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## BIAS, CRITICAL DOUBT, AND FALLACIES

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It would appear to be a common, and indeed quite a general presumption in informal logic that bias is a failure in argumentation that students can be taught to identify. This presumption becomes questionable, however, once we realize that there is no general method for determining bias in arguments that is widely accepted in the field of informal logic, or that is known to be itself free of bias. Even more worrisome, it is far from clear that we even understand what bias is, in the sense of being able to offer some clear and coherent definition that would be widely acceptable to those working in argumentation. Moreover, there are certain inherent difficulties in identifying and evaluating bias fairly and correctly, in a given case.

What should be stressed at the outset is that "bias," as used to criticize, is a two-edged sword. "Bias" has a negative or critical aspect, typically used to condemn,

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refute or criticize an argument or person as having a deficiency. But "bias" is also often used in a spurious way, to attack a person or argument aggressively when the charge is not really justified. Bias is also subtle in many cases, and it is often simply unclear which party is in the right, the one accused of bias or the accuser. And most importantly, spirited or aggressive advocacy of a particular point of view is not necessarily the same thing as bias (at least bias in the negative sense in which it is an interference with critical argumentation).

As a first step towards developing methods for evaluating arguments for bias, this preliminary study will ask a philosophical question: What is bias? Consequent upon examining various ways of defining bias, one particular definition will be advocated. The view of bias put forward is pragmatic, meaning that it relates to how arguments are used in particular cases. The view of bias put forward is also *dialectical*, meaning that it pertains to a context of dialogue in which argumentation is put forward. According to this view, bias is seen as a kind of charge put forward by one party in a dialogue, a charge that can be sustained in some cases, and refuted in other cases. Finally, the view of bias advocated in this essay is *normative* based on a standard of how participants in dialogue ought ideally

to argue if they are to be rational in their reasoning together.

This essay argues that the evidence upon which a charge of bias is best evaluated is the analysis and reconstruction of the argumentation in the given text of discourse found in a particular case. Bias is a property of argumentation as used in a context of dialogue. It is often said that a person can be biased, or that a question can be biased, for example. But, in the sense of this essay, bias is a failure of critical argumentation. In this sense, most important in judging a person biased is how he or she performs in argumentation; most important in judging a question biased is how the question was used in a context of dialogue to perform some purpose associated with argumentation, reasoning, or arriving at a conclusion.

Finally, the essay will show that criticisms of bias are closely associated with certain of the major informal fallacies. The essay will argue that this association is not accidental, and that bias is essentially tied in with certain fallacies, and other wrong uses of argument.

#### A CASE OF A CRITICISM OF BIAS

An example shows how criticisms of bias work. In this case, two people are part of a panel discussion that has been set up to discuss a controversial problem of public policy. During the discussion, one participant accuses the other of bias.

Case 1: Bob and Wilma are discussing the problem of acid rain. Wilma argues that reports on the extent of the problem are greatly exaggerated and that the costs of action are prohibitive. Bob points out that Wilma is on the board of directors of a U.S. coal company and that therefore her argument should not be taken at face value. (Walton, *Informal Logic* 149)

Bob's charge of bias is an ad hominem

attack, a species of argument directed towards the person. Bob's argument is that Wilma is biased because of her financial involvement with the coal company, and that therefore we should question Wilma's impartiality. The conclusion we should infer, according to Bob's argument, is that Wilma's claim-reports on the extent of the problem of acid rain are exaggerated-is not a credible claim after considering who is making it.

Bob's criticism not only questions Wilma's impartiality, it also makes an attack on her integrity as a sincere participant in the discussion on acid rain who can be trusted to take part in the panel discussion in accord with Gricean maxims of collaborative dialogue. The key thing here is that the dialogue is supposed to be a particular type of critical discussion that openly looks at the arguments on both sides. However, once Wilma's involvement is revealed, questions are raised whether she is covertly engaging in a quite different type of dialogue, perhaps a type of negotiation or bargaining dialogue, in which her goal is to push for special interests. The suspicion is that she may be trying to use the public forum as a platform to push for one side, to support her own special interests at stake.

Another interesting factor in this case is that it would appear that Wilma did not announce her personal affiliation with the coal company at the beginning of the discussion. By revealing it unilaterally, Bob raises the implication that Wilma may have intentionally concealed this fact. This counts heavily in favor of the contention that Wilma has a bias that undermines her credibility as a balanced participant in the critical discussion.

Of course, we normally expect people to have a bias for one side or the other on a controversial issue. In itself, it might not detract from Wilma's credibility that she

argues strongly against regulating emissions that are supposed to cause acid rain, even if she does so consistently. Yes, this may show a bias towards one point of view, but that in itself need not damage her credibility as a proponent of this point of view.

However, when we discover she is on the board of directors of a coal company, it is a different story. The problem here is that we naturally begin to question whether she supports this point of view because that is the way she sees the evidence, or whether her personal interest at stake is always causing her to distort the evidence, and "bend" the arguments to the one side.

It follows that in an allegation of bias like the one in case 1, there is an implicature of lack of critical doubt. The suggestion is that the biased party is "bending" arguments toward one side, instead of assessing the arguments in a critically appropriate way by paying attention to the requirements of the argumentation schemes.

Argumentation schemes require that certain kinds of premises need to be supported and certain kinds of critical questions need to be asked when a particular type of argument is put forward in a critical discussion.<sup>1</sup> The suspicion in the case of an arguer who is badly biased is that the accused is not judging the worth of an argument according to the requirements of the argumentation scheme, but always reaching the conclusion, instead, that happens to support the point of view chosen in advance.

This case also reveals that an allegation of bias is a kind of criticism of argumentation that has two sides. The critic comes forward with certain kinds of evidence to support the allegation. The allegation itself can be more or less serious, depending on the circumstances. And finally, the

participant accused can raise certain types of defenses against the criticism.

For example, if Wilma had announced her affiliation with the coal company during the opening stage of the panel discussion, she could still be accused of bias. But such a criticism would be much less damaging than the one in case 1, where she had failed to announce this fact and it was brought forward by someone else during the discussion.

The problem of bias in this case was not that Wilma failed to have a neutral (zero) point of view. The problem was that her favoring the one side was judged inappropriate to the context of dialogue that the participants were supposed to be engaged in. They were supposed to be engaged in a public policy discussion where both parties were open to looking at the arguments on both sides. That does not mean that Wilma cannot have a point of view. But when Bob points out that Wilma is affiliated with a coal company, it casts into doubt her fairness in looking at the evidence on both sides. It suggests that Wilma has generally made up her mind in advance how to argue, no matter which way the evidence goes.

Bob's criticism of bias throws a weight of presumption against Wilma's side to refute the charge, if she can. Perhaps she can do it, but given her concealment, the burden is heavy against her. The question of bias arises because of the grounded suspicion of a concealed, unilateral shift in the type of dialogue involved. They are supposed to be engaged in an open critical discussion, but the suspicion is that Wilma is really engaged in a form of concealed bargaining or quarreling dialogue that always pushes for one side only.

The problem is that in the eristic or quarreling type of dialogue, the goal is to attack the other side and win at all costs, disregarding or overriding the evidence

<sup>1</sup> See Hastings; van Eemeren and Kruger for accounts of the various argumentation schemes.

and legitimate critical doubt. Quarreling is not necessarily fallacious or logically erroneous in itself as a type of dialogue. But it is a very inefficient way of conducting a critical discussion, and rightly associated with many fallacies and faults of logic when introduced into a critical discussion context of argumentation.

Bargaining or negotiation is also a legitimate type of discourse in its own right. But problems of bias and fallacies arise when there has been an illicit, or even concealed, shift from a critical discussion to a bargaining type of dialogue. The purpose of a critical discussion is to resolve a conflict of opinions by showing your argument is correct, because it is supported by evidence and conforms to rules of reasoned discussion. But in negotiation, such matters of truth and evidence are not the main point. The goal is to make demands and concessions in order to "get the best deal."<sup>2</sup> A move that is quite appropriate in this type of dialogue could be inappropriate, or even highly obstructive, in a critical discussion. The problem in case I is the possibility of an illicit shift from one type of dialogue to another.

#### CONTEXTS OF DIALOGUE

According to the analysis presented here, bias is a general concept that is pragmatic in the sense that, as applied to any real case, it presupposes a context of dialogue. Although the concept of bias has general characteristics that can be expressed in a definition, it will be implemented somewhat differently in different contexts of dialogue.

In *persuasion dialogue* the goal of each participant is to persuade the other participant that a particular proposition is true, based on premises that this other party is

<sup>2</sup> See Donahue, "Empirical" and "Development."

committed to.<sup>3</sup> In the critical discussion (a subspecies of persuasion dialogue) the goal is to resolve a conflict of opinions. In persuasion dialogue, partisan advocacy of one's point of view is normal and necessary.

Van Eemeren and Grootendorst have shown how a critical discussion has four stages: an opening stage, a confrontation stage, an argumentation stage, and a closing stage. At the opening stage, the participants agree to enter into the critical discussion; and not to abandon the discussion until it is properly closed, or until the other party agrees to postpone or end it. The problem of bias was serious in case I because of an improper or illicit dialectical shift. Wilma was supposedly engaged in a critical discussion on the issue of acid rain. But covertly, and without either the agreement or knowledge of Bob, she was really engaging in a kind of interest-based negotiation dialogue.

Critical discussion requires a certain openness to concede that one's argument is subject to critical doubt, and can be subject to critical questioning, or even refuted by good evidence put forward by the other side.<sup>4</sup> When one's own advocacy becomes too aggressive, and is closed off from good counterarguments that have arisen in the dialogue, then it can be proper to speak of harmful bias in a critical discussion.

The *inquiry* as a type of dialogue arises from a problem-something is not known to be true or false-rather than from a conflict. The goal of the inquiry is to prove this proposition from premises that are known to be true, or alternatively, to show that it cannot be proved (Walton, *Begging* 43). Although whether scientific argumen-

<sup>3</sup> Fuller accounts of the characteristics of these types of dialogue are given in Walton, *Informal Logic* 3-9; *Question-Reply* ch. 9; and "What is Reasoning?" 412-14.

<sup>4</sup> See Jacobs and Jackson.

tation takes the form of an inquiry is widely debated, proponents of the rhetoric of science place scientific reasoning as a form of inquiry. According to Broad and Wade, bias comes into science in two forms: (1) in interpretation of data where the scientist either "fudges" the data intentionally to make results "more acceptable," or unintentional bias where the scientist has some personal preference for the outcome (85), and (2) in the peer review process and referee system which may, for example favor already eminent scientists over young or unknown scientists, in the allocation of credit for findings (99). Recent cases of fabrication of data have raised many questions about fraud and misconduct in science. Bias is an important concept in judging these concerns.

Bias can enter into an inquiry in the collection of data because the inquiry is supposed to be based on premises that can safely be established in order to eliminate the need for later retraction. Bias can also come into an inquiry in deciding what conclusions can be drawn from these premises, according to the methods and standards of a given branch of science.

Another basic type of dialogue is *negotiation dialogue*, where the goal is to divide up a commodity where resources are insufficient. Each side makes concessions and demands. In this type of dialogue, the goal is not to prove anything, or show that your point of view is right, it is to "get the best deal" or bargain for what you want (Donahue, "Development" and "Empirical").

In the *information-seeking type of dialogue*, the goal is to transfer information from one party to the other-one party has access to some information that the other lacks. In this type of dialogue, it is often very important that the information-giving party present the information in a balanced way (Walton, *Begging* 43). One

subspecies of information-seeking is expert consultation dialogue. Bias is often very important as a factor in judging argumentation based on appeals to expert opinion.<sup>5</sup> Another subspecies of information-seeking dialogue is news reporting by the media. Bias, in the sense of balanced reporting, is critical. The reporter has to be selective in presenting reports on all sorts of controversial issues. Here we often have a juxtaposition of two types of dialogues, for the reporter may be giving a report to his readers or viewers on the subject of a recent critical discussion. The report would be biased if the reporter engages in promoting one side too heavily, instead of taking a balanced view that does justice to the arguments on both sides.

Eristic dialogue is a type of verbal combat where the goal is to strike out at the other party in order to win at all costs and, if possible, humiliate the other party. The quarrel is a subspecies of eristic dialogue that has the purpose of giving vent to repressed emotions.<sup>6</sup> Bias and other categories of critical evaluation of argumentation mean little in the quarrel. Argumentation in the quarrel is, by its nature, always strongly biased towards one's own side, and against the point of view of the other side. However, the quarrel is important as a model of dialogue in judging cases of bias because bias often occurs where there has been a shift from some other type of dialogue to quarrel. For example, a dialectical shift from a critical discussion to a quarrel is often indicated by the presence of *ad hominem* argumentation. A fallacious argument is persuasive, or "seems valid" as an effective trick, because such an argument could be appropriate or non-

<sup>5</sup> Walton, *Begging* 43. These types of dialogue are systematically described in Walton and Krabbe.

<sup>6</sup> Flowers, McGuire, and Birnbaum. See also Walton, *Informal Logic* 3; *Question-Reply* ch. 9; and *Begging* 42. A detailed analysis of the quarrel as a normative model of dialogue is given in Walton and Krabbe.

harmful in the context of a quarrel. It is only a fallacy because it should be evaluated in the original context of dialogue.

Bias, itself, however, is not a fallacy or a fallacious type of argumentation per se. It is rather a type of attitude that often leads to, and is associated with fallacies. Bias is sometimes harmless, and it is only the harmful type of bias that should be subject to criticism, in the same way that fallacies are subject to criticism as serious failures of argumentation.

#### ARGUMENT AD HOMINEM

The argument ad hominem or "argument against the man" is a kind of attacking or negative type of argument whereby one participant in a dialogue uses information about an opponent's personal characteristics or circumstances to refute the opponent's argument. There are two basic and common ways to carry out this type of attack, both of which have been widely recognized in traditional logic textbooks. One way is to attack the person directly, by arguing that the opponent is of bad character, especially bad character for veracity, and cannot therefore be trusted to be a sincere or reliable participant in the dialogue. The other way is to claim that what the opponent has advocated in the argument is a point of view that is inconsistent with the opponent's own personal circumstances. The first kind of argument has traditionally been called the "abusive" ad hominem and the second has been called the "circumstantial" ad hominem.<sup>7</sup>

The name "*abusive*" is misleading, however, because the first type of ad hominem can sometimes be a reasonable argument,

For example, Waller has shown that evaluating the testimony of a witness in legal cross-examinations by raising questions about the person's character, reliability as a witness, past convictions, and so forth, is rightly regarded, within limits, as a legitimate kind of argumentation (108). Also, I have argued through the analysis of many cases that, in election campaigning in political debates, raising questions of a candidate's personal integrity and character are rightly recognized as legitimate (Arguer's Position). The abusive ad hominem could be labeled the "personal" or "direct" ad hominem, but the circumstantial type also has a personal element, so possibly the phrase "direct ad hominem argument" is the best term for this species.

In many instances, the circumstantial ad hominem can be used as a nonfallacious type of argumentation to shift a weight of presumption against one side in a dialogue.

Case 2: Suppose a politician has gone on record as advocating keeping government expenses down by not giving out inflationary salary raises to government officials, but it is later revealed that, once elected, he has given himself a large increase to his already sizable salary. A critic may then use the circumstantial type of ad hominem argument against the politician, saying "You do not practice what you preach!"

In such a case, the argument could be quite reasonable. Only if it is carried to excess in some way, or used in inappropriate circumstances, would it become a fallacy or bad argument.

The direct and the circumstantial types of ad hominem argument are related in some cases. Sometimes the circumstantial argument is used as a kind of lead-in attack which is then extended or more fully developed into a direct ad hominem attack. In such a case, the arguer's per-

<sup>7</sup> General accounts are to be found in Hamblin; Barth and Martens; Hinman; and Walton, *Arguer's Position*.

sonal circumstances are purported to be in conflict with his argument, implying that the arguer is a liar, insincere, hypocritical, or otherwise deficient in character for veracity.

Another variant of ad hominem argument is the bias type of attack: one arguer claims that the other is not an impartial or fair-minded participant in an argument on the grounds that he or she is pushing for one side by reason of some special interest in supporting that point of view. Case 1 is an example of this type of ad hominem argument. Consider the following:

Case 3: Pay no attention to those American Tobacco Institute arguments against restrictions on smoking. You shouldn't take their arguments seriously; after all, those arguments are bought and paid for by the tobacco industry.<sup>8</sup>

In this case, as Waller rightly points out, the ad hominem argument is a fallacy if the conclusion is that the cited arguments against restrictions on smoking have to be absolutely wrong, just because the arguer has special interests. On the other hand, had the argument been put forward in a more qualified way, perhaps merely citing the bias of the American Tobacco Institute without rejecting its argument as being of no possible merit on these grounds, it could have been nonfallacious. As Waller reminded us, if we were to reject any argument presented by a paid advocate as unsound, "a sound argument would be a rare event in the courtroom." The problem is that we often tend to go too far with ad hominem arguments, wrongly concluding that evidence of any bias refutes an argument so decisively that further dialogue may be regarded as closed or pointless.

<sup>8</sup> Waller 108. This case, or a similar one, is discussed in more detail by Blair.

Another variant is the *poisoning the well* ad hominem argument, an extension of the bias type of ad hominem argument in which an arguer is said to be so dishonest that nothing the arguer might say can ever be trusted as reliable. This even more aggressive ad hominem tends to leave the attacked party no room for further meaningful participation in the dialogue. The suggestion is that the attacked party is so determined to always push a one-sided point of view or special interest that the arguer can never engage in a collaborative critical discussion that meets the Gricean maxims of honesty and sincerity.

As case 3 showed, the ad hominem argument becomes fallacious when its upshot is exaggerated. An allegation of bias may be reasonable enough if taken as a critical questioning of an argument. But if pushed further, and unjustifiably taken as a conclusive refutation of the argument, absolutely and not just relative to the source, it can become a fallacy. Thus the ad hominem fallacy is a species of dialectical failure—a failure of an argument to meet the maxims of successful communication in dialogue. Putting their analysis in the framework of a Lorenzen formal dialogue, Barth and Martens describe the ad hominem fallacy as the following type of incorrect inference: just because the proponent has defended his thesis successfully against an opponent's criticism *ex concessis*, it does not necessarily follow, nor is it settled, that the proponent's thesis is true. The fallacy is a kind of unjustified logical leap from a weaker to a stronger form of conclusion.

This formalistic analysis, however, leaves plenty of room for examining the given text to judge whether an ad hominem argument is fallacious. There may be quite a number of factors to be taken into account.

An illustration is the famous smoking example:

Case 4: A parent gives a lecture to her son, arguing that smoking is very bad for your health, and that therefore one should not smoke. But the child replies, "What about you? You smoke. So much for your argument against smoking!" (cf. Walton, *Arguer's Position* 67-71)

In a case like this, we have to be very careful to interpret the child's conclusion correctly. If rejecting the parent's argument that smoking is bad for your health *per se*, then the child could be committing a serious *ad hominem* fallacy. But if only questioning the sincerity of the parent in following his or her own advice, the child could be raising legitimate grounds for doubt concerning the practical consistency of the parent's commitments. One can easily see from considering this kind of example that each case should be carefully considered on its merits. Sometimes the *ad hominem* argument should be rejected as a fallacy, while in other cases it is a reasonable kind of argument which can quite legitimately raise critical questions or shift a burden of proof in a dialogue.

It is well to remember, however, that in cases involving witness testimony or appeal to authority, the *ad hominem* argument can often be a legitimate way of testing the credibility of a contributor to a species of reasoned dialogue like a critical discussion or a legal trial. Used properly and judiciously in such a context, it can be a nonfallacious kind of argumentation that uses a criticism of bias to raise legitimate critical doubts.

Brinton cites knowledge of ethos or character as a positive factor, rightly appealed to in support of argumentation. Such soft support for argument is appropriate where absence of hard knowledge leaves the way open for presumptions to guide a course of action. The rationale for

utilizing such a defeasible kind of argumentation follows from Aristotle's remarks in the *Rhetorica* and *Nicomachean Ethics* that the good man's speech is more credible, especially where opinions are divided and certain knowledge that would resolve the issue is not available at the time.

According to Brinton, an ethotic argument is an argument in which ethos (character) is used to transfer credibility, either positively or negatively, from an arguer to argument (248). If ethos is a legitimate factor in argumentation, it follows that *ad hominem* argument is a legitimate kind of argumentation in some cases.

In such cases, it would be appropriate to have a kind of favorable bias towards a speaker's arguments or opinions if that speaker has a positive ethos. But if the speaker's ethos is legitimate, and appraised correctly by the respondent to it, would it be correct to describe the favorable attitude as bias? This question remains to be settled by an acceptable definition of bias.

We see then that although allegations of bias are associated with traditional fallacies, such arguments can, in some cases, be reasonable criticisms that raise legitimate critical questions in a context of dialogue.

One problem is that such arguments are presumptive in nature, inherently weak kinds of argumentation that shift a burden of proof in a dialogue by raising critical doubts. Because of deductivist and inductivist prejudices in logic, we are not very well equipped to deal with these kinds of argument, and often prejudge them as fallacies because they appear to fall short, or to be suspicious, from a deductivist or inductivist point of view. To begin to come to grips with these fallacies, and with the concept of bias itself, we need to overcome our prejudice against presumptive reasoning.

Just as the ad hominem is often associated with negative bias, the appeal to authority as a type of argumentation is often associated with a positive bias in favor of a speaker.

#### ARGUMENT AD VERECUNDIAM

Bias also ties in closely with the argument ad verecundiam as a fallacy. The connection is revealed by the following case, concerning a 17-year-old who died after having an illegal abortion. She was from a state where a young woman under eighteen must get her parents' permission before having an abortion. This case became controversial, and was reported on *60 Minutes*, after the young woman's parents claimed that it was the fault of the law that their daughter died from infection because she was forced to get an illegal abortion.

This case drew national attention, and *60 Minutes* interviewed an advocate of the right-to-life movement, who maintained that, in fact, this young woman did not have an abortion, and that therefore "the premise of the campaign against the consent law is false." This right-to-life advocate, called "Mr. Wilke," argued that the autopsy report showed that the young woman had a miscarriage, and did not show that she had an abortion ("Becky's Story" 10). To dispute this argument, Morley Safer, the interviewer, introduced evidence from the physician who performed the autopsy.

Case 5: *Safer*: [voice-over] But the forensic pathologist who performed the autopsy on Becky, Dr. John Press, says that's just not true.

*John Pless, Forensic Pathologist*: Becky Bell died as a result of a septic abortion with pneumonia.

*Safer*: With tainted instruments, presumably?

*Pless*: Yes.

*Safer*: That the infection was transmitted up into the main bloodstream?

*Pless*: That is my belief—that the infection came from the abortion at the time that the fetus was removed—yes.

*Wilke*: He's wrong and we have any number of letters now from forensic pathologists, from heads of government institutions. Here's one from Dr. Nathanson, who's done a lot of this work in the courts.

*Safer*: But Dr. Nathanson is an admitted, well known right-to-lifer.

*Wilke*: I understand.

*Safer*: Don't you see how his diagnosis might be a little suspect?

*Wilke*: He's still a physician and what he's saying compares with what the rest of them are saying. There is no evidence in here of an induced abortion.

*Safer*: You also cite as an expert Dr. John Curry, the former director of the tissue bank at the Bethesda Naval Hospital.

*Wilke*: His name has been mentioned, yes.

*Safer*: He told us he's never seen the autopsy, that he's not qualified to make a judgment.

*Wilke*: I have not talked to Dr. Curry, either. I do have some other letters here, of course.

*Safer*: But isn't it a bit irresponsible, even brutal of you, to gang up on this girl and her parents, who are both deeply troubled; using questionable medical evidence, playing fast and loose with the facts? Isn't that a bit unfair?

*Wilke*: If her parents had not gone public and made this a national thing, forcing us to say the things we're saying, I would be the last one to disturb their grief. I feel terrible doing that. (10-11)

Safer made an appeal to expert opinion in consulting Dr. Pless, but it seemed to be a legitimate move, because Pless was the physician who performed the autopsy. And it was the right-to-life group who introduced this medical question into the controversy by maintaining that the young woman did not die of infection produced by an abortion. Up to this point then, there

is an argument based on appeal to expert opinion, but it is not a fallacious argument ad verecundiam.

The context of dialogue could be described as follows: The initial controversy posed by the discussion in this case was the issue of the wisdom of the parental consent law. The dialogue is a critical discussion arising from a conflict of opinions concerning the rightness of a particular law. The issue is controversial—the law is on the books in thirty-four states, but not in the rest ("Becky's Story" 7). Medical matters became relevant to this discussion when the one side in the dispute, the right-to-life advocates, made the claim that the young woman in this case did not die from infection due to an abortion. Hence it came about that an expert consultation dialogue was woven into the original critical discussion.

This shift from one type of dialogue to another is not inherently illegitimate, however. In principle, second hand knowledge may be introduced into a critical discussion by consultation with expert sources of opinion. Such practices have been recognized by van Eemeren and Grootendorst under the heading of an intersubjective testing procedure, a way of bringing expert knowledge into a critical discussion (71); in my own work under the heading of correct appeals to expert opinion in argumentation (*Informal Logic* ch. 7); and in the well-established legal tradition of expert witnesses. According to these methods, expert consultation can improve the quality of argumentation in a critical discussion where a conflict of opinions is at issue.

Where the fallacious ad verecundiam enters case 5, however, is at the point where Wilke responds to the opinion given by Pless. Wilke tried to refute the evidence brought forward in Pless' opinion by citing "any number of letters from

forensic pathologists" and "heads of government institutions." In particular, he cited the opinion of one Dr. Nathanson "who's done a lot of work in the courts." One problem with these appeals to expert opinion is that none of the authorities cited can speak on the same footing with Pless, for none of them did the autopsy. This makes Wilke's appeal inherently weak.

Such a weak appeal to expert opinion is open to doubt already, and Safer then punches another hole in the argument by pointing out that Nathanson is "an admitted, well known right-to-lifer." This is a key point in the dialogue. Safer is attacking Wilke's appeal to authority by claiming it is subject to critical doubt on the grounds that Nathanson is a biased source.<sup>9</sup> The suspicion raised is that Nathanson may be just giving his personal opinion as an advocate for one side of the issue at dispute in the critical discussion, instead of impartially giving his expert opinion as a physician.

The problem of bias in case 5, like case 1, arises because of the dialectical shift. It would appear from the evidence that Nathanson is not giving his advice as an impartial expert. Instead, there is reason to believe that he is really engaging in advocacy of his own particular moral point of view.

Since Nathanson's opinion—delivered by letter when he has not even personally examined the medical evidence—is weak, as an expert opinion in this case, the allegation of bias is quite a strong and effective rebuttal. The rebuttal is made even stronger by Safer's quite correct and careful use of it as an argument to raise questions by asking whether it makes Nathanson's diagnosis "a little suspect,"

<sup>9</sup> "Attacking an appeal to expert testimony on the grounds that the expert is a biased source is allowed in legal cross examination as a legitimate kind of argumentation. See Graham. However, it is also a kind of argumentation that can be abused.

rather than treating it as an absolute refutation of Nathanson's opinion.

The ad verecundiam fallacy comes in at the next line in the case where Wilke still tried to push forward with his appeal to expert opinion by saying of Nathanson: "He's still a physician, and what he's saying compares with what the rest of them are saying." However, this cited parallel is false. For as Safer pointed out next, another of the physicians cited by Wilke admitted that he had not seen the autopsy. One expert consultation is not necessarily as strong as another. In this case, it is a question of access to, and utilization of, the medical evidence relevant to the case.

The problem is that Wilke did not back off and admit that his appeals to expert opinion are weaker. Nor did he reply to the question of bias, except to reiterate that his expert sources are physicians, and therefore that their opinions are comparable to the opinion of any other physician. By refusing to make concessions or to respond properly to Safer's legitimate critical questions and charges of bias, Wilke took a rigid stance that appears to confirm that he was taking a quarrelsome, dogmatic approach of always pushing for advocacy of his own point of view, instead of adopting a more critical attitude of at least fairly considering both sides of the issue where doubts can be raised.

#### BIASED QUESTIONS AND POLLS

In some cases, it is neither a person nor an argument that is biased, or the source of bias. In these cases, what seems to be biased is the technique used to collect information. In this sense, the *fallacy of biased statistics* is the kind of error that occurs when a sample chosen as data is not representative of the distribution of the property in a statistical generalization and does not match the distribution in the sample (Walton, *Informal Logic* 207). The

problem here is that the kind of technique used to collect data produces a bias in the results. This problem could be called "technical bias," meaning that the bias is in the technique used to collect data, or arrive at a result.

Biased questions also fall into this category. According to the results of a Soviet referendum held March 17, 1991, more than three quarters of those who voted said "yes" to a new union supporting Mr. Gorbachev (*European Journal*). Although the voting appeared to be like western elections, the referendum question had a different twist.

Case 6: Do you think that it is necessary to preserve the Union of the Soviet Socialist Republics in which the rights and freedom of every citizen regardless of ethnic origin will be fully guaranteed? (*European Journal*)

The "yes" vote was for Gorbachev's side, the "no" for Yeltsin's.

This case is a classic case of a *loaded question of the sort* traditionally dealt with by logic textbooks under the heading of fallacies of questioning (see Walton, *Question-Reply*). The problem is that there is a general presumption among the voters in favor of the "rights and freedoms of every citizen regardless of ethnic origin," and hence the question is loaded towards a "yes" vote. This loading would unfairly skew the results toward one side. You can see which side had the power to frame the question.

Votes or polls can also be biased in another way, however. In some cases, a vote can be said to be biased in the sense that the voters are influenced by some interest or consideration, rather than just giving an honest answer to the question.

Case 7: A Toyota dealer in California sent out a customer satisfaction survey promising a free cleaning of the customer's car provided the ballot was marked in the

"correct" way. Attaching a marked sample of "correct" responses to a survey, the letter noted that all "very satisfied" entries means a free "detail" (a good cleaning, inside and out, of the car). ("We Buy" 295)

In this kind of case, it is the question that is said to be biased, as opposed to the argument, or the person advocating the argument. Because the question has been worded in a particular way, it will inevitably appeal to a bias that exists in the population queried, resulting in a misleading or skewed result that unduly favors one side.

Statisticians have developed careful methods for detecting these kinds of bias in polling and other techniques for the collection of statistical data (see Campbell). Hence, in some cases, bias can be measured, at least within the technical requirements imposed by statistical methods. The term "bias" has a special, technical meaning that applies to certain types of cases that occur in statistics. But can this special, technical meaning of "bias" be generalized to cover the variety of different kinds of bias that are encountered in informal logic?

What needs to be recognized in such cases is that question asking is being used as a part of a dialogue. In information seeking dialogue, questions should be *open* - that is, they should not take a side in a critical discussion by, covertly or otherwise, pushing a respondent towards favoring one side of an issue. If the purpose of the question is really to seek information, advocacy of one side is improper. The purpose of a poll is supposedly to seek out the respondents' "real" or honest point of view or opinion. A biased question is biased because it interferes with this primary purpose of its use in information seeking dialogue.

Hence argumentation is involved in

biased questions. The respondent is supposed to draw his or her own conclusions, and not be influenced to draw a particular conclusion suggested by the structuring of the question which slants any one possible answer as the "desired" or "favorable" response.

Many of the kinds of cases of alleged bias that need to be dealt with in informal logic are not inductive nor statistical. Instead, these cases involve presumptive reasoning, a kind of reasoning based on normal expectations in a typical case. This kind of reasoning is *defeasible*, or subject to rebuttal as new evidence comes in. Presumptive reasoning is a provisional way of moving forward in argumentation by working on the basis of plausible or practical assumptions, in cases where knowledge, or even good statistical evidence, is either not available, or is insufficient to prove or disprove the proposition in question.

#### HASTY GENERALIZATION

Another type of fallacy often associated with bias is the *hasty generalization* or *secundum quid* (neglect of qualifications), where an arguer tends to push ahead with some favorite generalization or personal prejudice, ignoring or suppressing good evidence to the contrary. Fearnside and Holther cite many examples of this kind of prejudicial attitude. The following case is cited as an instance of cultural bias.

Case 8: Northern travelers often return from the South complaining of the indolence, ignorance, racial attitudes, and general backwardness of certain areas. Typical comments include "They're still trying to live in the antebellum days." "Even their language reflects their backwardness; they drawl their words and drag their feet." "Jim Crow is simply insufferable."

In their comment on this case, Fearnside and Holther note that although some

areas of the South could rightly be described as "economically backward," it shows a kind of prejudiced attitude or apriorism (closing one's eyes to contrary evidence) to exclusively emphasize things about the South perceived as unfavorable, backward, or peculiar. The fault they cite is a kind of one-sided point of view that shows bias by always looking at one point of view and ignoring the contrary point of view. The fault is the narrowness of a cultural bias that ignores aspects outside the arguer's personal or cultural experience (119).

Thouless covered this type of problem under the heading of prejudice in reasoning, writing that it is often the strength of our own "hidden emotional inclinations" on a topic that makes it so difficult to seek out right opinions (232). Thouless believes that to contend with bias in a constructive way, we must cultivate an "attitude of detachment of mind" (23). But the problem is a subtle one because merely having emotional inclinations to support a point of view, explicit or not, is not necessarily being biased in a way that interferes with good argumentation. The problem is to judge when such a proclivity becomes a negative bias, a fallacy, a logical failure, an obstacle to good reasoning.

For instance, the speaker in case 8 is showing a kind of bias, or particular point of view. But the discourse in case 8 is not necessarily an argument. It could be, for all we know of the context, just a description of typical comments by some persons describing their experience of travelling in the South. Broadly speaking, their language and description of their experiences express a bias or point of view. But is it a "bias" in the sense we are trying to analyze? The answer is: not necessarily. There is not enough of an argument to decisively reveal a kind of bias that is a

critical failure. A person of the sort may or may not be biased, in this sense of "bias." That depends on the reaction to evidence presented by an opponent in subsequent dialogue - evidence that goes against the Northern point of view on the South.

Allport posed the problem succinctly, by beginning with the observation that what he called "over categorization" is one of the most common tricks of thinking: "Given a thimbleful of facts, we rush to make generalizations as large as a tub." For example, a young boy sees a large Norwegian depicted in a saga, and develops the idea that all Norwegians are giants. Nowadays, we often call this "thinking in stereotypes" (9).

However, as Allport put it, "Not every overblown generalization is a prejudice." Some are simply prejudgments or misconstructions. Such judgments, based on insufficient evidence, become prejudices only in cases where they are not reversed when exposed to new knowledge (9).

What Allport is suggesting here is that having an incorrect prejudgment is not necessarily having a bias, in the sense of bias as a critical failure in argumentation. For example, suppose the only Norwegians the little boy has been exposed to are giants in a saga. He is basing his depiction of Norwegians on inadequate evidence, and therefore arriving at an erroneous, distorted or biased point of view. But this is not a critical failure if the saga is the only evidence he has. What matters is how he responds when confronted with the evidence of nongiant Norwegians. If he revises his conclusions, then it is inappropriate to speak of bias, at least as a critical failure of his reasoning.

The problem of bias is to distinguish between biased reasoning and nonbiased presumptive reasoning. Presumptive reasoning goes forward in a dialogue on a

provisional basis, in the absence of knowledge that would definitively resolve the question, one way or the other. Presumptions go forward in argumentation in relation to a burden of proof, in order to facilitate a dialogue, or to enable the participants to go ahead with proposals for action to deal with a practical problem, where sufficient knowledge to resolve the issue cannot be collected in time to be of practical value.

Presumptive argumentation is now widely recognized as important in artificial intelligence, where it has been identified with nonmonotonic reasoning. In a deductively valid argument, no matter how many new premises you add, the original inference stays valid. But in nonmonotonic reasoning, an inference that was correct to begin with may become incorrect once new premises are added. The standard example is the following:

Case 9: Birds fly. Tweety is a bird.  
Therefore, Tweety flies. (Reiter  
149)

This inference is correct or acceptable, but only as a presumptive or provisional kind of argument that is subject to exceptions. For example, if we find that Tweety is a penguin, the premises still hold, but the conclusion now fails to hold. This particular case is a "default," the exception to the rule.

The major premise in case 9 is best treated not as a universal generalization of the form "All birds fly" (without exception), or even as an inductive or probabilistic generalization of the form "Most, or a certain percentage of, birds fly." Instead, it is a presumptive generalization of the form "The typical bird can be expected to fly under normal conditions."

The presumptive generalization is, by its nature, subject to default in exceptional

cases. Presumptive reasoning is based on a tentative kind of inference that goes forward provisionally, subject to correction or defeat, should new, relevant evidence come into the discussion.

Not all presumptive, stereotypical reasoning is fallacious, or biased in the critical sense. Presumptive reasoning commits the fallacy of *secundum quid* when it is pushed ahead anyway by an arguer, even in the face of new, relevant evidence that defeats it.

Thus in case 9, suppose the proponent is offered good evidence that Tweety is a penguin, but persists in operating on the assumption that Tweety must fly, because all birds fly, and Tweety is a bird. The proponent is being "logical" in one sense, but he is also exhibiting a prejudice, or bad bias, that is an obstacle to continuing a reasoned discussion. The problem is that the presumption did not default in the dialogue when it should have.

Presumption becomes bad critical bias when there has been a failure in argumentation of openness to new evidence or legitimate critical doubts that have arisen in a dialogue. What matters in case 8 is not the preconception or prejudgment of the individual in question, if he has only seen evidence that supports his own one-sided stereotype of the South. What matters is how he reacts, for example, in a critical discussion where he is presented with evidence supporting the opposed point of view. This will be revealed in a text of discourse, showing his argumentation in the context of that critical discussion, how he responds to appropriate critical questioning, etc. What reveals the bias of the person is the bias shown in his argumentation in a context of dialogue. Now we have identified and defined the kind of bias meant as the target of analysis, we turn to five hypotheses to analyze it.

### FIVE HYPOTHESES IN DEFINING

#### BIAS

The first hypothesis defines bias as a failure of neutrality in argumentation. Simply put, this hypothesis defines a biased arguer or argument as one that displays a non-neutral attitude.

The first question with respect to this definition is: What is a neutral attitude in argumentation? Van Eemeren and Grootendorst are of some help here. In a critical discussion, according to their account, there is an externalized dispute about an expressed opinion where one participant expresses doubt about the acceptability of a point of view propounded by the other participant. A neutral attitude is what they call a "zero point of view."

If we abbreviate the *expressed opinion* in respect of which language users adopt an attitude as 0, it is then possible to identify three possible *attitudes to 0*: a *positive* point of view, a *negative* point of view and a *zero* point of view. In our example the first language user takes a positive attitude to 0, the second a negative and the third a zero attitude. We shall abbreviate the three possible attitudes as follows:

- (a) *positive point of view: +/0*
- (b) *negative point of view: -/0*
- (c) *zero point of view: 0/0*

If a language user advances a positive point of view in respect of 0, then he is further *positively committed to 0* and if he advances a negative point of view he is *negatively committed to 0* (unless he revokes his positive or negative point of view). A language user adopting a zero attitude to 0 is *not committed to 0 either positively or negatively.* (79)

Externalization is important in this account of the neutral (zero) attitude. Here then, we seem to have a promising framework for defining "bias": "bias" is simply failure to exhibit a neutral (zero) attitude in an argument.

The basic problem with this hypothesis

is that it classifies any argument that shows either a positive or negative point of view as biased. This seems far too strong, for it condemns all advocacy arguments of any sort as biased, no matter how well justified, appropriate, and reasonable. Arguments showing a positive or negative point of view can be quite appropriate and useful for contributing to the legitimate goals of a critical discussion. Generally we think of bias as, if not something bad or inappropriate in argumentation, at least something that represents a skewed or illicit type of argumentation that needs to be singled out for special notice. Bias is not just a point of view, but a point of view that has somehow become too dominant and rigid, or has been pressed on another party in argument unfairly or inappropriately.

The problem here is complicated by Blair's distinction between "good bias" and "bad bias." We might try to rescue the first hypothesis by saying that advocacy (having a point of view) does generally show bias, but it is a good bias, rather than a bad bias. And it is only the bad bias that we need to single out for critical censure. But this still leaves us with the problem of distinguishing between good bias and bad bias.

And it still leaves us with a notion of bias that could be perceived as overly broad. For, according to this account, anyone who puts forward any point of view in any argument can always be replied to: "Your argument is biased. Of course, it is a good bias, not a bad bias. But you have shown bias."

A second hypothesis is to define bias as absence of critical doubt. This narrower definition is also more negative. It implies that bias is to be equated with a kind of one-sided argumentation that is not open enough to admit of critical questions and

grounds for doubt that are characteristic of impartial or objective argumentation.<sup>10</sup>

The first problem with this hypothesis is the question: How do you define critical doubt? If critical doubt is defined as a neutral attitude in argumentation, then of course we are back to our first hypothesis. On the other hand, if defined after the manner proposed by van Eemeren and Grootendorst, it becomes a complex concept in its own right.

The other problem with this hypothesis is that absence of critical doubt seems to equate more with dogmatism or fanaticism-extreme forms of bias, perhaps. At any rate, absence of critical doubt does not seem to be exactly the same thing as bias, even though it may be related to bias in some way.

A third hypothesis is that bias means that an arguer has something to gain by putting forward a particular argument or point of view. In this sense we speak of a "biased source," meaning someone giving testimony or supporting a particular point of view where it is revealed that this individual is being paid, or has some other personal interest at stake as a reason for supporting that point of view.

This hypothesis is inadequate, by itself, as a definition, however. Someone who has something to gain could, in some instances, put forward a nonbiased argument; conversely, someone who has nothing to gain could put forward a biased argument. Hence this hypothesis is refuted as a general definition of bias. It only gives an identifying sign of bias. It is a criterion, not a definition of bias.

A fourth hypothesis is that bias is a lack of balance in argumentation, favoring one side unduly. A good example to support this view of bias would be the case of a news

report on a controversial issue. It is generally a principle of journalism that the report should look at the arguments on both sides, giving a balanced coverage, if the report purports to be a news account.

This hypothesis differs from the first in that bias is not simply defined as non-neutrality, but as a failure of the type and degree of balance required by the dialogue appropriate for the circumstances of the given case. For example, news reporting is a particular type of dialogue or discourse that requires enough balance of perspective so that it is not perceived as one-sided advocacy of a cause, nor even propaganda. However, in another type of situation, say in an opinion column, a much more one-sided degree of advocacy of a particular point of view might be quite acceptable. Hence this view makes bias relative to a given context of dialogue.

Finally, a fifth hypothesis is that bias is identified with a particular position or distinctive point of view that has been revealed in a discussion. For example, an argument may be said to exhibit a left-liberal bias. Here, what is being identified is not only a non-neutrality, but the existence of a distinct type of position or bias that may be said to be present or recur throughout a whole sequence of argumentation, or even a number of arguments on different occasions or different subjects. Like the third hypothesis, this approach appears to express a characteristic or criterion of bias that is present in some cases, rather than a general definition of bias.

A new definition of bias incorporates some of these hypotheses and excludes some aspects of them.

#### CRITICAL DOUBT

A leading characteristic of critical doubt as a kind of attitude of a participant in argumentation is restraint. Critical doubt

<sup>10</sup> Blair would appear to disagree with this hypothesis, but sees a connection. He argues that bias is bad when it comes to closed mindedness, or leads to distortion, unfairness, or misinterpretation.

requires a temporary suspension of one's advocacy of one's own point of view. While it is correct and appropriate normally to have a strong stance in favor of one's own point of view, there are circumstances in which this pro attitude must temporarily be restrained or bracketed.

Some might say that critical doubt entails having a neutral attitude - one which is neither pro nor con. But another more complex way to define "critical doubt" is as an attitude that one party in a dispute has toward the attitude of the other party. Van Eemeren and Grootendorst define critical doubt:

It is important to realize that the doubt expressed by a language user in a dispute does not bear directly on the expressed opinion but on the *point of view* or *attitude* expressed by another language user *in respect of* the expressed opinion. Perhaps it is also important here to observe once more that expressing doubt, while it may *accompany* the adoption of the opposite attitude, is *not identical* to propounding the opposite point of view. (81)

In a critical discussion, according to van Eemeren and Grootendorst's account, two parties have set out to resolve an externalized conflict of opinions, and each party has a point of view (standpoint). A standpoint has two components: (1) a proposition, representing the thesis (conclusion) a party is arguing for, and (2) an attitude toward this proposition. An attitude can be positive, negative, or neutral (79). "Critical doubt" is an attitude of one party in a dispute towards the attitude of the other party.

This way of defining "critical doubt" is quite a subtle and complex one. It involves an iteration of one attitude to another attitude. This means that if one participant in a critical discussion may be said to have an attitude of critical doubt, it is implied that there is another participant in the discussion who has another attitude, and

the first participant has an attitude toward the second participant's attitude.

Such a definition sounds so complicated and subtle that we may be led to try to define critical doubt more simply as a neutral attitude. But there are some questions on whether this simpler type of definition could ever be adequate. Let's say there is a hotly contested dispute between two involved parties, and you are not a supporter or adherent to either of these two points of view, or have anything at stake in the dispute, as far as you know. Then you can easily be neutral with respect to this dispute. But on most issues of ethics or public policy that affect you, you are not going to be neutral. You are going to have bias, one way or the other, whether you are aware of this bias or not. In this type of case, you will have a bias to one side, and in order to have or employ critical doubt, you are going to have to bracket that bias, or work with it. In such a case, critical doubt is not just having a neutral point of view; it is restraining the non-neutral point of view you already have. However, it is still possible for you to have critical doubt with respect to such an argument. How is this possible?

In such a case, critical doubt is possible because you can temporarily suspend your pro attitude or con attitude, and by such an act of suspension of commitment, put yourself in the frame of mind of someone who does not share your own, partisan, point of view. By such an act, to the extent that it is successful, you can discover what the strongest arguments against your own position are. This is a valuable asset in argumentation. To carry out this function of looking at the disputed issue from your opponent's point of view, as well as your own, you have to adopt an attitude of removal from your own partisan viewpoint. Performing such a function does involve a suspension. But it does not

necessarily imply that you must have a neutral attitude.

But there is a way in which critical doubt does involve a neutral attitude. In some cases, it can be useful to look at your argumentation from the point of view of a neutral observer, a person who has no strong opinion on the issue of the discussion, one way or the other. In such a case, the neutral observer is best seen as a hypothetical construct, except that neutral observers are easily recognized as a particular type of normal participant: neither strongly pro nor con on the proposition in question, having a lot of general knowledge about familiar things related to the issue of the discussion and with no strong, special, or unusual commitments one way or the other.

The idea of critical doubt developed here is a subtle one, in that it requires an arguer to play two distinct roles at the same time. Sometimes he or she must push ahead with the strongest arguments he or she can find or articulate from his or her own point of view. Other times, she or he must enter into the spirit of the opponent's position to appreciate and anticipate the arguments the opponent is likely to use to defend that position. Needless to say, the abilities required to effectively carry out such functions require flexibility and imagination.

Another skill needed to use critical doubt effectively in a critical discussion is the ability to allow one's opponent to state his or her point of view freely, and, at times even to encourage him or her to expound his or her point of view. To perform this function successfully, a participant in argumentation must resist the natural impulse to press ahead aggressively with the partisan role of arguing forcefully for one's own point of view. The dogmatic or inflexible

arguer tends to see the opponent as dogmatic or fanatical.

It is in just this kind of case that the critical discussion tends to focus on personal attack on both sides. The problem in such a case is that the critical discussion deteriorates into a quarrelsome dialogue. This is the type of situation where fallacies tend to be committed, precisely because the quarrel leaves no room for the function of critical doubt necessary for a successful critical discussion. One party tends to presume that the other party is in the wrong, showing no respect for the capability of the other party to recognize a good argument. Such an arguer feels justified in *ad hominem* argumentation. The opponent is portrayed as a person with no regard for the truth. Each party then tries to browbeat the other with aggressive and dogmatic appeals to expert opinion, and other tactics. These combative tactics, which might in other cases be neither wrong nor inappropriate, are nevertheless so heavy handed, one-sided, and aggressive that they become serious obstacles to the continuation of dialogue. Once both parties give in to participating unrestrainedly in this quarrelling kind of exchange, the reasoned discussion of the issue becomes hopelessly blocked.

Critical discussion is a delicate kind of dialogue to carry on successfully, because it requires a balance between an adversarial partisan dialogue and a collaborative exchange where Gricean maxims of politeness are observed (see Grice). The ability to put these Gricean maxims to use effectively demands flexibility, tolerance, and restraint. One must understand, and engage the real position of one's adversary. One must, from time to time, listen to one's opponent, granting the opponent the freedom to develop a point of view. Even though one is inclined to dislike that

point of view, or find it wrong or even biased, one must make an effort not to distort or exaggerate, thus committing the straw man fallacy. But maintaining the right balance in an argument is not an easy skill when one is strongly committed to one's own deeply felt position. Argumentation to support critical discussion, therefore, depends heavily on restraint. And it is through understanding how restraint functions in practice to counteract the impulse to advocacy that we can come to understand critical doubt as a key concept of argumentation.

It seems then that van Eemeren and Grootendorst's more complicated definition of critical doubt may be best. Critical doubt involves appropriate restraint - a participant shows critical doubt by exhibiting an attitude towards the attitude of another participant in a dialogue. This attitude of critical doubt will legitimately have a tactical aspect of attacking the weak points in the other party's arguments, e.g. weak premises or presumptions open to criticism and legitimate doubts, but it must not develop into inappropriately aggressive and underhanded attacks, or even into negative criticism of a partisan sort. So defined, the concept of critical doubt can be very useful in helping us to define the notion of bias.

In the next section, a definition of bias is put forward that profits from the discussion of cases and other considerations that have now enabled us to sketch out a preanalytic target concept of bias.

#### FIVE CHARACTERISTICS OF BIAS

According to the definition advocated in this paper, bias is said to have five main characteristics, listed below in order of importance. The first three characteristics are essential, they should be applied to all cases of bias. The last two characteristics

are accidental, they are typical of many cases of bias, but do not need to be applied to all cases.

1. Bias is a lack of appropriate balance or neutrality in argumentation. The problem here is that an arguer supports one side too strongly and/or too often.
2. Bias is a lack of appropriate critical doubt in argumentation. The problem here is a failure of restraint and/or failure to suspect the natural inclination to push for a point of view one supports.
3. Bias is a lack of balance or critical doubt appropriate for a given type of dialogue that a participant is supposed to be engaged in. It is not merely a lack of balance, but a lack of sufficient balance for a particular type of dialogue.
4. Bias is often identified with a particular position supported by an arguer.
5. Bias is often identified with an arguer's having something to gain—a personal interest in the outcome of an argument, e.g. a financial interest.

These five characteristics could all be encapsulated in a single, more lengthy definition of bias. But it is useful to list them singly for purposes of applying the definition to a particular case where an allegation of bias has been made or is appropriate.

The first characteristic expresses the basic idea of bias. The first thing to be looked to in identifying bias is a lack of balance—a tendency to consistently favor one side of an expressed conflict of opinions or argument over the other. However, as Blair noted, not all bias is bad bias. Where evidence of the presence of the second characteristic comes forth, a criticism of bias becomes more serious and damaging.

The second characteristic implies more than a lack of balance. It implies a critical

distortion. This is an even more serious charge, because it definitely implies a departure from the requirements of reasoned argumentation in a type of dialogue like a critical discussion. It could perhaps be called, if not "bad bias," a "worse" kind of bias than that indicated by the first characteristic.

In most cases, there is a shading, or fuzzy borderline between the first and second characteristics. Generally, the first characteristic is a milder kind of criticism, but typically it shades into the second, by implicature, or expressly leads into the introduction of the second characteristic.

What is meant by "appropriate" in the statement of the first two characteristics is made explicit by the third characteristic of bias. Not just any lack of balance or critical doubt indicates the existence of bias. An advocate of a point of view in a critical discussion should naturally push ahead to passionately show conviction for that point of view. That lack of balance is not, in itself, harmful or obstructive bias. Where lack of balance is inappropriate for the context of dialogue, bias is open to criticism as blocking Gricean principles or legitimate goals of discussion.

For example, an environmental advocate may consistently and strongly support one side of the issue of emission restrictions in a public speech at a rally. But given the purpose and context of the speech, a certain degree of imbalance in the presentation could be quite tolerable and understandable. However, suppose the context of dialogue is a balanced news report on the controversy. In this case, the same degree of imbalance could be open to quite serious criticisms of bias.

In judging any particular criticism of bias, or case where such a criticism may be appropriate, one key factor is to establish the purpose of a dialogue. This factor sets the normative horizon against which the

claim of bias can be evaluated. According to this approach then, bias is a normative concept which judges the value or appropriateness of argumentation in a context of dialogue against a normative standard set by the rules, requirements, and maxims for that type of dialogue. This means that the evidence for or against a charge of bias should come from the given text of discourse and context of dialogue for that case.

To judge the fourth characteristic, you need to look at the text of discourse to evaluate how consistently an arguer has taken up a particular position on an issue. According to Hamblin, an arguer's *commitment store* is a set of propositions that can be listed, and attributed to a participant in a dialogue in virtue of the various moves (speech acts) made by that participant in the past sequence of dialogue (264). A commitment store is a kind of persona of an arguer's beliefs, but is not to be identified with his actual beliefs. In my earlier work, many cases of determining an arguer's position are studied, especially in relation to ad hominem criticisms where it is alleged that an arguer's position is inconsistent (*Arguer's Position*).

Finally, judging bias is inherently pragmatic because it is often unclear what type of dialogue the participants in argumentation are supposed to be engaged in. The problem in such cases is that there can be a *dialectical shift*, a movement during the sequence of argumentation from one context of dialogue to another.

Criticisms of bias are often especially prominent where there has been a shift from a critical discussion to a negotiation dialogue. Bias is also a problem where there has been a shift from a critical discussion to an eristic dialogue. The problem can be especially acute where the shift is unilateral or where it is a gradual and illicit shift that confuses and under-

mines the legitimate goals of the initial type of dialogue of the exchange. These shifts are often associated with the existence of problems related to the traditional informal fallacies.

The kinds of argumentation involved in the fallacies are often argumentation schemes based on presumptive reasoning. But presumptive reasoning, to be correctly used in a context of dialogue, requires an openness to the existence or possibility of contrary evidence, should it arise in the course of dialogue. Fallacies are sometimes just errors of reasoning, but in many cases they are types of tricky tactics used to unfairly get the best of an opponent in dialogue. They are associated with a closed, quarrelsome, biased attitude as revealed by performance in argumentation.

#### SUMMARY

What is bias? How can you tell that it exists in a given case? Bias is showing too strong a partisan support for one side of an argument, in relation to the type of dialogue an arguer is engaged in. It is a kind of attitude which is revealed in an arguer's performance. It can be determined by comparing the given text of an argument to a normative model of the type of dialogue an arguer is supposed to be engaged in. The problem with bias is that it can interfere with having a critical attitude, and with other skills necessary for good argumentation in a dialogue. Bias is not a bad thing or harmful in itself, but it often does have a way of leading to errors and fallacies that block or interfere with legitimate goals of dialogue.

Bias must always be judged relative to a given type of dialogue in which an arguer is supposed to be engaged in argument. For example, an argument is biased in a critical discussion where the partisan or adversarial aspect of it overcomes the

tolerance and flexibility needed to sustain functions like empathy and critical doubt, which are necessary for the conflict of opinions to be resolved by the critical discussion. The problem may be that the arguer pushes ahead too strongly in favor of his or her own side, losing the ability to step back and see the argumentation from a critical perspective.

Eristic, partisan dialogue, which always pushes ahead to support one's point of view unquestioningly and to attack the opposing point of view by any means, is a legitimate part of a critical discussion, provided it is restrained and channeled to conform to the rules of critical discussion. Bias comes in when this eristic dialogue gets out of hand, causing an anger to lose the proper restraint and the ability to exercise critical doubt.

Bias is in fact not easy to judge, in many cases. It can be very subtle in some cases, and in many cases, it requires a lot of documentation to prove that it really exists in an argument. Such evidence should come from the text, analyzed by using the appropriate normative model of dialogue.

Bias especially comes into play where an arguer explicitly purports to be giving an impartial account of a disputed issue. In such a case, the account is correctly judged to be biased if it tends too strongly to favor the one side by ignoring or suppressing good argumentation of the opposing side. The perception then, rightly, is that the arguer is concealing a partisan advocacy for the one side over the other, in conflict with a prior commitment to at least look at the arguments in a balanced way.

In contrast, if the account is supposed, at the opening stage, to be a partisan argument which argues only for the point of view of the one side by supporting the case for that side as convincingly as possible, then there should be no perception of a critical bias. Thus, curiously, the

very same argument, in the same words, could be biased in the one case, yet unbiased in the other case. It all depends on the context of dialogue. Hence bias is an essentially pragmatic matter.

To accuse someone of being biased is a strong form of criticism, and it is interesting to note that false or unjustified accusations of bias are themselves very powerful and interesting kinds of arguments for the student of argumentation.

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