The Slippery Slope Argument

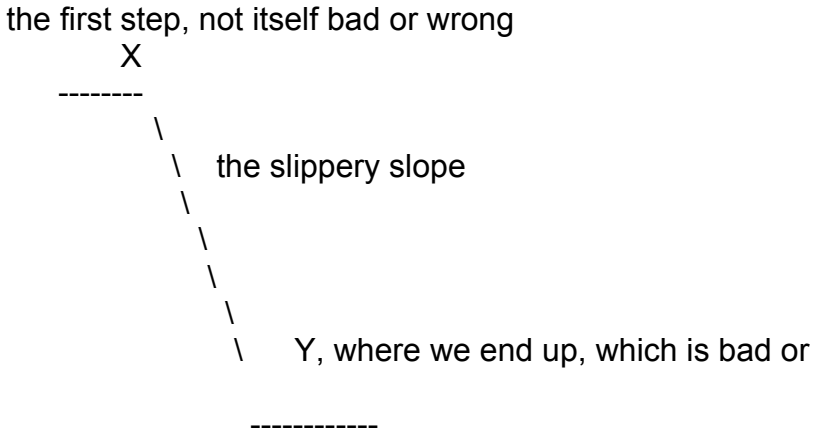
A common form of argument in bioethics is the slippery slope argument. I will here spell out one version of it, and one of the most popular.

_Causal Slippery Slope Argument

Here's how a slippery slope argument usually goes. Some policy or law is at issue. Let's say that The Society of Pet Owners, a fictitious organization, wants to insure that the cloning of pets is legal. So, they get a Congressman to sponsor a bill protecting pet cloning. This creates a controversy. Opponents argue against the bill as follows.

> While there's nothing ethically wrong itself about cloning pets, if we pass a law making it permissible now, slowly and surely the society will move toward a point where many will want to make cloning human beings permissible. That will be dreadful! Terrible! Cloning human beings is wrong! So, I urge my fellow Congressmen to vote NO on this legislation.

The general idea here is that those opposed to the initial policy are not opposed to it on ethical or moral grounds. In itself the action is acceptable. But, they see passing the policy as taking a first step down a slippery slope, at the bottom of which is something very ethically pernicious, or bad or wrong. Once you take the first step, the claim is, you'll slide unavoidably to the bottom. And so they argue that the first step should not be taken.



A causal slippery slope argument will usually have the following form.

(1) X is not itself ethically bad or wrong.
(2) But, if X is done or permitted, inevitably (or very likely) Y will occur. (Causal Claim)
(3) Y is ethically bad or wrong.
---
(4) So, you/we/they should not do X.

I call this a "causal slippery slope argument", because it importantly includes a causal claim: premise (2). It's a causal claim because it says that in doing or permitting one thing, X, something else will occur (be caused to happen): namely Y. (It's a causal claim even if there are many events between X and Y linking them together in a causal chain.)

Some people think that the claim of the inevitability of Y, given X, is essential to a slippery slope argument. I see no reason to think this. Many will offer slippery slope arguments that are probabilistic. They will claim that taking the first step will likely, or very likely, lead to the bad thing. We'll be unlikely, or very unlikely to stop the slide, they'll say, and the risk itself of sliding down the slope is sufficient not to take the first step.

The form of argument spelled out above you might call an ethical version of a causal slippery slope argument, since it is offered in the context of an ethical dispute. Where we end up at after slidding down the slope is something claimed to be ethically or morally wrong or undesirable. But, you can have causal slippery slope arguments that have nothing to do with ethics, or so it would seem. One might in the corporate world argue at a board meeting that some policy if adopted might not itself harm the company, but that since the adoption of the policy will eventually lead corporation officials to do something that will lose the corporation large amounts of cash, the policy ought not be instituted. Losing large amounts of cash is a bad thing for a corporation, but not necessarily ethically bad.

One might think that the above argument form is invalid. Strictly, it is. We need another premise, one stating a principle something like this.

If doing X is not itself bad or wrong, but will lead to Y, which is bad or wrong, then X ought not be done.

Some people think that all slippery slope arguments are fallacies, bad arguments. I just heard someone last week on cable TV claim this. It simply isn't true. There's nothing automatically fallacious about this kind of reasoning. So, you can't say "That's a slippery slope argument! It's a fallacy. We can reject it out of hand."

Some of you may have been instructed in critical thinking via a textbook titled *Critical Thinking*, by Moore and Parker, which is used widely in the CSUS system. Oddly, they include the slippery slope in their Chapter 6 discussion titled "More Fallacies". They're not the only authors of critical thinking texts that do this. Others do it, and the reasons why they do it still escape me.

Moore and Parker say the following, for instance. I added the italics for emphasis.

> We've all heard people make claims of this sort: "If we let X happen, the first thing you know Y will be happening." This is one form of the slippery slope. Such claims are fallacious *when in fact there is no reason* to think that X will lead to Y." (Moore and Parker, 7th Ed.), 192.

Note that although Moore and Parker included the slippery slope in a chapter on fallacies, they say that the causal claim making up a slippery slope argument is fallacious *when in fact there is no reason* to think the causal claim asserted to hold between X and Y actually does or will hold. But, if the causal claim of a slippery slope argument is true, then the argument may well be a very good argument.

I fail to understand why they identify the slippery slope as a fallacy, and then say what they do. Surely we don't want to say that a slippery slope argument necessarily has a false causal claim. What then do we call the same form of argument with a true or plausible causal claim? They are slippery slope arguments! What else could they be! They are slippery slope arguments simply because they argue on the basis of a claim that doing one thing will lead to a slippery slide to something else undesirable.

Or again,

> Slippery Slope
>
> This fallacy occurs when an arguer wrongly assumes that to permit or forbid a course of action will inevitably lead to the occurrence of further related and undesirable events, without providing good reasons to suppose the first is to tread on a slippery slope down which we will slide to the other events. (*Critical Thinking*, Bowell and Kemp, 143)

But again, if there is good reason to think the causal connection between X and Y will hold, then the slippery slope argument may well be very good.

However, slippery slope arguments are often very weak. They are weak because the chain of causation asserted to hold between X and Y is usually opaque to us. We just cannot assess in many cases whether X will in fact lead to Y. Yes, maybe that will happen, we think, but we just really don't know. There's a reason why it's often hard to assess the causal claim of a slippery slope argument. Usually the first step, the value of X in the argument form above, is something that has never held before, and hence we usually do not have the experience needed to assess the causal connection.

Someone offering a slippery slope argument ought to make a strenuous effort to marshal as much evidence as possible for establishing the causal link between X and Y, or reconsider whether to offer the argument. (You should certainly regard this as true if you are inclined to offer a slippery slope argument in your paper.)

You can criticize a slippery slope argument on two grounds, chiefly. (1) You can dispute the causal connection cited between X and Y. (2) You can deny that Y is morally bad or wrong.

(1) Disputing the causal connection between X and Y can be tough. Providing evidence for and against causal claims is tricky business. One thing you can do is simply demand evidence for the causal claim that X will lead to Y. Of course, if the person offering the slippery slope argument, call him the "slopist", can offer no decent evidence, that does not show that the causal connection predicted won't hold true, and hence it doesn't show that the argument is unsound. Many might have an intuitive sense that X and Y are causally linked as the slopist suggests, and so simply showing that the slopist cannot sufficiently establish the causal connection won't change anyone's mind. Those who initially find the argument intuitively appealing will continue to do so; those who don't, will continue to reject the argument. Ideally you want to do is provide evidence for thinking the casual claim is false.

The two chief ways to show that causal claims are false are (i) to look back in the past for occurrences of X, and show that given the occurrence of X, Y did not occur, or (ii) to bring about X yourself, perhaps artificially in a controlled environment, and show that Y does not follow X. Unfortunately for the critic of a slope argument, neither approach is usually available. In a slippery slope argument, the value for X will probably be something like a policy or law that has never held as policy or law before. In the above example of a slippery slope argument, the value for X is pet cloning. The causal claim is that pet cloning will lead to, or likely lead to, human cloning. Of course, pet cloning is brand new to our society. Only within the last few years has a domestic cat been cloned. Dogs have not yet been cloned. So, you can't go back into the past and say that pet cloning did not result in human cloning. Nor, will it be easy for you to artificially create X, since X is currently under dispute. No one opposed to pet cloning is going to allow pet cloning to go forward, so that we can determine whether or not it leads to human cloning.

At this point, you may have to be more ingenious. You might appeal to things analogously like pet cloning, which led to no bad consequences.

(2) You may try to criticize the slippery slope argument by granting the causal claim between X and Y, and then arguing that there's nothing to fear about Y, that there's nothing bad or wrong about Y. Many people simply do not think there's anything ethically problematic about human cloning. So, you might offer argument that there's nothing wrong about human cloning, and then demand reason to think there is from the slopist. In doing this, you may undermine the persuasiveness of the argument.

_The Conceptual or Logical Slippery Slope Argument

The next version of the slippery slope argument to be discussed is usually a special case of the causal slippery slope argument. What makes it distinctive enough to merit special attention is the form of support it provides for the causal claim it asserts.

A version of this argument is now surfacing in contemporary debate over gay marriage. The argument goes like this.

> Currently under the law a marriage is defined as a certain sort of union of man and woman. Suppose we redefine marriage, in order to include under

> marriage same-sex relationships, in the following way: a marriage is such and such a relationship between two adult human beings. But, if this is allowed, there will be no principled way in the law to distinguish between gay marriages and bigamist marriages (marriages between more than two people). As soon as marriage is redefined in this way, bigamists will sue for marriage rights, and their arguments will be nearly parallel to those of gays. The bigamist will say, "Jane, Mary, and I, are in a loving, long-term and committed relationship. To deny us a right to be spouses in marriage because we number three rather than two is arbitrary and violates our rights to equal protection under the law. Just like gays argued that differences in gender are improper grounds for discrimination, so too we argue that differences in number are improper grounds for discrimination. You say marriage is only between two people? Why is that? Not too long ago you said it was only between a man and a woman. How can you change the definition to include same gender unions but not the union of three people? What matters is that adults have made loving, long-term commitments to each other to share life's long journey. To limit the state recognition of such relationships to the recognition of couples is arbitrary. In fact, if the state has an interest in promoting long-term relationships for the betterment of society, bigamy has a great track record going back thousands of years for doing just that. Gay unions are far more fragile in comparison." This is how the bigamist will argue, and if we take that first step, and redefine marriage away from it's traditional defintion, we'll end up with all sorts of strange adult relationships counting as marriages. Marriage then in its traditional form will be ruined, and a valuable institution in our society lost. So, let's not take that first step.

The distinct thing about this line of argument is the way it supports the causal claim that once we allow gay marriages, we'll end up allowing bigamist marriages. The claim is that the lack of a relevant conceptual, or logical distinction between gay marriage and bigamist marriage will play a certain causal role in bringing about a state of affairs in which many kinds of relationships are counted as legal marriages. After marriage is redefined, the claim is, there will be no non-arbitary way to distinguish between same-sex unions and three-person unions. Given this, certain things will happen. I.e., they will follow upon the redifinition as effect from cause. When bigamists file suit for marriage rights, and they will, they will use the very same sorts of justifications as gays did, and judges will eventually have to grant the right. The judge will have to grant the right since he or she will lack a principled way of distinguishing between same-sex unions and three-person unions.

Let me note that what's at issue are not any differences. Of course there are many differences between same-sex marriages and bigamist marriages. But, the question will be in the courts whether there is a ***relevant*** difference. What's a relevant difference? A difference that will allow the judge to say that discriminating against same-sex relationships violates the constitutional legal principles but discrimating against bigamist relationships does not.

I'll introduce an exaggerated difference that is a morally relevant difference to illuminate the idea here. Take a rock, a ordinary granite rock. Take a human being, a standard, relatively well functioning human being. If it's true that you can morally crush a rock, but not true that you can morally crush a human being, then there must

be some morally relevant difference between them, such that it's true you can crush a rock but not true that you can crush a human being. Well, it's plausible to think there is, certainly. What's the difference? A rock will not suffer, but a human being will. That seems to be a morally relevant difference, given that suffering is morally relevant in the decisions we make about what we should or should not do. On the other hand, there seems to be no morally relevant difference between a human being living in California and a human being living in New Mexico, such that it's permissible to crush a Californian and not permissible to crush a New Mexican.

We might isolate from causal connections what I'll call a "logical slope", to see what's going on here a bit more clearly. A logical slope is merely the fact that once an action A is regarded as acceptable, there's no reason not to accept B. If there's no reason not to accept B, then there's no reason not to accept C, and so on, until there's no reason not accept some action, say N, that everyone regards as evil, beyond the pale, or having bad consequences. The claim of a logical slope, however, is not the claim that N will be done, if A is accepted--that's a causal claim. To say that once A is accepted, there's no reason not to accept N, is a logical claim that says something along the following lines. Whatever justification there is for accepting A, there is also for accepting N.

Now, the claim of a logical slope is also sometimes used as a basis for making a causal claim. It goes like this. If we accept A, then there's no reason to reject B. Given there's no reason to reject B, *people will not reject it*. That's where causation first enters the picture. The idea is that the acceptance of A will causally result in people not rejecting B. Why? Because there's no justification for accepting A but not B. For example, if a judge has no legal principle at his disposal that will distinguish between gay marriages and bigamist marriages, such that he can on principled grounds accept gay marriage but reject bigamist marriage, he then has a choice. He can arbitrarily reject bigamist marriages or accept them. That is, he can reject bigamist marriage with no legally recognized reason for doing so, or he can accept them under a recognized principle. If he's under pressure to justify his discrimination against bigamist marriages on the grounds of relevant legal principles, he'll be under pressure not to arbitrarily reject bigamist marriages. The greater the pressure, the more likely it will *happen* that he will not reject bigamist marriages, and bigamist marriages will be legally permissible.

Still, let's suppose there's a logical slope from A to N. If we accept A, then we have no legitimate reasons for rejecting N, which is universally or widely agreed to bad or wrong. The slopist needs to show that lacking reasons for rejecting N will actually lead to N occuring, if he's going to argue that we ought not take step A because it will lead to bad results.

Here's a final example of the same sort of slippery slope argument, one that uses a logical slope to support a causal slippery slope argument. Currently under the law, a family member who is guardian for someone in a permanent vegetative state, without an advanced directive and without any kind of consent from the pvs patient, can in some states order doctors to withdraw the family member from life-support. They do so, sometimes, in order to escape the great psychological and financial burden on themselves. Many are highly critical of people being able to do this for the following reason. They claim that if we permit people to kill others in order to free

themselves from great psychological and financial burdens, then we'll slide down a slope, at the bottom of which we'll find people offering the same justification in order to kill infants and the ederly who are also suffer from permanently reduced mental activity. In other words, the argument says that you won't be able to make a conceptual distinction between pvs patients and other human beings lacking their full mental capacities, such that you can say it's acceptable to kill pvs patients in order to escape psychological and financial burdens but it's not acceptable to kill other sorts of human beings with permanently reduced mental activity in order to escape psychological and financial burdens. Given you won't be able to make the conceptual distinction, people will then offer the same justification for killing non-pvs patients with permanently reduced mental capacity. Having no logical way to accept the justification in the case of pvs patients but not in the case of other permanently mentally disabled humans, laws will eventually be passed accepting the latter case, or judges will grant the right to people, and hence it will become more common.

-Evaluating causal slippery slope arguments relying on logical slopes.

This form of argument, to be well stated, must be very delicate. First, the logical slope must be established. It must be established that accepting A removes all logical resources for rejecting N. This requires showing that there's no relevant difference between A and N, such that you can accept A but fail to accept N. How do you do that?
It's not easy to do. Here's where a critic of the logico-causal slope argument can try to dig in. Likely A and N are fairly different things. So, what the critic will want to do is first think through all the properties N has that A doesn't have. Then, he or she will want to try to find one or some of those differences that would allow you to make the judgement that N is unacceptable but A is acceptable.

For example, the gay marriage activist, if he wanted to undermine the slope argument cited a few pages back, should list all the properties that bigamist marriage has that gay marriage does not. Then, he should look among those properties for one or some that will plausibly ground the judgement that bigamy ought not be legally accepted.

But, more than establishing the logical slope, the proponent of the logico-causal slope argument must establish, or provide good reason for thinking, that given the logical slope, there will be a causal slide from A to N. However, just because there's no logical reason to reject N, if we accept A, it hardly follows that everyone, many, or some will actually accept N. Further, just because many or some will actually accept N, it doesn't follow that many or some will actually do N. So, if the acceptance of N doesn't actually result in any bad or undesirable consequences, it hasn't been established that accepting A will eventually result in something bad or undesirable.