, in contrast to advice and warnings, which would be declarative acts? I do not think that this response can work: as Wreen would say, an utterance like “do/avoid x so that y, which is a disvalue for you, does not happen” may be perfectly
expressible as “you should do/avoid x so that y, which is a disvalue for you, does not happen”. And either a threat or a warning may be brought about by either of these utterances. It would beg the question to suggest that we cannot interpret a certain utterance in that way because it is not argumentation.

Neither would it be a good strategy for pointing out the difference between threats and bribes, on the one hand, and warnings and advice, on the other to adduce that, whereas the first type of act has as its main goal to produce an action, the second type of act has as its main goal to produce a belief. Certainly, there is a radical difference between both objectives: after all, an action usually depends on the subject’s will, whereas a belief, in principle, is independent of her will. Nevertheless, this strategy does not seem to work very well: Why should we deny that, when we advise or warn we hope to produce certain act, that act being our main goal? Or, alternatively, why should we deny that when we threaten or bribe we try to produce a belief of the type “you should do/avoid doing x”? After all, both threats and warnings, on the one hand, and bribes and advice, on the other hand, may produce the same types of attitudes (fear, apprehension, a decision, a belief, an action, etc). In this sense, I think that Wreen would be right in pointing out that a threat, as much as a warning (or a bribe as much as an advice), is an attempt to influence the addressee, a means to invite her to make a practical judgement. Yet I also think that we can offer an account of the intuitive idea that the main difference between threats and bribes, on the one hand, and warnings and advice, on the other hand, is that this last type of act consists of argumentative acts, whereas threats and bribes do not. The main difference between both types of speech acts is related to their illocutionary characteristics, rather than to the type of perlocutionary effects that they are able to bring about.

3. Illocutionary characteristics of threats and bribes

In principle, an utterance of “you’d better not resist” is a different speech act if it is an utterance by a co-worker at the security desk of the bank where the addressee works than if it is an utterance by the bank robber. Certainly, both utterances may constitute an invitation to make a prudential judgement. The argument representing this prudential judgement would be something like:

- Premise: If you resist, he will shoot.
- Conclusion: You had better not resist.

But what about the corresponding speech acts? Let us consider, first of all, the co-worker’s act. His utterance of “you’d better not resist” may be interpreted as an argumentative act whose reason would be “If you resist, he will shoot”, and whose target claim would be “you’d better not resist". On the contrary, can we consider that

2 The warrant of this act would be “if it is true that if you resist he will shoot, then you’d better not resist”. The backing for this warrant may be, for example “to avoid being shot is a good reason for not resisting”, which is a reason to value the warrant in the conditions in which it is implicitly used. A possible rebuttal for this warrant may be something like “unless you believe he
the bank robber is arguing? The conditions for his alleged reason to be true just depend on his will. Because of that, his alleged conclusion does also depend on his will. Actually, that is precisely the difference between the speech act of the co-workee and the bank robber’s speech act. Or in other words, what makes an announcement of some disadvantage or advantage a threat or abribe is, on the one hand, that it depends on the speaker’s will to make this disadvantage or advantage effective, and, on the other hand, that the addressee will be able to acknowledge this fact. But, as soon as a speaker succeeds in threatening or bribing, he has no longer the possibility of arguing: it is a condition for recognizing a certain communicative move as argumentation that we can attribute to the speaker the belief that the acceptability of the claim for which she argues is, up to a point, in question. But this is not possible if the speaker successfully threatens or bribes: he cannot believe any longer that the acceptability of his claim is in question.

Certainly, the bank robber may need to argue that his will is such and such, or that he will be able to do what he says he will do, etc. That is, he may need to convince the addressee that he is in a condition to threaten him (or to bribe him). But that would be just a requisite to make effective his threat (or bribe), that is, to make the addressee believe that he is really in danger (or facing an opportunity); consequently, in turn, it would be just a prerequisite for inducing in the addressee the expected prudential judgement as a consequence of recognizing that he is being threatened or bribed.

Thus, I think that Levi would be right in considering that threats (and bribes) are not acts of arguing and that, for this reason, we are not entitled to represent them by arguments. But, contrary to his view, and actually contrary also to the views of Wreen and Woods, I do not think that simple threats can be considered cases of the ad baculum (or simple bribes cases of ad carotam). My reasons are tied to a normative conception of fallacy: I think that both the ad baculum and the ad carotam are fallacies, that is to say, flawed argumentation. Assuming that a fallacy is certain type of argumentative flaw, the question is: If appeals “to the stick” or “to the carrot” are either sound prudential argumentation or no argumentation at all, how can they constitute fallacies at all?

4. The fallaciousness in appealing “to the stick” and “to the carrot”

As we have already seen, Levi rejects the idea that threats are fallacies, just because they are not argumentation. Nevertheless, Hamblin had already argued that the fact that a move in a dialogue does not constitute an argument does not mean that it is not a fallacy. Additionally, Pragma-dialectics and the Walton of Informal Logic (1989) are able to deal with the pragmatic nature of fallacies as violations of rules for critical discussion. In considering their accounts, we would have a basis for rejecting the idea that every fallacy necessarily is an argument.

The possibility of offering a “naturalist” description of fallacies, to employ Blair and Johnson’s (1993) distinction, does not mean that we must renounce their
normative character. Actually, Pragma-dialectics and Walton (1989) have tried to provide an account of traditional fallacies by means of two converging criteria: on the one hand, from a normative point of view, a fallacy would be a violation of any of the rules for critical discussion; consequently, it would constitute bad argumentation. On the other hand, respecting their identification, each fallacy would be identified not just by considering the rule or rules that it violates, but also by means of its “thematic” characteristics. Thus, even though the ad baculum, the ad hominem, the tu quoque and the ad misericordiam, according to the pragma-dialectical account, constitute violations to rule 1 prescribing that “Discussants may not prevent each other from advancing standpoints, or from calling standpoints into question” (van Eemeren & Grootendorst, 2004: 190), they would be distinguished by their “theme”: in the ad baculum, the theme is an appeal to force. Thus, for Pragma-dialectics, any violation of the rules that involves an appeal to force would be an instance of the ad baculum fallacy. In this vein, Douglas Walton for his part says that:

the ad baculum appeal is used as a tactic in argument to influence unduly an opponent in dialogue. When this type of tactic is used, it is not always necessary to determine whether it is itself a special kind of reasoning. What is important is to try to see how it is being used as a strategy of argumentation that may violate one or more of the negative rules of persuasion dialogue. (Walton, 1989: 98)

I think that this type of approach to the study of fallacy involves an important gain respecting the possibility of giving an account of the pragmatic nature of most fallacies. Yet it may imply a distortion respecting the traditional conception of particular fallacies. Particularly, respecting the ad baculum, to suggest that it is a fallacy when it “is used as a tactic not only to divert an argument, but even to try to prevent the argument from getting started or to prevent the procedure of dialogue from getting underway” (Walton, 1989: 99) would amount to assuming that a slap on the face or a shout would be cases of ad baculum. And that would turn the conception of this fallacy into a rather peculiar one. Levi himself illustrates this type of observation respecting Wreen’s proposal by offering a funny example from Max Schulman’s novel, The Many Loves of Dobbie Gillis:

- “Polly Espy: And stop shouting, I think shouting must be a fallacy too.”

Yet, contrary to Levi, I think that there exits an ad baculum fallacy, and in my view what makes of certain appeals to force a case of fallacious discourse is their ability to supplant argumentation. Actually, I would like to show that the source of fallaciouness in this type of appeal is related to the rhetorical properties of discourse and its ability to pretend to be real argumentation. I think that the best way to shed light on this view is to consider, once more, the case of the ad carotam fallacy.

In what conditions may an appeal “to the carrot” be fallacious? In principle, the flaw cannot consist in the fact that the speaker has no intention of doing what she promises, or that she cannot actually keep her promise. These circumstances would turn the speech act into a false bribe, not into a fallacy (the case would be analogous
respecting the appeals to force and genuine threats). Let us consider the following examples:

A: Mom, if we go to the fair I will be so happy that I will do my homework very quickly.
A’: Mom, if we go to the fair, I will do my homework very quickly.

B: If you do not marry me, then life will be nonsense for me, and I’d rather commit suicide.
B’: If you do not marry me, I will commit suicide.  

In principle, cases A’ and B’ are a plain bribe and threat, respectively. But what about cases A and B? The truth is that they may be suspected of being fallacies. If we had not seen their counterparts A’ and B’, we might still believe that they are genuine cases of practical argumentation. In fact, contrary to the charge that Pragmadaeetics or Walton would make against them, they amount to attempts at initiating a persuasive dialogue, rather than attempts at stopping it in a coercive way. Yet they reproduce the situation in which the speaker does not really need to offer reasons because her target claim depends just on her will. That is to say, the speakers in A and B are not really arguing, they are just bribing and threatening, respectively. The only difference from their counterparts A’ and B’ is that in A and B the bribe and the threat stay veiled. Actually, I think this is the only way in which appeals “to the stick” or “to the carrot” would constitute genuine cases of fallacy in the traditional sense.

In a certain sense, this is also Woods’s (1995: 248-9) opinion. Woods says that the only type of cognitive error involved in an appeal to force is, precisely, the case of veiled threats. As he analyses these cases, they involve two arguments, a prudential and an alethic one, that get mixed up in such a way that the addressee fails to recognize their truth-conditions. For my part, I have argued that threats should not be interpreted as argumentation. Consequently, even though I agree that veiled threats are the only type of discourse that gives rise to the ad baculum fallacy, I consider that Woods’s account is flawed: as he analyses it, this fallacy would be a flaw on the side of the addressee rather than a flaw in an (allegedly) argumentative discourse. Accordingly, we could not detect instances of the ad baculum, only wrong reactions to certain discourses appealing for force. But I think that it is possible to characterize what is wrong in this type of discourse itself.

As argued above, a threat or a bribe does not constitute argumentation, but certain threats and bribes may be fallacious. We have also assumed that a fallacy is an argumentative flaw, but we have distinguished between argumentative flaws due to “bad” argumentation and argumentative flaws due to “false” argumentation. False argumentation may be fallacious in supplanting argumentation so as to produce the same effect of “fair play” that argumentation, in general, produces. When a speaker

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3 By the way, examples B and B’ should not induce us to believe that not every appeal to force is directed against the addressee: if we think that in B and B’ the force is directed against the speaker himself, then we should take them to be cases of the ad misericordiam, rather than as cases of the ad baculum. In suggesting that they are appeals to force, I would assume that the speaker in B and B’ is aiming at inducing pain in the speaker, if only of a psychological type.
supplants argumentation, she pretends to subject her claims to the condition of their being correct, whereas in fact she is only trying to induce the corresponding judgements, whether or not they are correct. This type of flaw has a rhetorical origin, as the source of the flaw is the rhetorical properties of discourse, to the way it is presented, rather than its logical or dialectical properties. Respecting the *ad baculum* and the *ad carotam*, to confer the appearance of argumentation on a threat or a bribe is to pretend that we are playing the game of “true or false” when in fact we are just putting on the table our intentions.

References: