Refutation
Refutation is...

- not just saying “no”
- the process of discrediting someone’s argument by revealing weaknesses in it or by presenting a counterargument
7 Principles of Refutation

- Fair notice
- Equal opportunity to be heard
- Right to examine and criticize arguments and support
- In presence of interested parties
- Not decision-maker on own cause
- Delay decision until critical process has taken place
- All accept the final decision
Refutation can be classified

- By level
  - Case-level
  - Specific
- By outcome
  - Destructive
  - Constructive
  - Bargaining
5 General Strategies of Refutation

- Exploratory
- Contradictions and inconsistencies
- Tests of evidence
- Tests of reasoning
- Constructive
Exploratory

- Asking questions of raising objections designed to cause opponents to take a stand on issues
Contradictions/Inconsistencies

- Finding arguments in an advocate’s case that are incompatible with one another and then using them to weaken the case
Tests of Evidence

- See previous lecture (4/24)
- Biased, outdated, irrelevant, inexpert, inconsistent, unreliable, inaccurate, inaccessible = bad ev.
Tests of Reasoning

- See previous lecture (4/17-4/19)
- Esp.
  - False analogies
  - Hasty generalization
  - Post hoc fallacy
Constructive

- The previous 4 tear apart the other person’s argument
- This one presents counterevidence and counterarguments to be weighed against the argument being refuted.
Communicating the General Refutation

- 1) state the point to be refuted (the claim you are attacking)
- 2) state your counter-claim relevant to that point
- 3) support your claim with credibility, values, and/or evidence
- 4) state explicitly how your criticism undermines the overall position of those you are refuting
A refutation

- Thesis: Capital punishment (the death penalty) is sometimes justified.
- Q: Do you agree that things of immense value should not be destroyed?
  - A: Yes
- Q: Do you agree that even human beings who are criminals have value?
  - A: Yes
- Q: Well, since human beings have great value, not even criminals should be destroyed. So capital punishment is the wrong policy.
A better refutation

- Thesis: I should beat up my little brother.
- Q: Is it the case that we should not do things that are not morally permissible?
  - A: Yes.
- Q: Is it morally permissible to deliberately hurt people without cause?
  - A: No.
- Q: Does beating up hurt?
  - A: If correctly done, yes.
- Q: Do you have cause to beat up little brother?
  - A: No.
- Q: Is little brother a person?
  - A: Yes. Sigh.
- Q: Well, by your own admission, we should not hurt people without cause, and little brother is a person. Because you do not have cause to hurt him, and beating up involves hurting him, you should not beat him up. Do you agree that this is a valid deduction?
  - A: Yes.
- Q: The thesis is refuted.
Pointing out Logical Fallacies

- There are too many to go through.
- Go to www.nizkor.org/features/fallacies/ for the big list o’ fallacies
But, let’s use everyday language

- Bill: "I believe that abortion is morally wrong."
  Dave: "Of course you would say that, you're a priest."
- Bill: "What about the arguments I gave to support my position?"
  Dave: "Those don't count. Like I said, you're a priest, so you have to say that abortion is wrong. Further, you are just a lackey to the Pope, so I can't believe what you say."
"Yeah, I know some people say that cheating on tests is wrong. But we all know that everyone does it, so it's okay."
Reporter: "Mr. Hatfield, why are you still fighting it out with the McCoys?"
Hatfield: "Well you see young man, my father feuded with the McCoys and his father feuded with them and so did my great grandfather."
Reporter: "But why? What started all this?"
Hatfield: "I don't rightly know. I'm sure it was the McCoys who started it all, though."
Reporter: "If you don't know why you're fighting, why don't you just stop?"
Hatfield: "Stop? What are you crazy? This feud has been going on for generations so I'm sure there is a darn good reason why it started. So I aim to keep it going. It has got to be the right thing to do. Hand me my shooting iron boy, I see one of those McCoy skunks sneaking in the cornfield."
Bill: "God must exist."
Jill: "How do you know."
Bill: "Because the Bible says so."
Jill: "Why should I believe the Bible?"
Bill: "Because the Bible was written by God."
Over the course of several weeks the needles from the pine trees along the Wombat river fell into the water. Shortly thereafter, many dead fish washed up on the river banks. When the EPA investigated, the owners of the Wombat River Chemical Company claimed that is it was obvious that the pine needles had killed the fish.
Structuring a Fallacy Attack

- 1) accept the burden of proving that what you claim to be a fallacy is fallacious in this circumstance
- 2) identify the argumentative practice that you claim has been violated
- 3) show why the issue matters
- 4) charge the d-m to recommit to logical practice
- 5) state explicitly how your fallacy claim undermines the overall position you are refuting.