

Courtroom Standards of Evidence

In evaluating whether fallacy of appeal to authority applies, it is important to assess whether the cited authority is biased. In court, there are three levels of evaluating bias:

1. Arguments against interest – “Your honor, I am guilty.” This is the strongest type of argument, because the statement goes against the interests of the person saying it.
2. Arguments consistent with interest – “I am not guilty.” This is the weakest type of argument, because the person saying it has an obvious bias; of course they want to appear not guilty.
3. Neutral arguments – testimony from someone who does not know the accused party and has no connection to him/her. This is a strong argument, given the apparent absence of bias. However, it is not quite as strong as 1.