

# Forms of Authority and the Real *Ad Verecundiam*

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**ABSTRACT:** This paper provides a typology of appeals to authority, identifying three distinct types: that which is based on a command; that which is based on expertise; and that which is based on dignity. Each type is distinguished with respect to the reaction that a failure to follow it ordinarily evokes. The rhetorical roots of Locke's *ad verecundiam* are traced to the rhetorical practices of ancient Rome.

**KEY WORDS:** Aristotle, authority: by command, by expertise, by dignity, Cicero, Locke, rhetoric, Roman rhetoric

We worry about the appeal to authority. That fact must be counted among the features distinguishing the modern from the classical study of argumentation. On one side, appeals to authority appear to us suspicious. Arising in protestant attacks on Catholic dogmatics, extended by Bacon to all the idols on show in the theaters of knowledge, the suspicion about the rational force of authority received its paradigmatic expression in Locke, who placed the appeal as the first on his ur-list of arguments *ad*. On the other side, appeals to authority are manifestly inevitable. In deciding how to intervene in an economy or whether to make a right turn on red, authority enters our practical reasoning; we appear stuck with it.

It is not my purpose here to resolve the tension between authority's suspiciousness and its inevitability. But I do want to open the way for such an inquiry by getting clear about what phenomena are worrying us when we worry about authority. In this paper, therefore, I will attempt to establish on a principled basis a relatively complete typology of appeals to authority and to make sure we have a sound working understanding of each type.

Why should typologizing be the first move? One of the most striking features of this appeal is the variety of its practices. Diverse sorts of people are deemed to have authority, at least in appropriate contexts: parents, police, teachers, military officers, auto mechanics, old women. What a person does to bring her authority to bear also varies. Speech act verbs like 'command' and 'order' refer to central cases of the exercise of authority. But so, on occasion, do 'advise' and 'instruct.' Even 'command' turns out to be only one in a range of related verbs; there are others that

specify how the command is given (e.g., ‘announce,’ ‘issue,’ ‘promulgate’) or what the command aims to accomplish (e.g., quite specifically, ‘embargo’).<sup>1</sup> And finally, the action or belief required by the authority can vary. Indeed, we have no reason to assume, prior to a better understanding of authority, that it cannot be any action or belief at all.

Within this complexity, however, it seems intuitively plausible to distinguish two broad clusters of phenomena, which I will call the authorities of command and the authorities of expertise. Commanders, roughly speaking, give orders and back them up with the possibility of punishment. Experts, again roughly, give advice, and one will be better off following it. We say that the commander is *in* authority, while we speak of the expert as being *an* authority.<sup>2</sup> Of course there are borderline cases, and some people possess both. Still, we seem routinely able to draw the necessary lines – for example, in considering the regulation of pornography, to distinguish the authority of a constitution from the authority of a clinical psychologist.

I do not mean to disturb this intuitive typology; instead, I propose to inquire into the principle that underwrites it. In the following pages I review two plausible attempts to define the difference between command and expertise and conclude that neither is adequate. I then propose and justify what I take to be a more defensible alternative. I point out that on this principle, Locke’s original *argumentum ad verecundiam* must be a third type of authority, distinguishable from both expertise and command. I close by pointing to contemporary and classical practices in which we can observe this third authority at work.

The question of distinguishing among authorities has not received persistent scholarly attention, and for good reason. We of the new trivium – composition, informal logic and rhetoric – are turned towards pedagogy, and pedagogy does not require much exactness in this matter. For expertise, we are able safely to lean on textbooks adopting some mix of qualifications-talk and fallacy-talk to warn and encourage.<sup>3</sup> The authority of command we can skip. Still, it would seem unexceptionable to want to set our pedagogy on firmer theoretical legs. Among students of argumentation, I find only Douglas Walton taking note of the diversity of authorities, separating ‘cognitive’ from ‘administrative.’<sup>4</sup> Authors with other interests have deployed what seems the same intuitive distinction under a variety of names.<sup>5</sup> Discussions of the principle behind the division, though, are few. In the following paragraphs, I reconstruct and then examine two basic modes of making the distinction displayed, if not always articulated, in the literature.

One method of distinguishing among authorities might be to rely on the features conspicuous in their exercise. There is an authority which puts forward statements and there is an authority which puts forward imperatives. The former looks for the auditor to take what is stated as true and believe it, or at least give it weight. The latter looks for the auditor to take

what is commanded and make it true, by making it what is decided, chosen, intended, willed – in short, for the auditor to do it.<sup>6</sup> A more abstract way of putting this might be to separate different ‘fields’ in which authority may function: the field of propositions, where there is a word-to-world fit, and the field of ‘directives,’ where the fit is world-to-word.<sup>7</sup>

This approach to distinguishing authorities produces a tidy and apparently exhaustive scheme, but not, unfortunately, one which corresponds to our ordinary division between the authorities of expertise and command. There are on one hand cases in which what seems the authority of expertise is exerted in the manner of command. Practical knowledge or mastery is such; an auto mechanic says, ‘twist this’ – an imperative – and the car owner responds with action, by twisting. Intuitively this is expertise, but the classification scheme requires it to be command. Now, the scheme might be recoverable if the surface imperative could be translated into some underlying proposition, commonly a conditional about the results of acting. Doctors, for instance, occasionally speak with an imperative cast, saying ‘take two of these each morning.’ What the doctor really means might be more factual – that if the patient takes two, he will feel better, or in more detail, that if two are taken, such and such physiological results will occur. Thus the doctor’s apparent authority of command might be recovered for the classification scheme as an authority of expertise. But efforts at translation should be met with caution; this scheme had the advantage of distinguishing authorities according to their surface manifestations, and it seems bad faith now to propose that something more covert is really going on. Further, practical expertise sometimes resists translation. Perhaps the mechanic really means that if the car owner twists, her car will work. But no longer explanation is forthcoming: the mechanic cannot, as Aristotle put it, say why. And there are cases even more resistant, in which not just the explanation but even the notion of practical success is unverifiable, that is, not able to be judged as true or false, not propositional. ‘Twist your arm this way,’ the dance master says, indicating a microscopic movement or even carrying it out herself on the student’s body. The twist is in some way right, but only because the dance master says so. The field in which the master has authority is just the field of what dance *should* be. Yet intuitively this mastery is a form of expertise, not command, or perhaps is a third form of authority entirely. Either way, the proposed classification scheme breaks down.

The inverse also occurs: there are authorities we ordinarily take to be commanding, which proceed in an apparently ‘propositional’ manner. The primary example of this historically has been the authority exercised by the Catholic Church. The college of bishops possesses *magisterium*, the power (in certain instances, after certain procedures) to require belief of Christians by making statements of doctrine and fact. Ignatius of Loyola put it dramatically: ‘I will believe that the white that I see is black, if the hierarchical Church so defines it.’<sup>8</sup> This Catholic authority would seem to

be comprehensible even if it is in principle impossible to follow the commands directly by deciding, intending, willing to believe. For we know it does happen that we come to believe without reason, and we can encourage such a process by putting ourselves in the right mindset and in situations where belief will most likely arise.<sup>9</sup> Of course, it may turn out that when we understand better the authority of command we will conclude that it is out of place thus to require belief. But it seems time, at long last, to stop trying to consummate the Reformation by defining the Pope away. Accepting this phenomenon, the Catholic *magisterium*, we have an authority of command which is being exercised in a way that pigeonholes it for this scheme as expertise. The proposed classification system breaks down again.

If authorities cannot be distinguished by the activity in which they are exercised, perhaps they can be separated by the capacity from which they arise. What gives expertise? – superior knowledge, it would seem, in a particular field. And the ability to command arises when one has a right or power due to one's role in some social unit, be it family, organization or state.<sup>10</sup> This principle for distinguishing authorities has the advantage of sticking closely to what intuitively seems required for command and expertise. It also is flexible enough to account for the variations in the apparent practices of authority which sank the first proposal, since it does not define experts and commanders by what we see them do.

It can be questioned, however, whether the distinction makes a clean cut. In particular, it would appear that the authority of expertise commonly arises just like the authority of command, from a social role – that is, the role of expert. An expert is a person generally recognized as possessing knowledge in some field, a field which is itself generally recognized as constituting a body of knowledge. Minimally, this is a matter of practicality; we want to be able to locate those with knowledge quickly, and the system of social roles serves as a stand-in for our own testing of each claimant's capacity. But further, it appears that socially recognized knowledge is actually a necessary condition for the authority of expertise. Only some knowledgeable advice is taken as authoritative, and that is the knowledgeable advice of a socially recognized expert. For example, when a person acting in her role as a doctor tells her patient 'take two of these,' the patient had better take two; but when the same person tells a co-worker he's looking terrible and should take some time off, the colleague may then consider taking some time off, or he may not – there seems no 'had better' here. Similarly, the socially recognized expert resembles the military commander in that those who follow what she says are relieved of responsibility should things turn out badly. The recipient of advice from a non-socially-recognized advisor, however knowledgeable, is not so protected.<sup>11</sup> It seems therefore that the knowledgeable person exercises authority only by virtue of her social role as an expert – a hasty generalization I believe will prove well-founded when the analysis of authority is complete. If the

authority of expertise does arise thus, from the expert's role, then it is, under the proposed classification scheme, indistinguishable from the authority of command. Experts by virtue of their role have the right to give expert advice; they have, in short, what this scheme would classify as the authority of command.

Another area of weakness comes in the coverage of the proposed scheme. Unlike the first proposal, this one is not exhaustive. There are cases of authority which seem based on neither power nor knowledge: Jesus, for one.<sup>12</sup> It is not a problem that the categories multiply; indeed, I am going to propose a third form of authority myself. But it is a problem that the plausibility of dividing authorities by their capacities runs out after the first two. As it turns out, it is hard to say what capacity would make someone like Jesus authoritative. Perhaps 'charisma'?<sup>13</sup> That, however, seems only a sort of 'other' or 'none of the above' answer: charisma is just the manifest ability to influence others in some unaccountable manner. It would appear therefore that distinguishing authorities by their capacities is more a rule of thumb that works for what we already understand – command and expertise – than a principle that can be extended to as yet untheorized cases.

In seeking such a principle for distinguishing authorities we would do well to remember why we want to find one. The student of argumentation is interested in authority as an appeal. We want to account for events of the following sort:

A person stands before another and says: 'Do [or: believe] this!'

'Why?' he asks.

'Because I say so, that's why!'

– and that seems enough said. The 'this' – the response the authority seeks – is then strongly called for. The appeal to authority does not merely allow a conclusion to be drawn or influence the auditor towards one. Rather, we take authority to exert force. The police officer says, 'pull over,' and the driver has to pull over; the astronomer says, 'the comet can be seen to the northeast in the evening sky,' and a would-be observer has to think that that is where it can be seen.<sup>14</sup> We even have a general name for what has to be done in response to authority. Whatever the 'this' is, by doing (or believing) that the auditor is said to be *following* authority. Our interest in authority thus lies in asking: but why is following forced?

It is worth noting, first, that to give an account of this sort of event what we need to find are reasons – the reasons a person in exercising authority makes available to her auditor in order to elicit the response she desires.<sup>15</sup> The transaction which can be modelled by the paradigmatic dialogue is too complex to be explained in terms of stimulus and response. Rather, the speaker making the appeal must aim to engage not a reflex but some cognitive or, more specifically, inferential capacities. Given what we know from the paradigmatic dialogue, it appears that the fact that this

authoritative 'I' is who she is and the fact that she says 'so,' together provide some reason for the auditor to follow by doing (or believing) 'this.' But while the dialogue would seem to contain everything that must be said, it does not fill out everything that must be thought. Missing is any articulation of what Stephen Toulmin would have us call the warrant of the appeal to authority: the reason or cluster of reasons which can justify the inferential step from the authority's say-so to the auditor's following.<sup>16</sup> Our interest in authority thus lies in asking: but what are these implicit reasons?

Now, it seems plausible that different types of authority have different unstated reasons, and that it is just those different reasons that best distinguish authorities. As argued above, the more conspicuous features of the appeals to authority – the capacities of the speaker, the forms of what she says, the responses required – do not cleanly differentiate them. The only thing left, therefore, is what is missing from the surface, and that is the cluster of implicit reasons. Indeed, something stronger could be said. Whatever surface features an appeal to authority may have, they are designed by the speaker, at least when she expects recalcitrance, specifically to elicit from the auditor the unstated reasoning which will overcome that recalcitrance. What she shows of herself and what she says are what she deems sufficient to induce her auditor to reason with himself in a particular way. It is that reasoning, therefore, that is essential to and defines a particular appeal to authority.

But this puts us in a bind. We must specify the unstated reasoning in order to establish a typology of authorities. Yet we do not know at this point what that reasoning is – indeed, we seek an adequate typology in order to get some purchase on this ultimate question. In a way, however, we do already know what the unstated reasoning looks like, for we are able to count on it in practice. It does so happen that when someone says so, another person, just because of this, can be expected to follow. What we need, therefore, is a device to help us articulate the how-to or practical knowledge already implicit in our everyday practice of appealing to authority.

I want here to pull a tool from the organon of ordinary language philosophy. While we may be dumb about our fluent practices, we are often very articulate when those practices break down. This is Austin's 'plea for excuses,' his call to attend carefully to the vocabulary of miscarriage. 'To examine excuses,' Austin explains, 'is to examine cases where there has been some abnormality or failure: and as so often, the abnormal will throw light on the normal, will help us to penetrate the blinding veil of ease and obviousness that hides the mechanisms of the natural successful act.'<sup>17</sup> It seems particularly apt to take up this tool in examining the appeal to authority. We have, as noted above, a sure sense that authority forces following; this is coupled with a vivid understanding of the 'or else.' The

failure to follow authority ordinarily can be criticized in detail. So I propose this principle: we should distinguish each type of authority by the reaction that a failure to follow it ordinarily evokes.

Consider what intuitively is the authority of command. What do we say of the soldier who did not charge up the hill as ordered or the driver who did not pull over for the police? (This might be what an observer says, what a commander says, or what the auditor of the appeal tells himself, if he cares). We call such a person *disobedient*. We expect that disobedience may lead to certain consequences: commonly, punishment or coercion. We are inclined, further, to remove the disobedient person from such ordinary social relations as require obedience to keep things running smoothly. Often the very removal is the punishment, as when one is sent to one's room, locked away or exiled.

Consider again what intuitively is the authority of expertise. What do we say of the patient who did not take the pills prescribed or the juror who ignored the forensic scientist's testimony about the DNA evidence? Such a person seems to be acting unwisely, heedlessly, thoughtlessly – in a word, he is *imprudent*.<sup>18</sup> We expect that imprudence will bring a penalty on itself: commonly, that the affair handled contrary to expert opinion will turn out badly on its own. Further, we are inclined to withdraw cooperation from the imprudent person, making it harder for him to accomplish his various projects.

This classification scheme succeeds where the previous ones failed. The Pope speaking *ex cathedra* and the auto mechanic in his sanctum fall as intuition requires each in his own category. The principle also produces relatively clean results, even in complex cases. It is of course possible to possess both expertise and command; indeed, to possess one on account of possessing the other, since authorities, like other goods, are often distributed on the principle that to those who have shall be given more. But the responses to failure to follow each are differentiable: the student history paper which is not typed as required is disobedient, the student history paper contradicting the instructor on a date, imprudent. We could expect yet further complexities to arise in the process of argumentation that a charge of disobedience or imprudence, if made, would likely occasion. It may even turn out that a person charged with a failure to follow authority will be able to avoid being blamed for it. Still, the arguments offered in the process should be just those satisfactory to deny, justify or excuse the specific failure to follow at issue.

The proposed principle has the additional advantage of opening a way for the next step in the analysis of authority. For what reasons should one follow, say, the authority of expertise? In part, at least, because to do otherwise will be deemed imprudent, and one may have good reasons for not wanting to be so deemed. This leads to a more specific question: but why is it deemed imprudent not to follow what the authority said? An

answer to this question should begin to uncover the unstated reasoning that makes the fact that the authoritative ‘I’ says ‘so’ force the auditor’s doing (or believing) of ‘this.’

The proposed principle, finally, is exhaustive. If it does not predict further types of authority, it is at least able to deal with them as they are noticed. We would need to ask: what criticism does one face if one failed to follow? If none, then following would not seem forced, and perhaps the case is not one of authority. But if there is some criticism, then that can be adopted as the basis of a new category.

We can see this at work by returning to Locke’s original depiction of authority. Locke, in what Douglas Walton termed a ‘curious phrase,’<sup>19</sup> called his first type of questionable reasoning the *argumentum ad verecundiam* – the appeal to ‘shamefacedness’ or modesty. The description that followed, like the name, shows he had neither the authority of command nor the authority of expertise in mind. Locke wrote:

The first [sort of argument] is, to allege the Opinions of Men, whose Parts, Learning, Eminency, Power, or some other cause has gained a name, and settled their Reputation in the common esteem with some kind of Authority. When Men are established in any kind of Dignity, ’tis thought a breach of Modesty for others to derogate any way from it, and question the Authority of Men, who are in possession of it. This is apt to be censured, as carrying with it too much of Pride, when a Man does not readily yield to the Determination of approved Authors, which is wont to be received with respect and submission by others: and ’tis looked upon as insolence, for a Man to set up, and adhere to his own Opinion, against the current Stream of Antiquity; or to put it in the balance against that of some learned Doctor, or otherwise approved Writer. Whoever backs his Tenets with such Authorities, thinks he ought thereby to carry the Cause, and is ready to style it Impudence in any one, who shall stand out against them. This, I think, may be called *Argumentum ad Verecundiam*. . . .

[But] it argues not another Man’s Opinion to be right, because I out of respect, or any other consideration, but that of conviction, will not contradict him.<sup>20</sup>

Locke here proceeds by applying the principle proposed above: this appeal is distinguished by noting what the failure to follow it is ‘thought’ to be, or ‘styled,’ or ‘looked upon’ or ‘censured as.’ Depicted or modelled is a sort of authority that not to follow is styled ‘*impudence*,’ i.e., shamelessness. Thus Locke’s Latin, for the appeal appeals to the auditor not to commit a ‘breach of modesty,’ not to show his ‘pride’ or ‘insolence.’ The force of the appeal arises from what Locke calls the ‘dignity’ of its maker, the respect the man is due for his ‘parts, learning, eminency, power,’ as evident in the ‘name’ those achievements have ‘gained,’ their ‘settled . . . reputation.’ The appeal is made through a statement of ‘determination’ or ‘opinion.’ To ‘contradict’ or ‘stand out against’ dignity is to fail to follow this authority; to follow it, in contrast, might be ‘to defer’ – a term for the respectful yielding Locke depicts just coming into currency at his time.<sup>21</sup> If one does not defer to dignity, one is shameless, and the likely consequence, as far as we can tell from this account, will be to be styled so – to be subject to a certain sort of public humiliation.

What Locke has given us here is a relatively complete model of an authority it seems suitable to call the authority of dignity. To speak against dignity is not primarily disobedient or imprudent; rather, it shows disrespect, and ought to be a matter for shame. So what we have is a third type of authority, reducible neither to command nor expertise. But how significant is this third type?

Two millennia before Locke, Aristotle's *Rhetoric* gave a hint of what seems the same phenomenon. As the eleventh of a list of argument forms or *topoi* Aristotle includes the argument from a 'previous judgment' about the subject being debated.<sup>22</sup> The *topos* itself is a mixed bag, containing: a judgment by everyone, or at least by the majority – what we now term the *argumentum ad populum*; a judgment by the judges themselves, or by people they approve; a judgment by those whose judgment cannot be opposed, such as those with legal authority to make it – what I have called the authority of command; a judgment by the wise, or the good – the authority, perhaps, of expertise. At the end of the list, one final form: a judgment by those 'whose judgment cannot honorably [*kalon*] be opposed, as for example, a father's or a teacher's.' Among his illustrative examples Aristotle notes the case of Agesipolis, who 'after earlier consulting oracles [of Zeus] at Olympia, asked the god at Delphi [Apollo, son of Zeus] if his opinion was the same as his father's, implying it would be shameful [*aischron*] for him to say contradictory things.' There is noticeable here an overlap with Locke's description. This is an authority that it is dishonorable or shameful to speak against.

In our own age, Locke's authority of dignity is perhaps most evident in cases of mistake, arising in the penumbra of expertise or command. Consider the following transaction between a professional and a client. The client consults the professional – say, a lawyer, or a doctor, teacher, social worker or any other expert – on some matter of concern. The professional puts forward her best view of the client's situation, intending for the client to give what she says serious consideration. After some discussion, a consensus seems to be reached. But when the client leaves, he does something entirely other. He was afraid or embarrassed or ashamed to speak against the professional to her face. He was taking her authority to be the authority of dignity, while she was attempting to exercise an authority of expertise.

It perhaps is because such miscommunications are so familiar that we are tempted to call the faulty use (or taking) of expertise the fallacy *ad verecundiam*. This temptation should be resisted. There are many other ways in which reliance on expertise can go wrong; at the same time, we do not know that all deployments of dignity are fallacious. Nevertheless, the fact that we recognize the authority of dignity most easily when it is a mistake says something about our general awareness of this form.

The student of rhetoric would want to observe the authority of dignity in practice: in civic life, among those aware of it, and on a relatively large

scale – that is, within the traditional province of oratory. If the phenomenon of the authority of dignity, whether or not present among us, is relatively invisible to us, we need to turn for evidence to a people who relished it. These, I suggest, are the coiners of the word and perhaps the inventors of the concept ‘authority’: the ancient Romans.

We are lucky to retain a sampling of Roman political talk in the correspondence and speeches of Cicero, Rome’s last great Republican statesman. These show that *auctoritas* – from which we inherit ‘authority’ – was part of the small change of ordinary Roman political intercourse. Cicero in his letters routinely solicits his allies to deploy their authority on his behalf – to intervene, for example, to help obtain a pardon for a friend. This can be accomplished ‘by your authority, which carries all,’ Cicero tells his correspondent; just put forward ‘some likely reason or other,’ and the real weight will be carried by ‘your nod.’<sup>23</sup> In other letters, we observe Cicero responding to such requests with a promise to deploy his authority, Cicero bringing his authority to bear directly, Cicero submitting to the authority of others.<sup>24</sup> And this sort of maneuvering was not just a matter of back room politicking. Authority could be openly asserted as a reason for taking some civic decision. In his trial speeches Cicero often defends his own or his client’s authority as sufficient grounds for the jury to decide in his favor. Thus in one defense Cicero notes that the prosecution has made Cicero’s authority the central issue of the case; he replies by defending his authority and avers that if he can win this point, he will win the whole.<sup>25</sup> In another defense he rests his case on the authority of another: it is despicable, he claims, to even question the actions of a man of such authority.<sup>26</sup> These instances is not unique; similar reasoning can be found throughout Cicero’s oratory.<sup>27</sup> Indeed, the preeminent scholar of classical rhetoric, George Kennedy, has concluded that the appeal to authority must be placed among the defining features of all Roman civic discourse.<sup>28</sup>

What type of authority was this *auctoritas*, so prominent among the Romans? We can answer this question by examining the vocabulary associated with a paradigmatic practice. In Cicero’s Republic, the Senate was *the* institution of authority. The Senate could not pass laws – that was reserved to assemblies of the whole citizenry; it had no executive power, either – that was in the hands of the magistrates. It had only the capacity to issue ‘advisory opinions,’ backed by its authority. But that bare authority was sufficient to make it the most powerful body of late Republican politics. Cicero is quite clear about the reaction which a failure to follow Senatorial authority should properly provoke. Consider the case of Mark Antony, who after the assassination of Julius Caesar was defying the Senate and waging civil war against the forces loyal to it. Cicero speaks in the Senate opposing a proposal to open negotiations with Antony; Antony, he predicts, given his well-known ‘shamelessness’ and ‘arrogance,’ would treat the Senate’s envoys badly. After the embassy failed, Cicero repeats his refrain. In an ‘insolent’ and ‘proud’ manner, Antony had continued his assaults even in

the middle of the negotiations. He had ‘insolently’ rejoiced at the death of one of the envoys. And Antony’s reply to the Senate was filled with ‘arrogance.’ Instead of begging the Senate’s pardon, he demanded rewards. Even the former, Cicero points out, would show him to be ‘extraordinarily shameless;’ how much more, therefore, the latter.<sup>29</sup>

Here as in Locke’s *ad verecundiam* we see an authority which not to follow is specifically evaluated as shameless – that is, from the Latin, *impudent*. The workings of this authority can be observed in a variety of Roman political practices. We are assisted by the Romans’ own fascination with the phenomenon; the exercise of the authority of dignity was a theme of anecdotes current even centuries after the event. This story is typical: a man holding the highest of Roman offices, while presiding over a sacrifice in the state religion, hears of a seditious uprising of the common people against the Senate; he proceeds at once, still robed, to the insurrectionary meeting and by his authority and speech quiets it.<sup>30</sup> Such incidents were so paradigmatic that the poet could use them as a simile for the calming of the sea:

As when in some great crowd sedition flares up  
And the ignoble mob rages in spirit;  
Now firebrands and stones fly, fury ministers to arms;  
Then, if by chance they catch sight of some man,  
Influential in piety and deeds, the people stop,  
Struck with silence  
And stand at attention with ears erect;  
And that man rules their high spirits with words  
And calms their hearts.<sup>31</sup>

Such Roman mythlets may render authority more vivid, but they do not exaggerate its expected force. Despite the Roman pride in their legal expertise, despite their pride in their military discipline, *auctoritas* was their preferred method of social control. Thus it is notorious that in Republican times there were no police within the city limits of Rome; order was maintained instead by an often symbolic display of personal dignity.<sup>32</sup> Even within the Senate itself, deliberations were ordered less to explore all sides of some issue than to allow the authority of dignity to come into focus. Senators were called to speak according to their civic standing or dignity, in rough correspondence to the highest office they had held. Each would briefly announce his opinion. The lower ranks of senators perhaps gained the name ‘footmen’ because they expressed their views only by walking over to the side they supported; ordinarily, they were expected to be silent before their more dignified superiors.<sup>33</sup>

Both within and without the Senate we observe an exercise of authority having the features Locke would later pick up in his account of the *argumentum ad verecundiam*. This is an authority which not to follow is evaluated as shameless. It is brought to bear by the slenderest sign of opinion – by mere presence, in some cases, or by a nod.<sup>34</sup> Characteristically,

the auditors respond by being silent; to use Locke and Aristotle's word, they must not contradict – speak out against – the authority. And the men portrayed as exercising the authority are men of supreme dignity or civic standing: those who have earned respect based on their virtues, achievements and offices.<sup>35</sup>

It must be the task for another time to establish the basic rationality of this or any other practice of authority – to resolve the tension between our suspicions and our reliance. Here, I have only attempted to settle some matters preliminary to such an account. I have proposed to distinguish authorities by the reactions that failures to follow them ordinarily elicit. On this principle, the appeal to the authority of expertise, fallacious or otherwise, is not what Locke called the *argumentum ad verecundiam*. Rather, the appeal Locke describes is a distinct sort of authority, apparent in the rhetorical practices of ancient Rome. Even without a complete account of authority, therefore, we should now be in a position to treat our students better by separating more carefully the authority of command, the authority of expertise and the authority of dignity – the real *ad verecundiam*.<sup>36</sup>

#### NOTES

<sup>1</sup> For a review of related speech act verbs, see Jef Verschueren, *What People Say They Do With Words* (Ablex Publishing, Norwood, 1985).

<sup>2</sup> R. S. Peters, 'Authority', *Proceedings of the Aristotelian Society*, Suppl. 32 (1958): 207–224.

<sup>3</sup> Round up the usual suspects; e.g., Irving M. Copi and Carl Cohen, *Introduction to Logic*, 9th ed. (Prentice Hall, Englewood Cliffs, 1994), 118–119: 'When we argue that a given conclusion is correct on the ground that an expert authority has come to that judgment, we commit no fallacy. Indeed, such recourse to authority is necessary for most of us on very many matters. . . . The fallacy *ad verecundiam* arises when the appeal is made to parties having no legitimate claim to authority in the matter at hand.'

<sup>4</sup> *The Place of Emotion in Argument* (Pennsylvania State University Press, University Park, 1992), 48–49; *A Pragmatic Theory of Fallacy* (University of Alabama Press, Tuscaloosa, 1995), 279.

<sup>5</sup> 'Cognitive' and 'administrative', Patrick Wilson, *Second-Hand Knowledge: An Inquiry into Cognitive Authority* (Greenwood Press, Westport, 1983); 'epistemic' and 'executive', Richard T. De George, *The Nature and Limits of Authority* (University Press of Kansas, Lawrence, 1985); 'epistemic' and 'deontological', Joseph M. Bochenski, *Autörität, Freiheit, Glaube: Sozialphilosophische Studien* (Philosophia Verlag, Munich, 1988); 'theoretical' and 'practical', Richard Fox, 'Two Kinds of Authority', *Philosophy in Context* 1 (1972): 32–35; 'an-authority' and 'in-authority', Gary Young, 'Authority', *Canadian Journal of Philosophy* 3 (1974): 563–583; and the distinction made without technical vocabulary by E. D. Watt, *Authority* (Croom Helm, London, 1982).

<sup>6</sup> Thus Fox in 'Two Kinds of Authority', Wilson, *Second-Hand Knowledge*; R. B. Friedman, 'On the Concept of Authority in Political Philosophy', in *Authority*, ed. Joseph Raz (New York University Press, New York, 1990), 56–91.

<sup>7</sup> Thus Josef Bochenski, *Autörität, Freiheit, Glaube*, originally proposed in the early 1960's; see also the précis in English, 'On Authority', *South African Journal of Philosophy* 8 (1989):

61–65. ‘Directives’ (Weisungen) here are not a class of speech acts but rather what Bochenski calls the ‘idealen Gebilden’, that is, perhaps, the meanings that the directive speech acts express.

<sup>8</sup> ‘Rules for Thinking with the Church’, No. 13, in *The Spiritual Exercises of St. Ignatius*, trans. Anthony Mottola (Image Books, Garden City, 1964), 141. Is it significant that Ignatius takes as paradigmatic the power to order belief in a proposition numbered among Aristotle’s original sophisms (*Soph. Elen.* 5, 167a8; 6, 168b12) and carried in medieval Obligations texts (C. L. Hamblin, *Fallacies* (Methuen, London, 1970), 131–132)?

<sup>9</sup> It is just this which Ignatius recommends, both in the ‘Rules’ and in his letter to the Jesuits in Portugal, *Letters of St. Ignatius of Loyola*, trans. William J. Young (Loyola University Press, Chicago, 1959), 287–295.

<sup>10</sup> Thus Richard De George, *The Nature and Limits of Authority*, p. 17 and c. 4 for ‘executive authority’, c. 3 for ‘the authority of knowledge and competence’; see also Young, ‘Authority.’

<sup>11</sup> A point made by Patrick Nowell-Smith, ‘What is Authority?’ *Philosophic Exchange* 2.2 (1976): 3–15. It should be noted that there are likely reasons to believe what knowledgeable people – including experts – say, *other* than the reason or complex of reasons we call ‘authority.’

<sup>12</sup> E.g. DeGeorge, *The Nature and Limits of Authority*, 45. Napoleon and Gandhi are also often mentioned in this context.

<sup>13</sup> Thus Peters, ‘Authority’, 212–213. De George suggests the equally mysterious ‘authenticity.’

<sup>14</sup> These examples already make apparent some slippage between the paradigmatic dialogue put forward here and the actual practice of authority. At this point in the analysis, the rough sketch should suffice; ultimately, we would want to delineate more precisely who has authority, what the authority must say, and what response is required.

<sup>15</sup> Authority which demands a reasonless or ‘blind’ obedience would seem to be a special case, achievable only by some unusual or ‘basic’ training – if it is really an authority at all: see Young, ‘Authority.’ Of course, when we find what the reasons are which constitute authority, it may turn out that they are bad, formally, practically or morally, and thus that authority is in some sense a ‘fallacy.’

<sup>16</sup> *The Uses of Argument* (Cambridge University Press, Cambridge, 1958), c. 3. It seems an interesting feature of the appeal to authority that the reasons made explicit are as a matter of course incomplete. In fact, asking for the missing reason(s) may even be subject to criticism as a failure to follow. For example: one will get into trouble if after being pulled over one continues to inquire into the rationale for the authority of the police. This is not because there is no such rationale, but rather because demanding it is ‘talking back.’ The appeal to authority thus has the odd property of being *necessarily* enthymematic (in one sense of that term).

<sup>17</sup> J. L. Austin, ‘A Plea for Excuses’, *Proceedings of the Aristotelian Society* 57 (1956–1957): 1–30, 5–6.

<sup>18</sup> The person who disobeys a command may also be acting imprudently, in that he thereby may be rendering himself subject to punishment. But he can only be subjected to punishment if he was disobedient; so the ascription of imprudence depends upon a prior ascription of disobedience. If, to borrow an example from Nowell-Smith, there were a people who dealt with tax-men just like gunmen, doing what they say only because of the probability of force, then we might want to say that these people recognized no authority of command.

<sup>19</sup> *The Place of Emotion in Argument* 47.

<sup>20</sup> John Locke, *An Essay Concerning Human Understanding*, ed. Peter H. Nidditch (Clarendon, Oxford, 1975), 4.17.19, 686.

<sup>21</sup> *Oxford English Dictionary*, s.v. defer<sup>2</sup> no. 6 (1686); s.v. deference no. 2 (1643).

<sup>22</sup> Aristotle, *Rhetoric* 2.23, 1398b.

<sup>23</sup> *Epistulae ad Familiares* (‘Fam.’) 11.22.1–2; for other requests, see *Fam.* 13.42.2, 13.55.2, 15.4.16, 15.13.3.

<sup>24</sup> Promise: *Fam.* 5.8.2, 6.5.1; assertion: *Fam.* 10.6.2, 15.1.4; submission: *Fam.* 4.11.1.

<sup>25</sup> *Pro Sulla*, 3; cf. 80.

<sup>26</sup> *Pro Balbo*, 15, 10.

<sup>27</sup> James May, *Trials of Character* (University of North Carolina Press, Chapel Hill, 1988).

<sup>28</sup> *The Art of Rhetoric in the Roman World: 300 B. C.–A. D. 300* (Princeton University Press, Princeton, 1972), 100–101.

<sup>29</sup> Impudentia and adrogantia (*Philippicae* – ‘*Phil.*’ 6.6, 5.29); insolentia, superbia (8.21); insolenter (9.7); adrogantia (8.24); impudentissimus (8.25). Also apposite is Cicero’s heavy irony in terming Antony’s counteroffers to the Senate ‘shamefast’ (*verecundae*, 13.37). This incident and its associated vocabulary is not unique: for similar characterizations of Antony’s other anti-Senatorial escapades, see *Phil.* 2.19, 2.99; for the same terms used against another man defying the Senate, see *De haruspicium responsis*, 1, 30. This last passage is interesting as demonstrating the precision with which Cicero insults. In short order, Cicero calls his enemy shameless for affronting the Senate, mad (*furor*, 2) for bizarre behavior, an animal (*pecus*, *belva*, 5) for stupidity, and accuses him of crime and audacity (*scelus*, *audacia*, 4) for upsetting a sacred rite. For similar reactions to disrespect to auctoritates other than the Senate, *De domo*, 132–133, *Post redditum ad Senatus*, 12, *Pro Sestio*, 26, *In Pisonem*, 64, *Phil.* 2.102.

<sup>30</sup> *Brutus* 56; paralleled by *De haruspicium responsis* 22, *Pro Sestio* 62, *Pro Milone* 58; for a related instance of exaggerated respect paid authority, see *Pro Balbo* 11, *Pro Sestio* 107–108.

<sup>31</sup> Virgil, *Aeneid* 1.148–153, as quoted in May, *Trials of Character*, 6.

<sup>32</sup> Wilfried Nippel, ‘Policing Rome’, *Journal of Roman Studies* 74 (1984): 20–29.

<sup>33</sup> See generally Marianne Bonnefond-Coudry, *Le Sénat de la République romaine: de la guerre d’Hannibal à Auguste* (École française de Rome, Rome, 1989).

<sup>34</sup> Or, ‘a word and a nod;’ see e.g. *De oratore* 1.38, *De senectute* 61, *Pro Fonteio* 27.

<sup>35</sup> The connection of auctoritas to dignitas is a commonplace of classical scholarship; see e.g. Manfred Fuhrmann, ‘Cum dignitate otium’, *Gymnasium* 67 (1960): 481–500, 488; J. Hellegouarc’h, *Le vocabulaire latin des relations et des partis politiques sous la République* (Paris: Société d’Édition ‘Les Belles Lettres’, 1963), 404; Hans Drexler, ‘Dignitas,’ in *Das Staatsdenken der Römer*, ed. Richard Klein (Wissenschaftliche Buchgesellschaft, Darmstadt, 1966), 231–254, 242.

<sup>36</sup> I wish to thank the conferees of the Ontario Society for the Study of Argumentation, and especially my respondent, Professor Hanns Hohmann, for their vigorous resistance to this work.