1. At the last ISSA conference, I argued that Adam Smith’s system of moral psychology contained an implicit account of reasoning that shared much in common with contemporary discussions in informal logic and critical thinking (Weinstein 2003a). First, I argued that for Smith, emotions were, to a large degree, rational. He did not regard passion and reason in opposition to one another. Second, I investigated the place of audience in Smith’s argumentation theory, suggesting that his work anticipated much that is now associated with a rhetorical approach to informal logic and reasoning. Smith’s moral theory is built upon the interactions of actors and spectators. It necessitates the creation of an imaginary impartial spectator who plays the role of an observing and judging conscience. The relevance of rhetoric to such a theory should be obvious (Weinstein 2001, chapter two; McKenna 2006).

During this discussion, I encountered a question: to what extent does the reunification of passion and reason call certain informal fallacies into question? Obviously, if the two are not fundamentally separate as the Western philosophical tradition has often assumed, the so-called appeal to emotion, for example, may not necessarily be fallacious. For Smith, emotions supply essential information that directs moral actors to normative judgments; appealing to these sentiments is a necessary component of moral reasoning. My concern in this paper, however, is not with the appeal to emotion but with the argumentum ad hominem, an investigation inspired by Smith’s comments in the classroom. During his lectures on rhetoric, Smith compares Shaftesbury’s writing to Jonathan Swift’s, arguing throughout that Swift’s clear and simple style is to be praised while Shaftesbury’s more ornate writing is the exemplar of poor prose. He claims:

Shaftesbury himself, by what we can learn from his Letters, seems to have been of a very puny and weakly constitution, always either under some disorder or in dread of falling into one. Such a habit of body is very much connected, na\ almost continually attended by, a cast of mind in a good measure similar. Abstract reasoning and deep searches are too fatiguing for persons of this delicate frame. Their feableness of body as well as mind hinders them from engaging in the pursuits which generally engross the common sort of men. Love and Ambition are too violent in their emotions to find ground to work upon in such frames; where the passions are not very strong. The weakness of their appetites and passions hinders them from being carried away in the ordinary manner… (LRBL 138 – 139).

This is not a circumstantial ad hominem; Smith is not suggesting that Shaftesbury is either hypocritical or contradictory. It is abusive. Smith is asserting that because Shaftesbury was either sickly or a hypochondriac that he was unable to engage in sophisticated and in-depth reasoning.

There are no doubt times when individuals are too sick to concentrate. Nevertheless, Smith’s remarks are about Shaftesbury’s constitution, not his circumstance, and are therefore a condemnation of his intellectual capacities in general. Rather than judging Shaftesbury on the merits of his philosophy, he condemns his work based on biographical facts; this appears to be as fallacious as they come. Therefore, the question I pose is whether or not Smith’s comment can be justified. Using his complex notion of moral reasoning as a model, I ask whether character is somehow related to argumentation, and if so, how they are connected. In short, this paper asks whether abusive argumentum ad hominem might not necessarily be fallacious at all.

2. The history and origin of the ad hominem fallacy is currently in dispute. There is a decade-long disagreement as to whether the fallacy was first introduced by Locke, as is usually argued, or whether its traces can be found in Aristotle (Chichi 2002, Eemeran and Grotendorst 1993, Nuchelmans 1993, Walton 2004 and 2001) In either case, however, Smith would have been familiar with the relevant texts. He read and was heavily influenced by both philosophers, and there are both Lockean and Aristotelian elements throughout his books and lectures. Yet, there is no direct continuum connecting the two philosophers, at least in regards to Smith’s theory of argumentation. In fact, whereas many contemporary informal logicians seem themselves as returning to an Aristotelian framework, Smith regards a rejection of formalism as moving away from Aristotle while finding himself more in line with Locke.

Although Smith’s first academic appointment was the Chair of Logic at Glasgow University, he chose to teach...
rhetoric instead of the *Analytics* or similar systems of logic. Syllogistics were, according to Smith, an “artificial method of reasoning” (Ross 1995, p. 110). John Millar, Smith’s student tells us that according to Smith:

The best method of explaining and illustrating the various powers of the human mind, the most useful part of metaphysics, arises from an examination of the several ways of communicating our thoughts and speech, and from an attention to the principles of those literary compositions which contribute to persuasion and entertainment. By these arts, everything we perceive or feel, every operation of our minds, is expressed and delineated in such a manner, that it may be clearly distinguished and remembered (Stewart 1980, 1.16).

I do not mean to suggest that Smith rejects Aristotle’s account of reasoning altogether. Instead, I am arguing that he rejects the formal structures of the syllogism. In contrast, Smith is very attentive to Aristotle’s wider account of civic discourse. He clearly assumes the acceptance of the complementary nature of *ethos*, *logos*, and *pathos* as Aristotle presents them in the *Rhetoric*. This integration will be key to our discussion, especially since Smith’s “rejection of the parochial concerns of scholasticism was undertaken in favor of a total communications theory that would encompass taste, style, reader and audience reception, the rules governing different media, and the ethics of discourse” (King 2004, p. 48).

Smith’s lack of interest in more formal logic is representative of a common attitude in early modern philosophy. The fifteenth century humanists thought scholastic logic was “barbarous in style and unattractive in content by contrast with the rediscovered literature of antiquity.” They asked, “who but a dullard would devote his life to the *proprietates terminorum* when he might read the newly found poem of Lucretius *De Rerun Natura* or learn Greek and study Plato?” (Kneale and Kneale 1962, p. 300). The rise of modern physics, including the work of sixteenth century natural philosopher Galileo, showed that “logic was not an instrument of discovery” ((Kneale and Kneale 1962, p. 313), and famously, Locke, in the seventeenth century, wrote of formal logic that “God has not been so sparing to men to make them barely two-legged creatures, and left it to Aristotle to make them rational” (Locke 1975, IV.xvii.4).

Locke’s comments on the syllogism are more lengthy and dramatic. For example, he compares formal logic to corrective lenses, asserting that one should not over-emphasize the nature of the syllogism and “think that men have no use, or not so full an use, of their reasoning faculties without them” (Locke 1975, IV.xvii.4). In short, Locke is claiming that “as a matter of psychological fact, people do not, in their informal thinking and ruminating, follow the syllogistic pattern” (Woolhouse 1983, p. 75). This last point is also essential to our discussion.

There were, of course, philosophers who focused on more mathematical logics than Locke and the humanists; Descartes and Leibniz are probably the most recognized and influential. Smith mentions both in his writing. Therefore, Smith could have chosen to pursue more formal logic if he saw fit. Yet, Millar tells us that “in the professorship of Logic...he soon saw the necessity of departing widely from the plan that had been followed by his predecessors, and of directing the attention of his pupils to studies of a more interesting and useful nature than the logic and metaphysics of the schools” (Stewart I.16).

Smith’s comments on the nature of logic are limited. We do have a very brief fragment of an essay titled “The Principles Which Lead and Direct Philosophical Enquiries Illustrated by the History of the Ancient Logics and Metaphysics” (roughly nine book pages), but the fragment contains very little about logic itself and was dismissed by Smith in 1773, in a letter to David Hume, as one of a group of fragments “not worth publishing” (Corr. 137).

In it, Smith defines logic as that which “endeavoured to ascertain the general rules by which we might distribute all particular objects into general classes, and determine to what class each individual object belonged” (*Ancient Logics* I). However, this seems more a definition of dialectic than of syllogistic logic, which he discusses immediately after this definition, and there is no evidence to suggest that Smith saw himself as continuing this “ancient” science in his own lectures. Furthermore, in WN, Smith changes his definition of logic to the “science of the general principles of good and bad reasoning” (*WN* v.i.f.26), a more general and more informal definition. It is worth noting, as Edward King emphasizes, that the title of the essay references logics in the plural (King 2004, p. 60). Smith likely recognized what many contemporary logicians take for granted, that there are multiple approaches to logic and many ways of describing or accounting for inference.

Whatever Smith meant by logic, it wasn’t mathematical in the sense that William and Martha Kneale ascribe to Plato or Aristotle in their influential book *The Development of Logic* (Kneale and Kneale 1962, chapters one and two). Nor was it mathematical in the way that Frege and the analytics would intend beginning a century after Smith’s death. Smith writes only negative things about formalization. For example, in *The Theory of Moral Sentiments*, he explains:

> If we examine the different shades and gradations of weakness and self-command, as we meet with them in common life, we shall very easily satisfy ourselves that this control of our passive feelings must be acquired, not from the abstruse syllogisms of a quibbling dialectic, but from that great discipline which Nature has established for the acquisition of this and of every other virtue; a regard to the sentiments of the real or supposed spectator of our conduct (*TMS* III.3.21).
For Smith, neither syllogisms nor dialectic are natural. They are opposed to “that great discipline which Nature has established for the acquisition of this and of every other virtue.” Any attempt to formalize logic is “one of the most effectual expedients, perhaps, for extinguishing whatever degree of good sense there may be in any moral or metaphysical doctrine (TMS VII.2.145).” One might say that rather than Locke’s corrective lenses, Smith saw logic as akin to wearing someone else’s spectacles. In any case, whatever Smith means by reason, it must be more informal in nature and more closely associated with the natural experience of language and sentiment than the Aristotelian or analytic method of reasoning.

Given that the rules of logic are, for Smith, really an account of natural reasoning, I suggest that Smith also calls into question any traditional account of relevance. If I am right that Smith’s argumentation theory is a psychological account of inference, then the universe of allowable grounds and consequence becomes much wider. For Smith, reasoning is always a social phenomenon. His famous comment about the self-interest of the butcher and the baker, for example, is really a comment about persuasion (Mckenna 2006, p. 134). Commercial activity is itself, for Smith, “the necessary consequence of the faculties of reason and speech” (WN I.2.2) and is built on “the natural inclination everyone has to persuade” (LJ(A) vi.57). As a result, according to Smith, “everyone is practicing oratory on others thro the whole of his life” (LJ(A) vi.57, McKenna 2006, p. 134).

For Smith, logic and rhetoric are, in some way, one and the same. Given this fact, would it not make sense that reasoning necessitates, not the abstract identification of contextless inference, but, rather, the intermingling of assertions regarding both the argument and the arguers? If argumentation, oratory, and exchange are themselves interrelated, might it not be possible that argument claims are somehow connected to the character of the arguer? And, if this is the case, then might it not be possible that calling an arguer’s character into question is also a form of calling the claim into question as well? The remainder of this paper focuses more specifically on these questions.

3.

Very briefly, Smith’s moral and rhetorical theories can be summarized as follows: Smith sees moral activity as involving two types of people: actors – the moral agents – and spectators, who observe and evaluate the propriety of the moral act. Over time, actors identify moral rules by harmonizing their sentiments with those around them, modulating their passions to that “pitch” which is deemed socially acceptable. The moral process can only develop effectively within a community of inquiry as defined by contemporary critical thinking theorists. His comments foreshadow those who seek to develop what is now being called deliberative democracy and share the theoretical and practical compromise that can be found, for example, in the pragma-dialectic school of argumentation.

As a result of corrective social processes, moral standards become codified in general rules of morality which guide the actors’ further actions. Over time, moral agents develop the ability to create an imagined impartial spectator that allows actors to avoid being governed completely by either passions or reason while still preserves the capacity for critical reflection on communal beliefs. The impartial spectator is the unification of spectator and actor: a theory of conscience that allows an actor to modify moral judgments without the assistance of the community; it is a form of conscience that allows actors to challenge the social norm as they become morally sophisticated (Weinstein 2006). For Smith, argumentation is aimed both at discovering truth and normativity, not simply the justification of individual acts of argument or the identification of winning argument strategies. Argument aims at intersubjectively and objectively justified cognitive transformation.

The process of deliberation over the moral propriety of acts and sentiments is the epicenter of Smith’s rationality and argumentation theory. The sympathetic process represents a commitment to common sense as a universal starting point for argumentation. The creation of the impartial spectator is evidence that argument analysis is the purview of disciplined, social, and specialized, or context-specific knowledge. Obviously, communication is of the utmost importance here, and, as Smith argues, moral judgments are impossible outside of society (TMS III.1.3). Moral inquiry is predicated on social exchange of information. As Stephen Mackenna suggests, for Smith, rhetoric supplants epistemology and communication is prior to ethics (Mckenna 2006, pp. 78, 138).

Smith’s discussion of rhetoric emphasizes the written form. He argues that the ultimate test for such language is not whether the author feels his or her ideas are adequately represented on paper, but, instead, whether the reader has understood correctly; given his comments on oratory, however, there is no reason not to extend these assertions to speech as well. Accordingly, communication is successful when the two minds, that of the author and that of the audience, find some sort of meeting point: a shared understanding of the substance and emotion within the text. As I have argued in my previous paper, this rhetorical theory both anticipates Smith’s theory of sympathy and indicates a tendency towards emphasis on argument reconstruction and the availability of hidden premises. The author must make all of his or her claims explicit, otherwise persuasion is impossible.

Smith argues that good writing is both descriptive and prescriptive. Historical writing, for example, informs its reader, not only of that which has happened, but also of that which should or should not happen again. Implicit in this discussion is the assertion that arguments imply moral imperatives. An historian must present an account of events “as if he were an impartial narrator of the facts; so he uses [no] means to affect his readers... he does not take part with either side, and for the same reason he never uses any exclamations in his own person” (Lrbl i.83).
Here again, we see the notion of objectivity or impartiality. Accurate adjudication requires stepping away from one’s own passions and adopting a position that allows for the evaluation of as much competing information as possible (Weinstein 2006a, 2006b). However, once again, this notion of objectivity should not be taken so far as to suggest an endorsement of some Archimedean point that is free of all biases; Smith seemed to know that no God’s eye view was possible. Instead, he is making a point about language use. Smith observes that certain styles of writing and speech are more conducive to imparting information, and he is therefore very concerned with methods of providing facts as well as ways of describing objects. Implicit in Smith’s rhetoric is a standard for argument: optimal clarity, although Smith calls it “perspicuity.” Excess premises are not simply unnecessary; they are detrimental to understanding and thus impair communication. An argument must be efficient, effective, and elegant, but elegance here is a minimalist concept. As we shall see, this is where he and Shaftesbury disagree.

Smith defines the purpose of rhetoric as “the perfection of stile” (LRBL i.133). He explains that it “consists in Expressing in the most concise, proper and precise manner the thought of the author, and that in the manner which best conveys the sentiment, passion or affection with which it affects or he pretends it does affect him and which he designs to communicate to his reader” (LRBL i.133). Smith sees rhetoric as communicating sentiment, and sentiment is that which cultivates a person’s virtues and vices. Language use must therefore adequately represent who the author is as well as the nature of his or her character. This is a pivotal point for our discussion. It is not simply that argumentation implies a moral imperative; argumentation implies character. Rules prescribing language use become rules prescribing both human action and character development. The arguer becomes a component of the argument.

Combining TMS and LRBL, we see that morality is inherently rhetorical because the essential problem for sympathy is the process of the spectator learning all of the information relevant to the context, or, from another perspective, the actor communicating all that is necessary. The spectator must not only understand how a person should act in a given situation, but how this particular person should act in a particular situation (TMS VII.iii.1.4). The arguer must therefore present an argument in a manner than is understandable to his or her audience. The burden of persuasion is therefore bidirectional. The audience must do all in their power to understand the argument and arguer – the critical position is not a skeptical one for Smith – and the arguer must do everything he or she can to craft the argument for the audience. Failure to do so represents a failure to create the requisite community of inquiry.

Again, Smith’s lectures on rhetoric assume the problem of sympathy is a problem of clarity (LRBL i.v.57). The mechanics of language are the preconditions for sympathy. This is the result of the discrete physical nature of human beings; it is the consequence of Smith’s empiricism (Weinstein 2006a, 2006b). Narrative and story-telling play an important role in the determination of the facts of a moral actor’s case. What Smith’s rhetoric adds to this equation is the acknowledgement that the capacity to communicate an argument’s context also depends on the ability to receive the information. Argument and explanation are closely related processes for Smith, particularly since actor and spectator are not usually adversaries. Arguments are commensurable. Rational justifications are understandable and often compelling to others. For Smith, arguments, both individually and collectively, persuade.

Thus, returning to our original discussion, Smith objects to Shaftesbury’s ornamental style because it inaccurately communicate his character.11 When communication is distorted, either intentionally or not – and Smith sees Shaftesbury as doing it intentionally – it interferes with the capacity to sympathize. This impairs the sympathetic process and with it the capacity to make moral judgments. In other words, Shaftesbury deflects our ability to understand him. He is guilty of, if I may use modern terminology, a violation of good faith. According to Smith, his style interferes with the audience’s ability to understand; it impinges upon the lessons Shaftesbury wishes to impart and the sympathy his readers ought to experience with him. In other words, Shaftesbury, intentionally or not, sabotages the community of inquiry.

We can now see why Smith attacks Shaftesbury in the form of an abusive ad hominem: attacking character is contagious with attacking communication which is contagious with attacking an argument. Rhetorical style presumes moral assertions and in Shaftesbury’s case – a philosopher who is himself prescribing both moral and aesthetic principles – communication of his character becomes distorted as he obfuscates his writing.

To understand this further, let us consider Douglas Walton’s diagram of the ad hominem argument scheme: “The respondent is a person of bad (defective) character. Therefore, the respondent’s argument should not be accepted” (Walton 2004, p. 361). Walton has argued that this logical move may be legitimate because an “attack on a respondent’s character, say for honesty, sincerity, and trustworthiness, can often undermine the respondent’s credibility as a source” (Walton 2004, p. 361). As Walton points out, this is relevant in legal argument. While he is probably correct, he is still accepting the traditional logical assumption that the only relevance of the arguer is as the purveyor of testimony. In essence, Walton argues that because of the questionable character of the source, premises that might otherwise support a conclusion cannot be deemed acceptable.

Smith, on the other hand, is doing something else. He is not arguing against the acceptability of the premises. Instead, he is suggesting that the nature of inference is itself fluid, and that character effects logical consequence. He can do so because he is making both a psychological point and an empirical one. The psychological point is that since individuals make inferences justified by their own impartial spectators,
the natures of their spectators determine the viability of the
ingenres: context affects the very nature of reason (Weinstein

The psychological point is that spectators make moral
determinations based on observations, and inaccurate
or distorted information about an actor or his or her context
necessarily lead towards inaccurate moral judgments. Thus,
for Smith, Shaftesbury is guilty of two improprieties. First,
he intentionally obfuscates his own character, thereby pre-
venting individuals from making accurate moral judgments
about him. Second, he seems to truly believe that he is right
in doing so. In other words, Shaftesbury’s “punny and sickly”
character causes him to violate the rules of transparency and
makes him feel good about doing so.

It is therefore not surprising, then, that Smith approves
of the use of ridicule in argumentation, a practice “alto-
gether consistent with the character of a gentleman as it
tends towards the reformation of manners and the benefit
of mankind” (LRBL v.116). Whereas in a traditional logical
argument, pointed and humorous references to an arguer's
shortcomings are deemed wholly inappropriate (this, is, of
course, a necessary consequence of the ad hominem fallacy),
for Smith, ridicule is “appropriate when it derives from an ap-
propriate sentiment and communicates clearly the capture
of the object that gives rise to sentiment... for Smith pathos does
a good portion of the work that in classical rhetoric is more
typically assigned to logos” (McKenna 2006, p. 92). Thus, we
see that for Smith, his comments on Shaftesbury are not sim-
ply an entertaining aside for the benefit of his students, but
representative of a particular theory about argument, infer-
ence, and character. Given Smith's scheme, not only are his
observations about Shaftesbury relevant, they may, in fact, be
necessary.

4. In conclusion, I wish to distinguish between two types of
claims: those I am making about the nature and conse-
quences of Adam Smith's theory of argumentation, and those
I am making about informal logic and argumentation theory
in general.

If we accept Smith's approach, then we must accept the
possibility that rhetoric “takes over some of the heuristic
tasks typically assigned to logos in classical rhetorical inven-
tion” (McKenna 2006, p. 1430. Furthermore, we ought also
consider the possibility that the tradition of logic has not
really taken Aristotle seriously: if ethos, logos, and pathos are
truly interrelated, than it is likely impossible to look at logos
in isolation.

For Smith, logic is a two way street. It is not simply the
case that an audience analyzes an argument as presented
by an arguer and then the arguer modifies it accordingly. (This
description is reminiscent of Ralph Johnson's dialectical tier
of argumentation.) Rather, arguing is a sympathetic process,
in Smith's sense of the term. It is built on the potential of dis-
crete individuals to come together by modulating their infer-
ences based upon the comparison of their own insights with
those around them – a social precursor to Rawls's reflective
equilibrium, perhaps. If an individual's pathos interferes
with the accurate communication of his or her ethos, then logos
will necessarily be distorted.

My claims about argumentation theory are more of a pre-
diction. If theorists continue to pursue the rhetorical elabo-
ations of informal logic, then we will all eventually have to
face these same issues ourselves. The more rhetoric becomes
intertwined with logic, the more the arguer will become in-
tertwined with the argument. If this happens, it may turn out,
as Smith seems to suggest, that even the abusive ad hominem
is not a fallacy at all.

NOTES
1 For an account of a “Smithian” critical
thinking theory as integrated in contem-
porary philosophy of education, see Wein-
stein 2004.
2 Smith uses theatrical metaphors inten-
tionally both to emphasize the empirical
nature of moral inquiry and to underscore
the role of manners and audience re-
sponse in determining appropriate action.
3 Despite its frequent use throughout his
writing, Smith only defines sentiments in
LRBL. He calls them “moral observa-
tions,” a definition that incorporates
much more than feelings or reactions
(LRBL 1145).
4 All Smith references follow the standard
form of citation for Smith scholarship and
advert to the Glasgow Edition of the Works
and Correspondences of Adam Smith. The
abbreviations signify the following: Corr.:
Smith, A. (1987), Correspondence of Adam
Smith; LRBL: Smith, A. (1985), Lectures on
Rhetoric and Belles Lettres; Ancient Logics;
Lead and Direct Philosophical Enquiries
Illustrated by the History of the Ancient
Logics and Metaphysics”; Astronomy;
Lead and Direct Philosophical Enquiries;
Illustrated by the History of Astronomy”;
WN: Smith, A. (1976a), An Inquiry into the
Nature and Causes of the Wealth of Nations;
TMS: Smith, A. (1976b), The Theory of
Moral Sentiments.
5 Maria Alejandra Carrasco convincingly
argues that Smith was rejecting Aristotle’s
theoretical reason and not his practical
reason (Carrasco 2004). But Carrasco's
argument must be accepted with mod-
eration. She defines practical reason as
“nothing but reason that is guiding ac-
tion” (p. 89.) If this is the case, there is
no ground to suggest that such a wide
definition is necessarily Aristotelian as
opposed to simply being compatible with
Aristotle’s theory and with others as well.
Carrasco adds certain other characteriza-
tions to the definition, including “open-
ness to context,” that it is “constitutively
linked to the faculty of judgment”; that
reason includes “pathos and ethos” as well
as (presumably) logos (p. 91); that “there
are no necessary rules”; that there are
“important elements that cannot be uni-
versalized”; that “there is immediate per-
ception”; and that the judgment happens
so quickly that actors are “scarcely aware
of it because we have acquired a habit of
judging in that way” (p. 94). I take no issue
with these descriptions and will argue that
Smith's notion of reason shares many of
these same characteristics. However, once
again, none of this makes Smith's theory
necessarily Aristotelian. Perhaps more
importantly for my purposes, Carrasco's
ever falls frustratingly short on the actual
mechanics of how reason works. Only two
and a half pages out of 35 focus explicitly
on this project (pp. 112 – 114).
6 And thus I have known a man unskilful
in syllogism, who at first hearing could
perceive the weakness and inconclusive-
ness of a long artificial and plausible
discourse, wherewith others better skilled
in syllogism have been misled: and I be-
lieve there are few of my readers who do
not know such. And indeed, if it were not
so, the debates of most princes' councils,
and the business of assemblies, would be

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in danger to be mismanaged, since those who are relied upon, and have usually a great stroke in them, are not always such who have the good luck to be perfectly knowing in the forms of syllogism, or expert in mode and figure. And if syllogism were the only, or so much as the surest way to detect the fallacies of artificial discourses; I do not think that all mankind... would everywhere have neglected to bring syllogism into the debates of moment? (Locke 1765–1768, p. 8).

Smith's preliminary definition follows the history of logic as he understood it to that point. To quote King's summary: "Contemporary logicians are interested in mental phenomena as an interpretation of our physical human environment, and in that part of mental phenomena we call valid or invalid inference. Ancient logicians as interpreted by pre-modern logicians were less interested in the abstract inference than in how statements about that environment acted as a reflection of a person's inferences. This led to a tradition of problems in logic centered on the examination of the valid or invalid statement. Medieval logicians were interested in examining the statements by privileged authors in an attempt to create an accurate verbalization of the world around them" (King 2004, p. 52).


