

NORMS FOR POLITICAL ARGUMENTATION IN A LIBERAL DEMOCRACY

NORMS FOR POLITICAL ARGUMENTATION
IN A LIBERAL DEMOCRACY

BY

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ABSTRACT

In this thesis, I have attempted to show a connection between norms for argumentation and requirements of a liberal democracy. The way in which we arrive at our decisions in a democracy is through the argumentative process. This argumentative process can be differentiated into eight separate argumentative dialogues, each having their own respective goals and initial situations. Given democracy's reliance on these argumentative dialogues, I derived three requirements which follow from our basic conception of democracy, i.e. government by the people. These three requirements are participation, trust and understanding. From these three requirements, I argued that it is possible to derive norms of argumentation which in turn support and foster these requirements of democracy. They are fairness, honesty, and clarity, respectively. By bringing together political philosophy and argumentational theory, I have shown that the quality of one's arguments have direct consequences for democracy.

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Introduction

When we think of how we conduct ourselves as citizens in a democracy today, the first thing which may come to mind is voting in an election. When we think of how our politicians conduct themselves in a democracy today, some of us may wonder why we even bother to vote. In North American society, there seems to be a growing dissatisfaction by the citizenry with politics as a whole. In the news, we are routinely confronted with stories about governmental cover-ups, lying politicians, and nasty election campaigns. Faced with this political climate, it seems easier for the average citizen to ignore civic life except for the occasional election when he or she is called upon to vote. While this is an important part of civic life, democracy needs more than just voting to sustain itself. Since the basic conception of democracy is 'government by the people', then the power of our government lies not with the arbitrary whims of a dictator or king, but with us, the citizens. As citizens, since the decisions about the direction and content of our democracy lie with us, then we must have a process by which we arrive

at these decisions. This process is the practice of argumentation. Only through the practice of argumentation can we be accountable to each other for our decisions. Democracy then, needs more than voters; it needs *arguers*.

Given the connection between democracy and argumentation, a question arises "How should we conduct ourselves in political argumentation if we want to support and further democracy?" This is the question which my thesis will attempt to answer. I will argue in chapter one that, given the basic conception of democracy, i.e. 'government by the people', we can draw out three requirements of democracy which should be met if the people are indeed to govern. These requirements are participation, trust and understanding. The next three chapters are devoted to deriving norms of argumentation from these requirements of democracy and examining their content. Briefly, fairness (chapter two), honesty (chapter three) and clarity (chapter four) are argumentative norms which foster participation, trust and understanding respectively. Since we should follow all of these norms when engaging in political argumentation, then some balancing of the norms is needed. It is possible that an excessive adherence to one can obstruct the requirements

which the other norms foster. Chapter five, the concluding chapter, will examine this idea.

Besides being a philosophical work from a graduate student, this thesis, I hope, can serve as a guide to help us understand the consequences of how we argue. For those who think that political argumentation will never improve because politicians tend only to seek power, this thesis also serves as an encouragement for the average citizen to get involved in our democracy beyond casting a vote on election day. Our political climate will change only when we start demanding a change. Democracy is more than just a concept or an ideal which we try to uphold; it is a social practice. And in this practice, if we do not have fair, honest and clear political argumentation, there may come a day when we cannot participate in a democracy at all.

Chapter 1: Democracy and Argumentation

1.1 Introduction

The purpose of this chapter is not to defend one type of democracy over another, but to make explicit what is normally implicit in democratic theory, namely the dependence of democracy on the practice of argumentation. The practice of argumentation occurs in many different contexts, and Douglas Walton offers us eight different types of argumentative dialogue which help us define these different contexts. As I will show, these types of dialogues are used everywhere in political argumentation.

After examining the connection between democracy and argumentation, I will turn my attention to what I will call 'three requirements of democracy'. These requirements, namely participation, trust and understanding, arise partly out of our modern day representative democracy and partly out of democracy's reliance on the practice of argumentation. It is important to note, however, that I am not claiming democracy

has *only* these requirements. The institution of democracy is complex and it may have other requirements beyond participation, trust and understanding. For instance, democracy may require a certain economic structure, such as capitalism, to support itself. Since it is through argumentation that we arrive at our decisions in a democracy, an educated populace may also be required. Since I am concerned with the way in which we conduct ourselves in political argumentation, I am limiting myself to examining only three of democracy's many requirements. These requirements, I think, serve as a good foundation to deduce the argumentative norms in the following chapters.

1.2 What is democracy and its connection with argumentation?

On an elementary level, democracy can be characterized by the phrase 'government by the people'. To this, democratic theory (and even Marxist theory!) can agree. *How* the people are to govern, to what extent they are to govern and who are to be considered people, are issues that give rise to different models. What remains a constant characteristic of the different models is democracy's reliance on the practice of argumentation. As mentioned in the previous

section, Walton offers us eight argumentative dialogues which, I think, help to illustrate the practice of argumentation in our daily lives. In the following table, the eight argumentative dialogues are set side by side with their respective initial situations, goals and benefits (Walton 90:413).

Type of dialogue	Initial situation	Goal	Benefits
1 Critical discussion	Difference of Opinion	To Convince Other Party	Understand Positions Better
2 Debate	Adversarial Contest	Persuade Third Party	Clarification of Issue
3 Inquiry	Lacking Proof	Prove or disprove conjecture	Knowledge
4 Negotiation	Conflict of Interest	Maximize Gains	Settlement and Consensus
5 Planning Committee	Collective Action Required	Joint Plan or Decision	Airing of Objections
6 Pedagogical	Ignorance of One Party	Teaching and Learning	Spread of Knowledge
7 Quarrel	Personal Conflict	Hit Out Verbally	Venting of Emotions
8 Expert Consultation	Need for Expert Advice	Decision For Action	Second-hand Knowledge

The way in which we arrive at the respective goals in

these eight argumentative dialogues is by giving *reasons*, or *offering proof* of our claim, stance, or position. In some dialogues, such as a quarrel, these reasons may not be as logically sound as the reasons given in a critical discussion. What remains constant, however, is that these dialogues arrive at their respective goals not by arbitrary means such as flipping a coin, but by appealing to another's reason, by trying to *convince* the other party. Sometimes in a negotiation, we can use the threat of a strike to convince the other party, but this is normally used when other tactics, such as appealing to the other party's reason or sense of fairness, have failed. Although we are venting our emotions in a quarrel and often seek to 'hit' out at the other person verbally, we still tend to give 'reasons' to the other person which try to justify our emotions at the time.

Upon close observation, Walton's types of dialogues are in use at practically all levels of government, i.e. from local to federal. We try to convince our neighbour, our city planners, our political representatives about the merits of a particular plan, course of action or legislative bill. Debates occur within the town hall, the provincial legislature, the House of Commons and during elections at all three levels. Our

federal government will call a 'Royal Commission', i.e. a high level inquiry, when the actions of a governmental or non-governmental organization erode the public trust, as the Red Cross' 'tainted-blood scandal' did. Right now, there are many unions negotiating with provincial and federal governments all over Canada. When a city, province or country wants to make major changes to an area, e.g. a hydro-electric dam or the creation of a new park, planning committees are formed. Often the planning committee argumentative dialogue will overlap with Walton's eighth type: expert consultation, as experts will often be a part of the committee itself. Pedagogy and quarrels, I think, have less of a role to play in political argumentation; however, it would be unwise to claim their absence.

In summary, it is not difficult to recognize instances of many of Walton's eight types of argumentative dialogues at various levels of government in liberal democratic societies. Quite simply, this is how we get things done at the political level; most decisions are made by first going through a process of argumentation. In addition, we also tend to value this argumentative decision-making process. Besides the fact that arbitrary uses of political power or violence are usually condemned by citizens in a democracy, there is also dissent when

we think that a course of action has not been given the amount of debate which we think is needed. A recent example is the protest which occurred (and still is occurring) around Bill 160, the Tory bill to reform Ontario's school system. Teachers, parents and other citizens have expressed great concern over the provincial government's failure to consult, debate and plan with members of the community, and they are worried that the decision-making procedure did not include enough debate about the issue. It may turn out that in the end, the Tory bill is acceptable to these protesters; however, the concern of many seems to be that the proper democratic process of consultation, debate and planning was not carried through with regards to this bill. In other words, not only is political argumentation necessary in a democracy, it is also often valued in a democracy.

1.3 Three Requirements of Democracy

Setting aside Walton's eight argumentative dialogues and their existence in democracy, I now turn my attention to democracy itself. In the following pages, I will propose that the participation by the citizenry, the trust of the citizenry and the understanding of the citizenry are three very important

requirements in a liberal democracy today. In arguing that participation, trust and understanding are three basic requirements in a democracy, I will be 'setting the stage' for later chapters. In chapters two, three, and four, I will take participation, trust and understanding and deduce which argumentative norms most closely foster these basic requirements. I will propose that fairness, honesty and clarity in political argumentation foster participation, trust and understanding respectively. Of course, there may be non-argumentative norms which may foster these basic requirements of democracy; for instance, one may argue that a state welfare system insures a basic standard of living which in turn allows for participation in a democracy. Since my thesis is concerned with political argumentation, I am only interested in norms which can be applied to political argumentation.

1.4 Why is participation a basic requirement?

The basic need of participation in a democracy stems from the basic conception of democracy itself. Since democracy is 'government by the people', then the people must participate in order to govern. In countries where there is a dictatorship, political participation is usually at a minimum because

governing decisions ultimately rest with a select few. Now there could be a great deal of political participation in such countries, but it would likely be aimed at the destruction of the regime and the installation of a new, often democratic government. Given the structure of a dictatorship, if there is political participation, it is usually outside the existing constitutional framework, and not within it as is usually the case for democracy.

How are the citizens to participate in a liberal democratic society? That depends upon the particular structure of a specific form of government. Our Canadian democracy is a representational democracy, meaning that we elect others to represent us in a legislative assembly at the local, provincial and federal level. The relationship between our representatives and the citizens is an important one, and will be discussed next when I propose that trust is also a basic need in democracy. There are other ways, however, that the citizen can participate in a democracy besides voting for a particular representative. Often, before taking important legislative steps, governments will hold public consultations. These meetings would probably most closely resemble Walton's fifth argumentative dialogue, 'planning committee' (with critical discussion, debate and

inquiry perhaps occurring within the process), and have the added benefit of allowing the public to air their objections. This procedure is often employed when a city, province or government proposes a significant change or the introduction of a new structure, such as a dam or a park, into the local environment. In fact, in many of our environmental protection acts, such public consultation is legally necessary before many plans can be approved. In part, the rationale behind these meetings is to allow for any dissent to be disclosed openly and publicly before any action which may significantly affect the public is taken. Often, if there is enough dissent, then the elected officials associated with the plan will take the amount of public dissent into consideration.

One does not have to wait for a public consultation to air one's objections. Citizens can participate by forming a letter writing campaign and/or sending petitions to the government, and can even take it upon themselves to form a new political party. In short, political participation ranges from the solitary act of voting for a candidate one prefers to more active, daily involvement in politics. At the very least, however, since democracy is 'government by the *people*' and not 'government by *one*, or a few', then the people must participate

in order for there to be a democracy.

1.5 Why is trust a basic requirement?

According to Trudy Govier in her book *Social Trust and Human Communities*, social trust is the 'glue' that holds society together. This is partly due to the fact that large human societies are complex entities where one chain of events, products, or ideas is dependent upon another chain. Since we are finite beings, we are dependent upon one another for knowledge, and if we want to live in such complex societies, then the need to trust others is paramount. In all of our decisions, from the day-to-day business which brings us to work or to the grocery store and home again, to the relationship with a professional doctor or consultant, there exists this dependence. We trust that the doctor will not lie to us about our medical condition in order to bill our health care system for extra money, we trust that the bus driver will travel down the route that she or he has been assigned, and we trust that the food in the grocery store will be safe to eat. If this sort of trust did not exist, then it is highly doubtful that our society would be able to function with such complexity.

The same goes for democracy. Trust is a basic

requirement for democracy because it, like society, is a complex entity. Since our democracy is representational, then at the very least the citizen who takes the time to find the political candidate which he or she thinks can serve his or her town, province or country best, and then votes for the candidate, can be said to implicitly trust that candidate. Otherwise, there would be little reason to spend one's time and energy researching and then eventually voting for the chosen candidate on election day. Even if we vote along partisan lines, then we still implicitly trust the party of our choice to fulfil their mandate. We also trust that our one vote will actually count as one vote; in other words, we trust that the election is not pre-determined, that it truly reflects the will of the people.

We also trust that the government will give us proper information regarding the issues of the day. Since we are finite beings, we are more often than not dependent upon one another for knowledge. If we are dependent upon one another for knowledge, then we must trust those who can give us that knowledge. When we have the desired knowledge, we can then arrange our lives accordingly. For example, if a government agency, say Health Canada, issues a warning to smokers that cigarettes are unsafe, smokers now have knowledge which would

help them decide whether or not to continue smoking. There is no reasonable way in which the average citizen can verify by themselves that smoking is unsafe¹. For this type of knowledge, one will always be dependent upon others to verify, or falsify, a claim. There are other claims which the average citizen can never hope to verify or falsify on their own; hence the citizen is dependent on the government for the correct information. Such claims could concern the size and severity of our national debt, a housing crisis for native people, or a falling/escalating crime rate. Once we have information, then collective action can be taken on the part of citizens and their government to remedy the situation. What remains important, however, is that we trust that information to be accurate.

In short, the relationship between a citizen and her government must be a trustworthy one in order for democracy to work. This, of course, does not mean we should have *blind* trust in our government. It is necessary to have open, yet critical, discerning minds. The adversarial nature of politics means that competing political parties may exaggerate a claim or a

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One could always become a doctor or a medical researcher, but then even researchers are dependent upon other researchers for knowledge.

situation for political gain. For example, if the Reform party prides itself on 'tougher' prison sentences for law-breakers, then it is possible that they would exaggerate the crime rate, thereby setting themselves up as the 'solution' to the country's crime woes. The discerning, critical mind will obtain information from a variety of sources, including the government. This issue will be treated more fully in the chapter on honesty.

As stated before, trust and participation are very much connected. If a citizen has serious doubts about the integrity of the election system, there is little reason for her to cast a vote if she thinks that the election is rigged. If a citizen thinks that the promises made by a candidate are empty promises with little chance of actualization, then it is doubtful that the citizen will take the time to participate in politics. And if we think that more often than not, the government lies, deceives and manipulates the populace for their own gains, then distrust has been replaced by cynicism. Once cynicism has taken hold, there is little reason, if any, to participate in democracy. Hence, in order to participate, the citizenry must have some amount of trust in their government and the democratic process. Next, I turn to the last requirement: understanding.

1.6 Why is understanding a requirement?

Understanding is a basic requirement of democracy because of its connection with argumentation. The first question one may ask is: understanding of what? The 'what' in this question refers to the content of the argument. Since in a liberal democracy we use the argumentational process to arrive at a decision, we are obviously arguing about *something*. In order for the populace to engage in political argumentation, we have to understand that *something* in order to participate. If I, for example, want to convince my government about the dangers of genetically modified foods in order to have them banned from the supermarkets, an *understanding* of the dangers is necessary. I must be able to present in clear concise language my beliefs about the issue and my reasons for holding those beliefs. The stronger my understanding of the issue, the more likely I can convince others of my position. A strong understanding might mean a vast, comprehensive understanding which encompasses not only scientific facts, but also sociological facts and a grasp of modern business practices.

Of course there are instances of argumentative dialogue, namely pedagogy, where one party is *seeking* understanding. A lack of understanding by the student is presupposed in most

teacher/student relationships. In the larger political landscape, however, the citizenry must occupy more than a 'student' role in political argumentation. It is true that we can learn about an issue through public consultations, or leader debates, but if democracy is 'government by the people', then the people must have an understanding of the issues which face them before any action by the people can be taken. Very simply, we cannot negotiate, debate, persuade, inquire, plan, or ask pertinent questions to experts if we do not understand what we are talking about.

Understanding is also linked to participation and trust. Outside of pedagogical dialogue, there is little chance that the citizenry would participate in political argumentation if they did not understand the topic at hand. I cannot convince someone of something I do not first understand myself. Often (and this will be treated in chapter 4) the speech of politicians can obstruct understanding when it is unclear. A lack of understanding about political issues can also contribute to a lack of trust, or, in some cases, blind trust. A citizen may, because of partisan politics, dislike the governing party. When the party in power reveals plans for a change in legislation, if the citizen does not know the issue that well, then it is too

easy to distrust the government and their policy when there may, in fact, be no reason to do so. This scenario can also work in reverse. Suppose the same citizen, because of partisan politics, favours the governing party. When that party reveals plans for a change in legislation, if the citizen has a lack of understanding about the issue, then the citizen may automatically trust the judgement of the party even when there may be reason to doubt that party's judgement. Both scenarios work on the simple observation that we tend to trust those whom we like and distrust those whom we dislike. As stated, some trust is needed, but the critical discerning mind required by the growing complexity of this society is a mind which is always seeking an understanding of the world around him or her.

Chapter 2. Argumentative Norm #1: Fairness

2.1 Introduction

This chapter will begin the exposition of the argumentational norms in this thesis. I have chosen 'fairness' to start, and the norms 'honesty' and 'clarity' will follow in later chapters. I will begin by examining fairness in the article "'That's Not Fair' Argumentational Integrity as an Ethics of Argumentative Communication" by Margrit Schreier, Norbert Groeben and Ursula Christman¹. Schreier et al. offer a good conception of procedural fairness which should govern our argumentative interactions. I will briefly explain how Schreier et al. arrived at these norms, and how these norms have at least a *prima facie* acceptability.

Although their article addresses more than procedural fairness in argumentation, their conception of fairness is incomplete for my purposes because interpretive fairness remains undeveloped. In order to offer a more

¹ Hereafter, Schreier et al.

complete conception of interpretive fairness, in section 3 of this chapter, I have chosen some of Johnson and Blair's writings in fallacy theory. Fairness as an argumentative norm, then, will have two components: procedural and interpretative. Although one may think that these two norms should be considered separately because of their different content, I think that fairness of procedure and fairness of interpretation must be placed together because the rationale for both is the same. If I sincerely want to give another person's argument a fair interpretation, then it follows that I first must allow that person a chance to speak. Conversely, if I give another person an opportunity to speak, then this indicates that I sincerely want to know what she has to say. Why do we let people speak if not to hear what they have to say? If, after she speaks, I then intentionally give an unfair interpretation to her words, I am indicating that I really did not want to know what she had to say, and was only going through the 'motions' of listening to her contribution or argument. In short, I let her speak, but I was not really listening. Since people generally expect that others will listen to them when they speak, then procedural and interpretive fairness should be

considered together.

There is another form of fairness which I will suggest in this chapter. In addition to treating each other fairly in a dialogue, we can also treat the issue fairly as well. This type of fairness means subjecting the issue to many different types of argumentative dialogues and striving for accuracy based on the relative importance and complexity of the issue.

If these norms are lacking in political argumentation, then we incur the risk of reducing the number of citizens participating in political argumentation. As stated in the previous chapter, participation by the citizenry is a basic requirement for democracy. As will be shown, fairness in procedure, interpretation, and in the treatment of the subject, is the norm which most directly fosters participation in political argumentation. If we anticipate that we, or the topic, will be unfairly treated in an argumentative dialogue, then there is little reason to spend our valuable time and energy engaging ourselves in the dialogue.

2.2 Fairness of Procedure

In its most basic form, fairness of procedure consists of allowing everyone to have their 'say' in an argument. Before turning to Schreier et al.'s procedural guidelines, an important issue in democratic theory must be addressed first. Since this thesis is concerned with political argumentation, quite naturally, an important question arises: 'who gets to participate in the dialogue?'. In response, I maintain that the question of 'who speaks?' is a question best left to the democratic theorists, and answering it is therefore out of the range of this thesis. I also think that democracy itself is rich and fertile enough to accommodate all of our voices. Beyond the voting booth, televised debates and campaign advertisements, democracy offers many public forums in which political argumentation occurs. These public forums can be environmental inquiries, town council meetings, political action groups, etc. My concern in this chapter is to offer an argumentative norm which should apply to the participants of these forums, whoever they may be. For the sake of the arguments in this chapter, however, whenever I refer to 'the participants', I am assuming that they have a 'right' to engage in the dialogues. *How and why* they

procure that 'right' is something best left to the democratic theorists, and is again beyond the scope of this thesis.

Before I present Schreier et al.'s rules for procedural fairness, I will first explain how they arrived at their rules. To begin, Schreier et al. start with the following conception of argumentation:

In an argumentation, the participants attempt to find a solution to a controversial issue (requirement) by means of a partner-/listener-oriented exchange of views (process) that is based on reasons (goal) and made acceptable to all participants (goal). (Schreier et al. 95:269)

As we can see, this conception of argumentation is very similar to Walton's first argumentative dialogue, critical discussion. In a critical discussion, the initial situation is a difference of opinion, and the goal of the discussion is to convince the other party (Walton 90:413). At this stage, Schreier et al. have given us a descriptive conception of argumentation. In this descriptive conception of argumentation, however, they extract two *prescriptive* elements. These two elements are based on the two goals of argumentation. First, as we try to convince

each other of our views, it is not enough that we use any sort of reasons, we should use *good* reasons. These reasons should be in "accordance with the principles of the logic of argumentation" (Schreier et al. 95:271). The argumentative procedure then, "can thus be characterized as essentially *rational*" (Schreier et al. 95: 271). The second prescriptive component of argumentation arises out of the second goal, i.e. 'a solution made acceptable to all participants'. Since an argumentative discussion is directed towards the goal of *conjointly* reaching a solution to a controversial issue, then it follows that *the participants must behave in a cooperative manner*. If the participants do not behave cooperatively, then it is unlikely that the goal of a 'solution made acceptable to all participants' will be met. So, in an ideal sense, argumentation is both rational and cooperative.

Next, Schreier et al. take these two prescriptive components as "the starting-point for developing criteria for the evaluation of contributions to an argumentation" (Schreier et al. 95:272). Since argumentation is seen as a partner/listener-oriented procedure, then we can distinguish between the 'products' of argumentation and the

'process' of argumentation. The 'products' refers to the actual arguments advanced by the participants. The 'process' of argumentation is the communicative process between the participants as they engage in the dialogue. Since the 'products' should be rational and the 'process' should be cooperative, then in order to fulfil these goals, argumentation should meet the following four conditions.

They are:

- 1) Arguments must be valid
- 2) The participants in an argumentation must be sincere, i.e. express only such opinions and convictions (and argue in their favour) which they themselves regard as correct
- 3) Arguments must be just towards other participants
- 4) **The argumentative procedure must be conducted in a just manner, i.e. all participants must equally have the opportunity to contribute towards a solution according to their individual (relevant and justifiable) beliefs. (Schreier et al. 95:273-275) (emphasis mine)**

Since the focus of this chapter is procedural fairness, I am interested in this last condition. The fourth and last condition "relates to the goal dimension of cooperation

under a formal-procedural perspective" (Schreier et al. 95:275). I will return to it later.

Next, it is important to note that Schreier et al. claim that, to some extent, participants expect that the argumentative process should be rational and cooperative and should conform to the above argumentative conditions. Furthermore, to some extent, participants also assume that others realize this as well. Although Schreier et al. state this in their article as two assumptions, I think that these are reasonable assumptions to make. Usually, when we enter into a critical discussion, we do not want to consent to just *anything*, but rather we come into a critical discussion with the intention to let ourselves be *convinced* or to *convince* others of a particular position. This position should be the most logical argument given during the discussion. Since logical arguments cannot be put forth unless there is cooperation among the participants, then we expect that the process will be carried out fairly. Fair cooperation means that no participant "will impose his/her will upon the others" or "place his/her interest above the common interest" (Schreier et al. 95:276). In other words, we expect that

others will have 'argumentational integrity', meaning that they will not "consciously violate the argumentative conditions" (Schreier et al. 276).

Argumentational integrity, according to Schreier et al., is both a subjective value concept and an objective value concept. For the former, argumentational integrity "refers to the subjective value standards which are assumed to lie at the basis of an individual's expectation that he/she as well as the others in an argumentative exchange will 'play fair'" (Schreier et al. 95:279). The question of whether we have such a subjective concept of argumentational integrity, according to Schreier et al., is an empirical one. In their article they have cited various studies which claim that we do have such a concept. Argumentational integrity is also an objective value concept, meaning that it is applicable "regardless of whether a particular individual does or does not hold the corresponding subjective value standards" (Schreier et al. 95:279). Admittedly, because Schreier et al. are psychologists, they are more interested in the subjective value concept of argumentational integrity, and are too brief about the objective validity of argumentational

integrity. Instead of arguing in detail about the objective validity of argumentational integrity, they conducted a study which asked 90 participants to classify 35 (un)fair rhetorical argumentative strategies under the 'negative' categories of the four argumentative conditions, i.e. 1) faulty arguments, 2) insincere contributions, 3) unjust arguments, 4) unjust interactions. This study served two functions. First, "the groups of strategies can be regarded as differentiations of the subjects' subjective value concepts of argumentational integrity"(Schreier et al. 95:283). In other words, not only do we have a concept of argumentational integrity, we can give a certain amount of detail to the concept. Argumentational integrity, then, is more than just a feeling that others should argue fairly; according to this study we can recognize ways of arguing fairly. The second purpose of the study was to use these differentiations "towards specifying the objective value concept" (Schreier et al. 95: 283) although we should keep in mind that Schreier et al. have yet to ground their objective value concept of argumentational integrity. Nonetheless, when the participants sorted the rhetorical strategies according to the categories of (un)fair

argumentation strategies, under the heading of unjust interactions three rules emerged. Because of the claim that we have a subjective value concept of argumentational integrity, and because the study revealed that we can sort and categorize specific types of (un)fair argumentative strategies, the three rules of procedural fairness have a sort of *prima facie* validity. These rules contribute to procedural fairness in the sense that, by following the guidelines, one is following a system which is akin in purpose and spirit to 'Robert's rules'. Robert's rules of order, a system of rules which is often used to govern meetings and assemblies, have as their object:

to assist an assembly to accomplish in the best possible manner the work for which it was designed. To do this it is necessary to restrain the individual somewhat, as the right of an individual, in any community, to do what he pleases, is incompatible with the interests of the whole. (Robert 51:14)

Thus, in order to allow everyone to participate fully in the argumentation process, one must respect the following guidelines:

1. Do not intentionally interact with others in such a way as to impede their participation.

2. Do not break off the argumentation without justification.

3. Do not intentionally act towards your adversary in the matter at hand as though he were your personal enemy. (Schreier et al. 95: 284)

I will argue that rules one and two should form the foundation of procedural fairness. Later, I will argue that rule three should not be included because of its vagueness.

As previously explained, Schreier et al.'s conception of argumentation is akin to Walton's first argumentative dialogue, critical discussion. Since Schreier et al.'s article shows that, at the very least, we have a subjective sense of fair argumentation *in a critical discussion*, a question arises: can we still apply these rules to the other argumentative dialogues? The answer to this question, I think, is yes. Recall that in a critical discussion the participants should act in a cooperative manner in order to reach the goal of a solution made acceptable to all participants. In a sense, cooperation means that we interact with each other in a just manner. If I do not follow the aforementioned rules but instead

inhibit your participation, break off the argument without justification and/or regard you as my personal enemy, then I am certainly not acting cooperatively. The other argumentative dialogues (with the possible exception of a quarrel) also need cooperation by the participants to reach their goals as well. If we want to prove or disprove a conjecture in an inquiry, then we need to interact in a cooperative manner and let each other contribute to the discussion. If we want to maximize our gains in a negotiation, then we have to let each other have their say in the dialogue, and so on. Even in a debate, if the goal is the persuasion of a third party, then it follows that the both parties must be given their chance to speak. A debate is only a debate if the audience has the option of being persuaded by either A or B. If A does not let B speak, and the audience only hears what A has to say, then it is doubtful that we can call it a debate. In summary, although Schreier et al. have derived their procedural norms from a conception of argumentation which is akin to Walton's 'critical discussion', these norms foster cooperation among the participants and help the participants reach the various goals in the different types

of argumentative dialogue, not just a critical discussion alone.

Returning to the aforementioned rules, here I would like to rely on Schreier et al.'s chosen verb 'interact'. Since they are working from a dialogical model, I understand their usage of 'interact' to be limited to dialogical interactions only. It is possible that rule one could be interpreted to mean that one should not hold very important public meetings in far away places in the middle of the night. In a sense that would mean that we would be interacting with others in such a way as to impede their participation. While this sort of scenario should not occur (that is, public meetings should be reasonably accessible to the public), I would like to avoid such interpretations of 'interact'. Since this thesis is about the argumentational norms which further democracy, I take 'interaction' to mean the way in which we conduct ourselves in the argumentative dialogue.

Since people enter into an argumentative dialogue intending to participate in the dialogue, rule one asks us not to impede their participation. Impeding participation could mean something as simple as constantly interrupting

a speaker, or not allowing for a group or an individual to 'take the floor', or as complex as chairing a disorderly meeting in which only the loudest voices can be heard. This is a rule which urges us to conduct ourselves in such a way as to allow others their chance to have their 'say', make their point, or air their concerns in an argumentative dialogue. Since I am assuming that those in the dialogue have an *a priori* right to speak given to them by their democracy, then it is the responsibility of those in the argumentative dialogue to allow for the exercise of that right. Furthermore, to impede participation where the *right* to participation exists can be regarded as unfair. It is unfair because one party is being denied the chance to exercise their right to participate in an argumentative dialogue while others exercise theirs.

Based on this, an important question naturally arises. Is it *always* unfair to impede others from participating in an argumentative dialogue or are there any justifiable reasons to impede participation? Unfortunately, I cannot look to Schreier et al.'s conception of fairness to answer this question. Although their model is dialogical, the model itself is not grounded

in any sort of real-life situation. Since I am concerned with political argumentation, then, quite naturally, time restrictions do apply. Meetings, inquiries, debates etc. do not continue indefinitely, so it is quite possible that some arguers will not get their chance to exercise their 'right to speak' in a certain forum at a certain time. Whether time constraints alone are a justification for breaking this norm may depend on the effort made to make sure that the dialogue has been conducted in such a way that *most* of the concerns have had the chance to be aired. For example, we may have more than one meeting, inquiry session or debate about the topic, thereby increasing the chances that everyone will eventually have their say. Another fairly common way to ensure that all get their chance to speak is for one member to speak on behalf of others. If many people have the same concerns, it is possible for them to designate a speaker who will speak not only for himself or herself, but for the others as well. Of course once this speaker is in the argumentative dialogue, then she or he should be allowed to exercise the right to speak without impediment. These sorts of measures reduce the chances of impeding participation because of

time constraints. So while time constraints may be a justifiable reason for breaking the first rule of procedural fairness, it would be dependent upon the amount of effort made by those in the dialogue to try and compensate for these time limits.

Another problem arises. It is still possible that the delegates were allowed to speak unimpeded on people's behalf, and that all of the delegates were given an equal amount of time in which to speak so that no one group monopolized the dialogue, yet still some participants in the dialogue thought that the procedure was unfair. How could this be? It is still possible for someone to object that although they were given just the same amount of time as everyone else to speak unimpeded, the argumentative dialogue was itself too short because it was concluded too early without justification. This sort of scenario points to the need that rule one must be balanced with rule two, "one should not break off the argumentation without justification".

As shown in the previous chapter, argumentative dialogues are often goal directed; for example, the goal of the inquiry is to prove or disprove a conjecture. When

this is coupled with the fact that political argumentation is often subject to time constraints, then participants try to achieve the goal within the allotted time. As stated, sometimes it is simply impractical for us to allow everyone their chance to make their argument or to have their say, so we try to accommodate these time limits by allowing a person to speak on another's behalf, and also by providing a range of opportunities for people to engage in the dialogue. We also assume that when participants enter into an argumentative dialogue, they want to reach the respective goal as well. When they leave the dialogue or end the dialogue without a justifiable reason before the goal is reached, then they have broken the second rule of procedural fairness. On a very basic level, it is unfair to start a goal-directed activity with others, then abandon the activity (or worse, purposively bring it to a halt) without a justifiable reason. Being fair to others, in part, means that we try to honour our commitments because others justifiably rely on us to do so.

As previously mentioned, rule one must be balanced with rule two in order to ensure procedural fairness. Another question arises: "can one follow both rules and

still be procedurally unfair?" The answer to this question is yes. Take for instance the following example. Suppose a government had to debate a piece of legislation in parliament. This piece of legislation, a tax change perhaps, was promised to the voters if they elected a particular party. This party now forms a majority government and they now want to follow through on their promises to their supporters. Now suppose that the opposition party (who also represents a fair amount of voters) objects to the tax reform. The governing party could follow rule one and allow each minister of the government to have their say during the debate and then follow rule two and conclude the debate *with justification*. What is the justification in this example? Since debates are usually aimed at convincing a third party, then the ruling government could claim that the majority of voters already approved of the tax reform by the very fact that it was a key part of the government's campaign platform. Thus, the third party, in a sense, are convinced and the debate can conclude with justification. Can the opposition parties still claim that the procedure was unfair? I think that it is possible for the opposition party to claim that

it was unfair on the basis that the topic itself, the tax reform, *did not get the fair treatment it deserved*. As political arguers, we must do more than treat each other with fairness, we must treat the topic with fairness as well. The more complex and comprehensive the issue, the more we must engage ourselves in the argumentative process to help our understanding of the issue in order to take good, careful action. This way we avoid arbitrary and/or cavalier actions upon matters which deserve our serious attention, and we also avoid wasting time arguing about less significant matters. Unfortunately, since the topics of political argumentation vary greatly in their subject matter and importance, forming a precise enough rule will be difficult. In part, however, I think that following the spirit of the first rule, do not interact with others in such a way as to impede their participation, will, in part, lead to a fair treatment of the topic. Since argumentation tends to coalesce around a controversial issue, then the more we allow citizens to speak about the controversial issue *in many types of argumentative dialogues*, the more we will increase our chances that the topic itself will be fairly treated. A debate may not be enough to settle the

issue about a certain tax reform. Depending on the importance of the reform, holding an inquiry, forming planning committees and consulting experts may be needed to give the topic fair treatment. So procedural fairness will not only contain rule one and two, but it will also urge us to engage in a wide range of argumentative dialogues about the subject in order to reap the benefits that all of these different dialogues have to offer.

There is another way in which we can treat a topic fairly. Fair treatment of a topic will also demand a degree of accuracy relative to the topic itself. The discussion of this requirement of fair treatment of a topic, accuracy, will be examined in section 3 of this chapter when I discuss interpretive fairness.

The third rule, "do not intentionally act towards your adversary in the matter at hand as though he were your personal enemy", is also a valuable rule for procedural fairness; however, there are some difficulties with adopting this rule. Schreier et al. are vague as to what constitutes acting towards another as if she or he were an enemy. It cannot mean not to engage in *ad hominem* attacks because this unfair move is covered in a previous rule in

their article: "do not, even by negligence, discredit other participants" (Schreier et al. 95:284). Perhaps Schreier et al.'s point is to keep a form of 'goodwill' present in the argumentation process. If this is so, then much more explanation is needed in order for the rule to be applicable.

2.3 Fairness of Interpretation

As stated, rules one and two form the foundation of procedural fairness. Once rules are in place which first allow others to speak, and second, demand that we continue the process until a justified closure, how else can we expect ourselves and our opponents to argue fairly?

The second component, then, is interpretive fairness. This type of argumentative fairness arises when we have to respond to another's contribution, and to the subject matter itself. As mentioned, Schreier et al.'s treatment of interpretative fairness is undeveloped for my purposes. The two rules which address the issue of interpretative fairness (and are actually under the category of 'unjust arguments') are as follows:

1. Do not repeat contributions made by others, your own contributions, or facts in such a way as to intentionally distort their original meaning.

2. Do not, even by negligence, discredit other participants. (Schreier et al. 95: 284)

Both of these rules can be elaborated further using fallacy theory. In addition, for rule two, there may be instances in political argumentation where one may legitimately discredit his or her opponent.

Considering that Schreier et al.'s rule for fairness in interpretation requires that the arguers do not intentionally distort their own or another's contribution, the question arises, "what kind of argumentative standards can we use to avoid distorting a contribution?" To answer this question and to elaborate upon Schreier et al.'s rule, I now turn to fallacy theory and some of the writings of Johnson and Blair in this field. There are two types of standards which can be applied in political argumentation. The first is employed when the meaning of the argument or the contribution is clear. The second standard is used when the meaning of the argument or contribution is

unclear. In the first situation, there are three rules which each have an associated fallacy. When an arguer is presented with an argument or a contribution and wants to respond to it, there are three rules which the arguer should follow in order to follow the norm of interpretive fairness:

1. The position criticized must be the position actually held.
2. The criticism must be aimed at the argument or position, not the person, if it can be shown that criticizing the person is irrelevant.
3. Arguments and contributions should be relevant to the topic or argument at hand, and should not act as a diversion towards another topic unless the participants think that the present topic has been satisfactorily addressed.
(Johnson and Blair 93:82-100)

Since fallacy theory offers a nice identification system of the habitual breakage of these rules, the fallacies associated with these rules are the following:

1. Straw person: The fallacy that occurs when the arguer distorts and then attacks his or her opponent's position; so named because the distorted version is typically a "straw effigy" which is more easily taken apart than the real thing
(Johnson and Blair 93:325).

2. Ad hominem: The critic responds to the position of an arguer by launching a personal attack on the arguer, ignoring the arguer's position [and] the personal attack on the arguer can be shown to be irrelevant to the assessment [of] the argument (Johnson and Blair 93:90)

3. Red herring: The fallacy that occurs when the arguer introduces into the argument an irrelevant issue which has the potential of distracting attention from the issue (Johnson and Blair 93:324).

My justification for choosing these three particular rules which constitute interpretive fairness will be explained at length at the end of this chapter. I will argue that if we do not follow the norms of procedural and interpretive fairness, we risk undermining one of the basic requirements of democracy, i.e. participation of the citizenry.

Rule one's requirement that an arguer only criticize the position that is actually held prevents us from minimizing or diminishing the quality of another's argument. Because of political argumentation's often adversarial nature where there are 'winners' and 'losers' in debate and in critical discussions, this rule is

particularly important. When an arguer is in this adversarial context, there is usually pressure to 'win at all costs' even if it means distorting the meaning of one's opponents' arguments. While this may be seen as a typical rhetorical move used in much political argumentation, there are consequences following from this type of argumentative strategy. One of the consequences is that we may not be able to experience some of the benefits associated with a debate or a critical discussion. Recall the chart in the previous chapter. According to Walton, the goal of a critical discussion is to convince another party, but the *benefit* of a critical discussion is to 'understand the positions better' (Walton 90:413). If the positions criticized are not the positions actually held, then it is unlikely that the participants will understand the positions better. We understand the position better when we *address* the other's position and do not distort it. This holds true for a debate as well. Since one of the benefits of a debate is to clarify the issue (or a position), then if we spend most of our time attacking a position not actually held, then it is unlikely that the true issue will be clarified for ourselves or the third

party. Unfair argumentative strategies such as the ones just mentioned can diminish the benefits which we may obtain from engaging in an argumentative dialogue. This too has consequences for democratic participation and will be addressed at the end of this chapter.

Note rule two's associated fallacy, *ad hominem*. Johnson and Blair have formulated this fallacy so that we can only charge someone with committing an *ad hominem* when "the personal attack on the arguer can be shown to be irrelevant to the assessment of the argument". As stated, Schreier et al. do not include this condition in rule two. Since politicians, civil servants and other people in stations of power tend to be in positions of great trust in liberal democratic societies as well, there may be times when it is not irrelevant to discredit one's opponent, especially when that person has shown himself or herself to be untrustworthy through previous actions. What counts as a relevant discrediting will vary from context to context; however, it is imprudent to simply disallow this argumentative move without question. For this reason I have chosen Johnson and Blair's version of rule two instead of Schreier et al.'s version. Once again, if we launch

irrelevant attacks upon our opponent and not their argument, we risk diminishing the benefits of a critical discussion and a debate. Since the benefit of the former is to understand the positions better, if we spend our time irrelevantly attacking the person and not the issue, then there is little chance that we will advance any understanding of the position simply because we have not addressed the position. The same goes for a debate. Since a debate's benefit is a clarification of the issue, then irrelevant personal attacks do not do anything to clarify that issue. As I will show, this could reduce participation by the citizenry.

Rule three, which asks an arguer to respond to the argument and not to bring in another topic until the first one has been adequately addressed, is similar to rule two of procedural fairness. For the latter, procedural fairness keeps the arguers participating until a justified completion. For the former, interpretive fairness disallows any irrelevant subjects which may take the present argumentational process off track.

The second component of interpretive fairness occurs when the argument is unclear. Recall that the

previous three rules and their associated fallacies should only be used when the contribution can be understood. Unfortunately, we do not always encounter textbook models of arguments and sometimes we have to do the best with what is presented. How then shall the arguer act when encountering another's contribution whose meaning is confusing and/or misleading?

The standard which an arguer should evoke is the 'principle of charity'. According to Johnson and Blair, this principle demands that an arguer should:

4. provide the most favourable logical interpretation of a text or discourse consistent with all the available evidence relevant to its interpretation (Johnson and Blair 93:11).

The principle of charity, then, is the fourth rule of interpretive fairness. Essentially, the principle of charity requires us to be sympathetic interpreters. By sympathetic, I mean that what is presented before us (the unclear argument) comes from a human being and that human beings generally do not make arguments from which ridiculous conclusions may follow. Of course the "available evidence" may not point to a logically good

conclusion or a particularly enlightening or interesting conclusion. What is at stake, however, is the ability to recognize each other as rational human beings, and the principle of charity fosters just that.

Johnson and Blair caution against reading an argument **as** an argument when the author is trying to accomplish something else besides rational persuasion. It could be that the author's 'argument' is actually a piece of satire, e.g. Jonathan Swift's 'A Modest Proposal', or a humorous piece, etc. Generally, while this is a good rule to follow, i.e. make sure an argument exists before treating it as such, I do not see this issue arising too often in the political arena. Of course, although Swift's piece had its political overtones, one could not seriously engage Swift on a level of rational argumentation against his somewhat odious conclusion. For the most part, when we enter into political argumentation, with the exception of a few humorous quips here and there, one does not encounter much literature disguised as an argument.

With the mention of written argumentation in the above paragraph, I think that a potential problem with using Schreier et al. and Walton's eight argumentative

dialogues must now be addressed. As stated in chapter one, in order for us to understand the different types of arguments, according to Walton, we must understand that they take place in different kinds of contexts, and these contexts are usually verbal. Schreier et al.'s conception of argumentation relies also on the dialogical model. The question then arises "can these rules be applied to written political argumentation as well?" The answer to this question is a hesitant 'yes'. Theoretically, there is nothing preventing us in written argumentation from being at least interpretively fair. I do see problems, however, in applying procedural fairness. The problems arise, I think, from the different spheres in which written political argumentation and verbal political argumentation take place. For the latter, our meetings, our debates, our inquiries, our negotiations etc. usually take place in the public realm. We are free to go to these meetings, these debates, and at times we are even visited at our doorstep by those who want to engage us in political argumentation around election time. In a sense, we are the owners of the realms in which these dialogues take place. In contrast, a great deal of written political argumentation takes place

in the press. Newspapers and magazines are forums in which political debate occurs, but, because someone owns the newspaper or magazine, other sorts of issues must be addressed before we can apply the rules of procedural fairness. These issues are the purpose and role of the press, concentration of media ownership, the power of editorial boards, the power of advertisers and corporations, and so on. In other words, the partly private/partly public nature of the press in our society, and its structure of ownership and control requires a larger debate before one can formulate and apply rules of procedural fairness. These issues, I think, are beyond the scope of this thesis because of their complexity. For my purposes, while I recognize that these rules of interpretive fairness could be applied to written argumentation, and acknowledge that there are problems with procedural fairness because of the broader debate and arguments surrounding the role of the press, I would like to keep the focus in this thesis on dialogue only.

The final way in which an arguer can be fair, and this was treated at some length in the previous section, is to treat the topic itself in a fair manner. If the topic,

or thesis, or an issue is complex, controversial and has wide-reaching consequences for the citizenry, then we must respect its complexity and treat it with fairness. As stated in the previous section, one way in which we may treat an issue with procedural fairness is to increase the amount and type of argumentative dialogue about the issue. A complex and controversial issue would, I think, quite naturally attract much attention from the citizenry, and we should be procedurally fair and allow for the citizenry to engage themselves with the issue. When we engage ourselves with the issue, however, how can we be interpretively fair to the issue itself? I think that a basic way in which we can be fair to a complex issue is to be accurate. Accuracy here means careful fact-checking, careful interpretation of arguments, taking the time to gather evidence, etc. In addition, when we are procedurally fair to an important issue and subject the issue to a wide range of dialogues, we also form a more accurate account of the issue. The more people we allow into the different types of political dialogue, the more facets of experience we include in our view of the overall picture.

The need for accuracy can be seen in more prominent

issues of the day. Take global warming for example. Arguably, global warming is a complex scientific and social issue with wide-reaching consequences for all of the people on this planet. In order to be 'fair' to the issue and to others affected by the issue, it is not enough for us to base our decision to ban the burning of fossil fuels on the fact that last summer seemed unusually hot to the prime minister and he had to go out and buy an air-conditioner. In order for us to be certain that there is an increase in global temperature, we need careful scientific observation taken over time by many scientists working in the field. With global warming in particular, sometimes even the slightest variation in scientific data can cause controversy and doubt amongst the scientists. For them, it does matter if the average global temperature rose one degree or two in the past decade. In other words, issues which have wide-ranging consequences demand accuracy if we want to take reasonable, intelligent action. Being fair to these issues by embracing accuracy means respecting these issues for what they are- complex, challenging and offering no immediate easy solution. Being fair to the issue by being accurate also translates into being fair to others.

It is unfair, I think, to base a decision about an important complex issue which affects others on a hasty, possibly erroneous, reasoning process. This is why we must also be fair to an issue, as well as fair to each other, and in being fair to each other, i.e. allowing for more argumentative dialogues to take place, allowing others the chance to speak and not misinterpreting them, we are in fact being fair to the issue as well. The fifth rule for interpretive fairness, then, requires that in political argumentation:

5. The participants in an argumentative dialogue must treat the issue at hand with the degree of accuracy that the issue deserves.

It is important to note, however, that I am not saying we never have to be accurate with issues that do not have such broad consequences. Accuracy is good, I think, for accuracy's sake. Cultivating and valuing accuracy with regard to simple tasks and simple issues may also help us achieve accuracy in the more complex cases with wider consequences. My point in the preceding paragraphs is that there are certain times when we *must* be accurate, and other times when we can afford to be less accurate if we so

choose.

In summary, an arguer is interpretively fair when he or she criticizes *only* the argument and not the person (where criticizing the person is irrelevant), does not purposively sidetrack the present topic or argument being discussed, and does not misinterpret another's argument. He or she must also be charitable when interpreting an unclear argument. It is not enough that we treat each other with fairness; we must be fair to the topic as well because by being fair to the topic, we also, in turn, are fair to each other.

2.4 The importance of procedural and interpretive fairness in a democracy

As stated in the previous chapter, participation is a basic requirement of democracy. Since the general definition of democracy is 'government by the people', then the people must participate if there is to be a form of democratic government. When we follow the aforementioned rules of argumentative fairness, we foster participation in a democracy. The reasons for this are twofold. First, as with many activities in life, if we are to participate,

then we usually want the 'rules' to be fair. If participation means speaking to others about a particular issue or concern, then at the very least we want the opportunity to speak unimpeded, and we want others to listen and to address *what we have said*, and not something which we have not said. If these rules are not followed to foster both types of fairness, then there is little, if any, reason to participate. Take, for instance, the following analogy. Suppose a couple had a few marital problems, and to solve these problems, they went to a marriage counsellor. In order to solve these problems in the marriage, the counsellor suggests that the couple speak to each other, in effect, 'talk it out'. One of the first things that a good counsellor will suggest to the couple is that each should have an opportunity to speak unimpeded to the other, and the counsellor's presence acts to ensure just that. The time which the couple takes, say an hour or so, with the counsellor ensures that they are less likely to break off the argument without justification. In effect, procedural fairness forms a foundation for participation. The next important thing which the couple must do during their critical discussion is to make sure

that they are interpreting each other's position fairly. Once again, the counsellor in these sort of situations acts as an impartial judge who makes sure that the contributions by one member of the couple do not get misinterpreted by the other. Interpretive fairness, then, again forms a foundation for participation. When these rules are followed, at the very least, participation in the critical discussion is now possible. If they were not in place and each sincerely wanted to work out their differences, then constant interruption, misinterpretation and irrelevant attacks on the other person would directly diminish each other's desire to participate. As with marital argumentation, so too with political argumentation. If one, when engaged in political argumentation, were to be constantly misinterpreted and irrelevantly attacked on a personal basis, had the subject changed without justification, was interrupted, was not allowed to speak and was dismissed from the argument without justifiable reason, then there would be little reason to participate. Quite simply, when we engage in argumentation of any sort, we expect that what we say will not be intentionally misinterpreted, and that we will have the chance to

participate. We believe this because we think that our arguments will have some positive effect. So the cost of spending the time putting together or researching well-reasoned arguments about an issue, and taking the time to speak or write about the issue is balanced against the perceived benefit that our efforts will have some effect on others. If citizens in a democratic society were constantly exposed to violations of the fairness norm, then there would be little reason to participate in political argumentation, since there would be little point putting effort into something which either is constantly misinterpreted or not even allowed a hearing.

There is a second reason why fairness fosters participation. As mentioned in the previous section, unfair strategies of argumentation usually diminish the benefits which we can derive from the various argumentative dialogues, in particular, critical discussions and debates. Another reason why we engage in argumentation, besides reaching the goal, is to enjoy the benefits of the dialogue. Going back to the marital example, if the couple were having a critical discussion in the counsellor's office with the goal of convincing each other about their

respective positions, even if they did not succeed in that goal and remained unconvinced by each other, it is still possible that they received the benefit of the discussion, i.e. understanding the positions better, if they followed the rules of procedural and interpretive fairness. So, although the goal was not met, the argument was worthwhile because a greater understanding was achieved. Such benefits foster the argumentation process and, given that they now understand each other better, it is possible that they will try again to resolve their differences. Once again, this scenario can be applied to political argumentation. Many people watch political debates not only to allow themselves to be convinced by a particular position but also to receive the benefit of the debate, i.e. clarification of the issue. If the participants in the debate engage in procedural and interpretive unfairness and by doing so do not address the issues, then there is little chance that the issues themselves will be clarified. If the benefits are not derived, then we risk alienating those citizens who watch the debates. For those who watch political debates in order to get clarification of the issues and do not receive it because of unfair strategies

of argumentation, if they cease to watch debates, they are also removing themselves as the target of the goal of debates, i.e. persuasion of a third party. Debates do play a valuable role in political argumentation but they need the third party present in order to achieve their goal. Without an audience to convince, there is little reason to debate.

Is there ever a time where we can be justifiably unfair in order to increase democratic participation? The answer to this question is yes, but only in certain instances and for certain reasons. Take for example, a group of natives shouting down the House of Commons. It is quite possible that they are breaking the rules of procedural and interpretive fairness by their actions. They may, however, be justified in doing so. The rules which I have put forth generally apply when the participants have decided to engage in an argumentative dialogue about a particular topic. Essentially, it is possible to regard the actions of the native protesters as a protest about the *lack* of political dialogue about their concerns. By flagrantly breaking the argumentative rules, they are trying to stop the current dialogues and turn the

participants' attention towards their cause. In other words, in a democracy if we are unhappy that a certain issue is not being addressed through political argumentation, then I think it is allowable for us to 'break the argumentative rules' (which most protests do) in order to eventually gain a political dialogue about the issue. We would also expect, however, that once the House of Commons responded to the native protesters and held argumentative dialogues about their concerns, if the protesters wanted to participate in these dialogues and were not hostile to the democratic process, they would be required to abide by the rules. In short, I think it is allowable in some cases to shout about an injustice in order to sit down and talk about it.

In summary, procedural and interpretive fairness fosters democratic participation. When we participate in an argumentative dialogue, we expect that first, we are *allowed the chance* to participate, and second, others will respond to our contributions as *they are*, and not some distorted version. If we do not experience this fairness, then it is unlikely that we will have the incentive to participate next time. Fairness of procedure and

interpretation form the basic structure of good political argumentation because they foster participation. More, however, is needed. It is not enough to be fair, we must also be honest with our contributions as well. An honest arguer also fosters participation, but more importantly, she fosters trust. The argumentative norm of honesty and the basic requirement of trust which it supports are the subjects of the next chapter. I turn to them now.

Chapter 3. Argumentative Norm #2: Honesty

3.1 Introduction

As stated in the first chapter, according to Govier, social trust is the 'glue' that holds society together. It seems as though the more complicated our society becomes, the more trust we place in people who remain strangers to us. As a complex social practice, democracy needs a certain level of trust in order for it to function properly. The amount of trust and the kind of trust is something that will be discussed in this chapter. The argumentative norm which most closely fosters trust, I think, is honesty. Honesty is especially relevant in political argumentation where, unfortunately, the popular opinion of politicians seems to be that only used-car salesmen are deemed less trustworthy (Rotter and Stein 71). Honesty is perceived to be missing not only in politicians, but also in governmental bodies as a whole. In the news we are routinely confronted with evidence, e.g. the Health Protection Branch and its repression of scientific evidence about the dangers of the rBST, which suggests that certain

governmental bodies are engaged in cover-ups and deceptions. These sorts of governmental bodies wield a large amount of power over our day-to-day lives. Without them we do not know that the food in the grocery store is safe to eat, that the gasoline in our car does not contain harmful additives, that the factory being built next door will not poison our children, that the drugs which we take for our illnesses are safe, etc. So not only must we trust our politicians to be honest, but a large amount of trust is also directed towards these regulatory agencies as well. Finally, although the average individual citizen wields less power over our daily lives than politicians and governmental agencies, we have to trust each other. Since a great deal of political argumentation exists on a local level, and we are finite beings unable to verify everything ourselves, then we tend to derive a lot of information from citizens just like ourselves. We have to trust that when people speak in public forums they are speaking sincerely and truthfully.

A distrustful attitude is ultimately damaging to democracy because "without some trust in some politicians and leaders, our system cannot work" (Govier 97:194).

Since social trust is such an important factor in the functioning of a civil society, then honesty must be included as an argumentative norm. If we were confronted on a daily basis with dishonest people, then it is highly likely that our ability to trust others would be severely affected. More specifically, if we were confronted with dishonest arguers in political argumentation on a routine basis, then it is also highly likely that we would not be able to trust what they say. The kind of trust which we need, however, is not an absolute, uncritical kind. Just as absolute distrust is unhealthy for a democracy, so is uncritical absolute trust. Given the nature of our representative liberal democracy, there are many parties, groups, and ideologies who wish to gain our approval and support. Information about an issue, then, will often reflect a particular group's bias because each group has their own way of interpreting events. A discriminating, critical mind, however, understands that a particular group's take on the issue is an interpretation and not necessarily and automatically the whole truth or the last word about the issue. The open and critical mind can also take what he or she finds particularly interesting and

helpful from the interpretation and use it to help determine his or her own viewpoint, while at the same time looking around for other interpretations to help build a better picture of the issue. By its very nature, democracy relies on critical reflective minds since it is so closely connected to the process of argumentation. If we are not critical, i.e. do not at least raise questions while engaged in political argumentation, then we are not arguers at all. Since political argumentation is the way in which things get done in a democracy, then, without arguers we may not have a democracy. In order to engage in the dialogue, however, we must trust *something* that is said in the dialogue, since critical does not mean completely dismissive. The tension, I think, lies between knowing what and whom to trust, and knowing what to discard as an unfair bias or interpretation of a particular issue. This process becomes easier if others help us by embracing the argumentative norm of honesty and foster our trust.

As previously stated, we usually perceive politicians as dishonest. In light of this claim, we can then ask; "given this perception, how then do we still have a democracy?" My answer to this question is that while

democracy will tolerate a certain amount of dishonesty and yet still function as a democracy, this does not mean that we should excuse the actions of a dishonest arguer. There are those who will take advantage of and benefit from the actions of others without contributing to the overall goodness of the situation; they are known as 'free-riders'. Free-ridership, however, can only work as the exception to a rule, not as a rule in itself. If everyone took advantage of a situation without contributing to that situation, then there will be no situation in which to take advantage. While democracy can stand a certain amount of free-ridership, i.e. one dishonest arguer will not destroy our trust in the social practice if we still mainly encounter honest arguers, this does not mean that we should sanction the actions of the free-rider. We should still strive to be honest arguers because if too many people take advantage of the fact that people mainly expect to hear the truth from each other, we will destroy those very conditions which allow for free-ridership in the first place. In other words, while free-ridership may not destroy a social practice, *condoning* the taking of an unfair advantage may do so.

3.2 What is honesty?

To begin, we usually associate honesty with the characteristic of truth-telling. In another sense, honesty can also mean that we say what we believe, whether or not it is true. I am choosing the former because truth-telling, I think, has a greater impact on political argumentative dialogue than just confessing one's thoughts. This is a good start, although the word 'truth' has created a great deal of problems for philosophers. Keeping this in mind, I think there is a way to keep the core of truth-telling in the argumentative norm of honesty without having to choose one particular philosophical conception of truth. When entering into political argumentation, truth *per se* is not brought into the discussion, but rather information, facts, evidence, issues, arguments, feelings, attitudes¹, etc. These may all be true, but exactly *how* they receive their true status is an issue for epistemologists and not for those engaged in political argumentation. In other words, I am trying to distinguish between truth itself and

¹ For simplicity's sake, I will now just refer to this collection as just 'information'.

that which we need to base our decisions upon. Of course it is desirable that the information upon which we base our decisions is itself true; it would seem irrational to wish it otherwise. So what is at stake in honesty as an argumentative and ethical norm in liberal democratic societies is not truth or truth-telling, but the ways in which information is presented.

Back to the popular conception of politicians as dishonest. Besides the usual act of lying generally associated with dishonesty, are there other ways in which someone can be said to be dishonest? On a basic level, lying means that 'p' is represented as 'not p'. For instance, if someone were asked "is it three o'clock?", and the answer given was 'no', or "it is two forty-five" when the person has full knowledge that it is indeed three o'clock, then that person has told a lie. If the person knows or believes it is three o'clock and says that it is not three, or it is two forty-five, then both of these responses are flatly incompatible with what he or she believes to be true. There are other types of instances where an outright lie has not been told, but rather an exaggeration of the facts has occurred. A striking example

of this sort of deception happened in the fall of 1997 when I first moved to Hamilton. At that time, local elections were taking place. During a conversation with a person who was seeking election as an alderman, the subject of the Red Hill Valley Expressway came up. Since I was new to this city, I knew nothing of the issue. When I asked what sort of land would be destroyed to make room for the expressway, the answer was "just a few dead trees, nothing of real value". Such a description conjured up an image of a small, abandoned, rotting wood lot. A few months after that exchange, I had the chance to visit the Red Hill Valley and, to say the least, it was certainly more than "a few dead trees". Instead, what I saw was a vibrant, large, healthy ecosystem, which contained "a few dead trees". If I had not gone out and visited the site, my thoughts and opinions about the Red Hill Valley Expressway controversy might have been quite different than they are today. So here is a clear example of dishonesty where someone who engaged in argumentation minimized the importance or status of a piece of information. Thus, there are two ways in which a dishonest arguer can misrepresent information in an argument.

Let p represent something which an arguer believes to be true. A dishonest arguer can:

- 1) knowingly say something incompatible with p .
- 2) knowingly exaggerate or minimize the importance of p .

Another way in which information can be misrepresented is by 'masking' or 'hiding' it. By this I mean the act of misrepresenting information by cloaking it within so much rhetoric that it is difficult to tell what exactly *is* p . In other words, p is unclear. This phenomenon is so prevalent in political argumentation that it deserves to be in a chapter by itself. Issues of argumentative clarity and the consequences for democracy will be in chapter five.

Another more subtle technique of dishonesty is not misrepresenting information, but actually withholding it. Since we are finite beings, we may not know the sort of questions that need to be asked in order to receive the full details of an issue. For example, during this past provincial election campaign, the Tory government insisted that government spending for classroom education was

increased. This sounds like positive action from the provincial government. What was **not** mentioned whenever Mike Harris or members of his party spoke about this piece of information was that the Tories had "redefined the term, no longer including expenses like heat and hydro for classrooms, repairs to technology, and transportation of students from home to the classroom" (Neigh 99:6). As Harris' critics have argued, if these vital expenses were to be included in the figure, classroom spending by the provincial Tories has actually *decreased*, not increased. Since the term 'classroom funding' denotes the amount of money and services required by a classroom in order to function as a classroom, the redefining of the term to exclude necessary items, e.g. hydro and heat, is an example of withholding information. It is reasonable to think that when we hear that classroom funding has been increased, this means that more money is being provided to classrooms *and this includes all the necessary expenses*. A classroom is not a classroom without things like heat and hydro because children cannot learn in the dark and the cold. Explaining further, it is possible that the Tories could have redefined the term so narrowly that what *they* mean by

an increase in classroom funding is really an increase in the amount of chalk teachers are allowed to use. If voters had asked the Tories, "but have you redefined the definition of classroom spending?", and the answer had been in the negative, then the Tories could have been charged with the first type of dishonesty: lying. The 'sin of omission' argument strategy works because arguers often do not have the time or the talent to probe deep enough with their questions. We are often reliant on others to offer the relevant information. Thus, the third way in which an arguer can be dishonest is:

3) intentionally withholding relevant information.

In light of this, a question arises, "how do we know what is relevant in a discussion?" After all, Harris could defend himself against the charge of dishonesty by saying, "I did not think it was relevant to mention that we have changed the definition of classroom spending". Deciding what sort of topics, premises or information should be included in an argument, whether written or oral, is a difficult task. Given the highly criticized spending cuts to education made by the provincial government over

the last four years, it was certainly in Harris' best interest to try to portray his party's actions in a more favourable light, even if it meant neglecting to mention a crucial piece of information. The task of the honest arguer, however, is to try to include as much relevant information in the discussion as possible. The use of 'as possible' in the previous sentence functions as a qualifier of the norm of honesty. I will address this issue further in the conclusion of this thesis, but for now, it suffices to say that there may be instances where we must balance the inclusion of relevant information with the other two norms, fairness and clarity. It is possible to be *too honest* in a discussion, if being too honest means that we subject others to information overload. Too much information can sacrifice clarity and procedural fairness. Balancing the norms against one another to prevent such situations will be addressed later.

In argumentation theory, there are two types of relevance, global and local. According to Douglas Walton, "local relevance may pertain to the relationship between a question and an answer in dialogue. Or it may pertain to the relationship between a pair of propositions in an

argument" (Walton 89:78). While this conception of relevance is good for identifying irrelevant responses from people engaged in political argumentation, e.g. the phenomenon of 'dodging the question', Walton's conception of 'global relevance' is preferred. Global relevancy "concerns the overall direction and trend of a participant's arguments as they move towards establishing his thesis in a long and possibly complex chain or network of linked arguments" (Walton 89:78). Political argumentation displays such chains or networks of complex arguments. Since debates and discussions about political issues are grounded in a changing world, the arguments themselves will have a certain level of complexity and will often be linked to other issues. An example of this change is in the current debates about economic growth. As recently as the early part of this decade, argumentation surrounding economic growth did not include the environmental consequences. Now, since environmental issues are starting to push their way into popular debate, the arguments surrounding economic growth are starting to include arguments of the need for 'sustainable growth'. One set of arguments has now linked up to another. What

was previously judged to be irrelevant, i.e. the environmental costs of economic growth in a society, is now considered to be relevant in a global sense to economic discussions.

Walton does admit that "once the dialogue is concluded, it is much easier to make judgements of global relevance" (Walton 89: 78). I do not think that this presents a problem. It is in the nature of political argumentation that discussions about issues happen more than once. It is likely that an issue will be discussed several times before a decision is reached. During this time of repeated discussion, the relevant issues have a better chance of entering the arguments.

The issue of 'global' relevancy gives rise to a point of intersection between the two norms explained thus far: fairness and honesty. Given that political argumentation is often goal directed, i.e. a decision must be reached about policy or a course of action, and that we usually want to make our decisions based on the widest amount of information practically available to us at the time, then it is not enough to simply be an honest arguer. One must be a fair arguer as well. Returning to a previous

question raised in this chapter, "but how do I know what is relevant in an argument?", there are ways in which arguers can increase the chances of relevant information being entered into an argument. If we are *fair* arguers, i.e. letting everyone speak, and not intentionally misrepresenting their arguments for instance, then the inclusion of other voices into the discussion will help the discussion. The issues or arguments which might not have occurred to a group of arguers debating public policy may be brought into the discussion by others. The others may insist that issues once deemed irrelevant to the discussion must be now considered relevant. As stated in the last chapter, unfair strategies of argumentation may alienate people and thus reduce the number of people participating in political argumentation. Quite simply, in order for our decisions arising out of political argumentation to be good ones, we need a wide variety of viewpoints, information and arguments, and thus we cannot afford to reduce the number of viewpoints in a complex world. Different arguments come from different people with different concerns, and no matter how much we may strive to be honest, the inclusion of others and their fair treatment is necessary for

political argumentation.

Chapter 4. Argumentative Norm #3: Clarity

4.1 Introduction

It may be so obvious as to be not worth mentioning that the purpose of language is to communicate. The presence of clear communication in political argumentation, however, is not so obvious. Language does work for us, and clear usage of language is necessary for that work to be done. Unfortunately, in today's society, there is much preventing the clear communication of ideas. According to John Ralston Saul, the specialization of the individual has created 'dialects' which can only be understood by those in their particular field. As a result, public speech itself is being eroded. Since we often rely on the expertise of others to help us make our political decisions, e.g. only scientists can tell us if global warming is occurring and these sorts of experts are often participants in political argumentation, we need the clear communication of ideas to help us identify and solve the problems in our society. If we cannot talk to each other in a meaningful way as citizens, then democracy itself is in jeopardy. There are

also those who do *not* want to be understood. Given the immense flexibility of language, it is all too easy to hide or mask meaning behind carefully chosen words.

Clarity, then, is an essential norm in argumentation. It requires that the meaning of a word, phrase, premise or argument be clear to the other participants, and not masked or hidden in any way. This is essential because without clear meaning in an argument, the essence (activity of reason) and goal (assent) of argumentation cannot be reached. One cannot rationally assent to something which one does not understand.

The first part of this chapter will be devoted to outlining the need for clarity, and the linguistic obstructions to be conscious of when trying to formulate clear ideas. For this section, I will mainly use the writings of Ralph Johnson and George Orwell. Part two will argue that clarity fosters understanding. There are consequences for democracy if the meaning of our words in political argumentation is not clear. Essentially, we cannot make good decisions (or perhaps any decisions at all) if there is no clear and meaningful communication about the pertinent issues.

4.2 What is clarity?

The first reason why clarity is needed for argumentation is so that our thoughts themselves will be clear. According to Johnson, since ideas form the building blocks of our arguments, then clarity in words is connected to clarity in thought. If our ideas are not clear, then it is unlikely that the larger argumentative structure will be clear (Johnson 96:80). It is not enough, however, that an arguer knows that he or she has clear ideas. Clarity, according to Johnson and Blair, is an intersubjective phenomenon. Ideas, premises, arguments are clear when others say that they are clear. Since the purpose of language is communication, then others must indicate that the intended meaning has been received. How do we know that something is clear to us? Johnson and Blair have devised three ways in which clarity can be tested. They are as follows:

- 1) a statement is clear to you if you can restate its meaning in other words which express that same meaning.

OR

- 2) a statement is clear to you if you know and can say under what conditions it would be true or false.

OR

3) a statement is clear if competent users of the language would come up with the same responses when asked to state the meaning (Johnson and Blair, 93:145).

A fine example of a statement which fails all three tests of clarity comes from the 'AGC Independent Judging Organization'. In Johnson's article "Critical thinking and the Command of Language", he writes about a recent experience with this particular mail scam. Johnson received a letter and a \$7500 token cheque, i.e. a cheque which was really not a cheque. The letter contained a warning, "Do not confuse this letter with a solicitation. This is a judging organization cash check disbursement authorization!" (Johnson 96:89).

There are many obstacles to clarity, some more important than others. The above statement from the 'AGC Independent Judging Organization' is an example of obfuscation. Recall the previous chapter's focus: honesty. There are three ways in which an arguer can fail to be honest: he can say something flatly incompatible with what he believes, he can exaggerate or minimize the importance of something he believes, and he can omit saying something

which he believes to be relevant. In contrast, obfuscation (or bafflegab, or doublespeak) occurs where *the meaning itself is concealed*. What exactly the statement at the bottom of Johnson's letter means, we cannot say. This is probably due to the fact that the organization did not intentionally want to convey anything meaningful at all. I will return to this later when I argue that although Johnson cautions against confusing other linguistic terms with obfuscation, when used improperly in political argumentation, they can conceal meaning just as effectively as obfuscation itself. George Orwell objects to the usage of euphemism and vagueness in political speech, and John Ralston Saul objects primarily to the overusage of field-specific jargon.

To begin, Johnson claims that jargon, semantic inflation, euphemisms and vagueness should not be confused with obfuscation. When each of these semantic devices is used properly, then meaning is transmitted. I shall examine each one in turn.

Since every discipline has its own area of study, then professionals in that area will often use or invent certain terms which serve their purposes. The purpose for

these terms may be to act as a short cut for those in the field, "...a sign on the door says 'NPO', a visitor may not know that it means no food but the hospital staff does" (Johnson, 96:88). Sometimes the purpose for the terms is to name specific discipline-dependent objects; e.g. 'oxers' and 'verticals' are types of jumps in equestrian stadium jumping. Once in a while, the terms escape their disciplines and become adopted by the wider community, e.g. 'the bottom line'. These terms are called 'jargon'. Johnson cautions against confusing jargon with obfuscation. Meaning is transmitted using jargon; however, one must be part of that discipline to understand the meaning.

The next semantic device is euphemism. Johnson writes, "a euphemism is a soft way of putting something that is harsh or unpleasant" (Johnson 96:88). Social custom prefers the phrase 'my grandmother passed away' to 'my grandmother is dead'. It is presumed that everyone knows the meaning of 'passed away', and for this reason meaning has been conveyed.

Semantic inflation is a modern phenomenon, and it resembles euphemism. Examples of semantic inflation are

'sanitary engineer' for 'garbageman', and 'vertically challenged' for 'short' (Johnson 96:89). While at times such substitutions can be silly, there may be legitimate reasons for semantic inflation. Part of the rationale behind preferring 'mentally challenged' to 'retarded' is to rid the term of its negative connotations. 'Retarded' is often used as an insult; thus for those who want to create a more positive image for a segment of the population, new terms must be invented at times. According to Johnson, "this shift can be undertaken in legitimate and illegitimate ways"; however, "there is nothing inherently wrong with what I have called semantic inflation" (Johnson 96:89). I am not concerned with semantic inflation in this chapter because there does not seem to be much of this phenomenon at work within political argumentation itself. We may use the term 'sanitary engineer' in deciding what to do in the event of a strike by this group but the largest risk one would take in doing so is merely sounding a bit silly. As I will argue, the use of jargon, euphemism, vagueness and obfuscation is cause for concern in political argumentation.

Vagueness has its uses as well. Since vagueness,

according to Johnson, "occurs when the meaning of a message is just not clear to the receiver though the receiver can reasonably expect such clarity" (Johnson 96:89) vagueness may be used strategically. In negotiations between countries or between trade unions and businesses, diplomats and negotiators may say "we are keeping all options open" (Johnson 96:89). It may not be prudent at the time to give away one's position, i.e. be clear regarding one's intentions. Those who sit across the bargaining table, though, understand the 'rules' of the negotiating game and they themselves will probably be selectively vague as well. Thus, vagueness has a time and a place. Johnson argues that vagueness becomes a problem "when it is both unintentional...and unwelcome" (Johnson 96:89). In political argumentation, however, where the stance towards the citizenry should be open and transparent most of the time, vagueness can be detrimental.

Finally, as previously stated, obfuscation is different than the aforementioned linguistic devices. Instead of a short cut to the meaning (jargon), a softening of the meaning (euphemism), an inflation of the meaning (semantic inflation), or selectively indeterminate meaning

(vagueness), obfuscation *hides* meaning. There is no meaning to be found because the speaker, or writer, wants it that way. The speaker or writer may appear to want to communicate, since, after all, *something* is being said; however, *what* is being said is in fact nothing at all.

As previously stated, when vagueness, euphemism and jargon outstep their boundaries and enter into political argumentation, they can have serious consequences for democracy. On the subject of vagueness and euphemism, George Orwell argues that since "political speech and writing are largely the defense of the indefensible", political parties must use "euphemism, question-begging, and sheer cloudy vagueness" to keep the populace from "the arguments which are too brutal for most people to face, and which do not square with the professed aims of political parties" (Orwell 56:363). A master of writing himself, and the inventor of Newspeak, the official language of INGSOC in his novel *Nineteen Eighty-Four*, Orwell illustrates the perversity which euphemisms can attain when improperly used in political argumentation. He writes:

Defenceless villages are bombarded from the air, the inhabitants driven out into the countryside, the cattle machine-gunned, the huts set on fire with

incendiary bullets: this is called *pacification*. Millions of peasants are robbed of their farms and sent trudging along the roads with no more than they can carry: this is called *transfer of population* or *rectification of frontiers*. People are imprisoned for years without trial, or shot in the back of the neck or sent to die of scurvy in Arctic lumber camps: this is called *elimination of unreliable elements*. (Orwell 56:363)

The use of such euphemisms in the quoted passage does more than soften the meaning of the actions, it actually conceals it. The amount of human misery contained in the described actions, e.g. "sent to die of scurvy in Arctic lumber camps", is not in any way being depicted through the term 'elimination of unreliable elements'. Here vagueness also combines with euphemism. The word 'pacification' can mean many things, and when one does not want a country to know that villagers are being driven out of their homes, their cattle shot, and their houses set on fire, then calling the actions 'pacification' avoids communicating the true meaning of the actions. Unlike the phrase 'my grandmother passed away', which most people understand to mean 'she died', 'pacification' acts as a euphemism in some ways to some people; i.e. for those who know what is going

on, the meaning is softened, and for others, 'pacification' is deliberately vague and thus could mean many things. The consequences of this sort of language usage for democracy will be examined in part two of this chapter.

Jargon is another linguistic device which can be dangerous to clear political argumentation. According to John Ralston Saul in his seminal book *Voltaire's Bastards*, because of the hyperspecialization of the individual and our government's reliance on 'expert advice', e.g. advice from economists, managers, scientists etc., public discourse has been seriously affected. Instead of clear, plain communication between citizens about the issues which are relevant in today's society and what to do about them, the discourse about these issues occurs in the various groups who want to protect their own power. Essentially, language is used not to communicate, but to protect. Saul writes:

The wordsmiths who serve established power, on the other hand, are always devoted to obscurity. They castrate the public imagination by subjecting language to a complexity which renders it private. Elitism is always their aim. The undoubted sign of a society well under control or in decline is that language has ceased to be a means of communication

and has become instead a shield for those
who master it. (Saul 92:9)

Admittedly, Saul may be exaggerating the extent to which these various groups embrace a sort of 'elitism' in order to protect their power. I do think that there are experts in various fields who sincerely want to communicate their knowledge to the general populace and consequently go to great lengths in which to do so; e.g. David Suzuki has enlightened many of us about the environmental problems which we face today. These sorts of people, however, are the minority and there remains a vast majority of scientists, economists, sociologists etc. whose field-specific language, i.e. jargon, prohibits one group from speaking meaningfully with another about the very same issue that is being discussed. In other words, historians can only speak with historians, economists with economists, psychologists with psychologists, and so on, because the words themselves are so field-specific to their various disciplines. When the jargon itself leaks out into the public discourse, then to the uninitiated meaning cannot be understood. Since the various groups who hold power in society because of their specialized knowledge usually want

to keep that power, then often, and quite insidiously, jargon is used to create a wall between themselves and the public. As Saul writes, "language- not money or force- provides legitimacy" (Saul 92:8) and their legitimacy is usually attained at the expense of clear public discourse.

If we are to attempt to solve the problems which face our society today, then we must start to engage the economists, the urban planners and the scientists in a meaningful way. Already we can see the amount of power that economists have in North American Society. An example of this sort of jargon which has entered into our consciousness is the term 'deficit'. Much public policy in Canada has been centred around getting 'the deficit under control', and governments get elected on platform promises related to the 'deficit', albeit this is just a guess, but ask the average citizen exactly what a 'deficit' is and how governments (and even 'why' for that matter) incur a deficit, and the chances are that he or she will not be able to say. I am not specifically objecting to the word itself, there is probably no other word we could use. My point is that when a field-specific word is used with such frequency in political argumentation without a decent

explanation to the average citizen (who would likely have no knowledge of economic jargon) as to what that word means, then it is unlikely that citizens will be able to engage in public discourse about the issue. In other words, how can we have public discourse about the deficit if we do not know what it is? At the prompting by economists, recently a lot of governmental policy has been justified by trying to get the deficit under control. Since cuts to the social safety net and environmental protection affect everyone, I think it would be wise to engage the economists in political argumentation about the deficit, and of course, other economic issues. Because of the enormous amount of power which this particular group holds, jargon-free, clear political argumentation is desperately needed.

4.3 Why does clarity foster understanding?

Recall the focus of the previous two chapters. Fairness, both procedural and interpretive, contributes to participation by citizens and participation is necessary for democracy. If the citizenry were to constantly be faced with unfair practices of argumentation, there would

be little reason to participate in political argumentation. Honesty contributes to trust. Since trust is the social 'glue' which holds our society together, without honesty in political argumentation, the citizenry would probably not trust democracy. What then is left for clarity to foster? After these two basic necessities for democracy, participation and trust, understanding comes next. Without understanding, we cannot fulfil the purpose of argumentation, i.e. rational persuasion, and if we cannot fulfil the purpose of political argumentation, then democracy itself suffers greatly.

There may be other norms, argumentative and otherwise, which foster understanding. I have chosen clarity as my prime candidate because of its basic concern with language. Education, for instance, is also necessary for understanding, but pedagogy itself is mainly language dependent. Because we are language- dependent creatures, making sure that the meaning of our words is clear forms the foundation for understanding itself.

To begin, recall a previous statement about the nature of political argumentation. Political argumentation is usually oriented towards arriving at some sort of

decision from which a particular action will arise. It is often about public policy or other things of a practical nature. Generally, when we make a decision, we like to make it not by arbitrary means like flipping a coin or consulting a horoscope, but on the basis of a clear, reasoned understanding of the issue. This is especially true in political argumentation in democratic society because usually the person performing the action must be accountable to others. Citizens usually want to see justifiable reasons for the actions from government because this protects them from arbitrary uses of power. An understanding of the issues or arguments, then, is both required and desired by those engaged in political argumentation. If clarity is not present in political argumentation, then the understanding which it fosters brings the rational and accountable decision making process to a complete halt. Recall that the goal of argumentation is rational persuasion. Very simply, we cannot be rationally persuaded if we do not understand. Argumentation presupposes understanding because it is an activity of reason. Furthermore, I would not be considered 'rational' if I consented to something which I did not

understand. In the medical profession, for example, this link between understanding, consent and rationality is very much an issue. Besides the instances where a patient is physically or mentally incapable of giving consent (usually consent is obtained by proxy), there are laws in our society which prohibit doctors from performing procedures on an unconsenting patient. How strictly these laws are in fact followed, and what constitutes 'consent' are controversial issues themselves, but at least now more care is taken to make sure that the patient *understands* his or her medical condition, the risks associated with certain medical procedures, etc. Ideally, a doctor does more than obtain a patient's consent, she makes sure that the consent given is based on a thorough understanding of the issues. She makes sure that the patient is making the decision based on rational grounds. This is truly a new approach by the medical community, and stands in stark contrast to the old paternalistic, 'doctor-knows-best' type of model which was in use for so many years.

If this were only true of politics. As argued in part one of this chapter, much of the political argumentational landscape is made up of various groups

besides the elected officials. These groups have a tendency to use language not to communicate, but to protect their power. This is done through an overuse of jargon and an unnecessary complication of the language which discourages the average citizen from public discourse. When faced with such complexity, the average citizen cannot engage in political argumentation in a meaningful way. Understanding is lost by the citizenry because clarity in political speech is missing. When we lose our understanding of the issues facing us today, then in fact, we have surrendered our power. We have surrendered our power because without clarity in political argumentation, there is no way in which we can rationally assent to decisions arising out of the discussion. In fact, we may stop participating because we do not understand the conversation. If there is no rational consent, then there is no accountability either, and then we are at risk of the arbitrary whims of power. On this issue, John Ralston Saul writes:

If individuals do not occupy their legitimate position, then it will be occupied by a god or a king or a coalition of interest groups. If citizens do not exercise the powers

conferred by their legitimacy, others
will do so. (Saul 95:74)

Clarity, then, fosters understanding.

Understanding the complex issues which our society faces today is necessary if we are to make good, rational decisions about our future. If we give up that power to make good decisions by letting vague, jargon-infested, euphemistic speech obstruct understanding, then in fact we are giving up our power in a democracy. And a democracy in which the citizens have no power is no democracy at all.

Chapter 5 Conclusion

5.1 Introduction

So far in this thesis, I have drawn the connection between democracy and political argumentation, and suggested three basic requirements of democracy along with their corresponding argumentative norms. The connection between democracy and political argumentation was based on the simple observation that we arrive at decisions in a democracy mainly through argumentative dialogue. Walton outlined and explained eight types of argumentative dialogue which are in use everywhere in our democracy.

Recall that I did not subscribe to any particular model of democracy by which I deduced its basic requirements. If, at the heart of democracy is the concept 'government by the people' and the people arrive at their governing decisions by argumentation, then participation, trust and understanding are requirements of democracy. I argued that fairness, honesty and clarity are the three argumentative norms which most closely foster these requirements.

Fairness, both procedural and interpretive, fosters

participation because it is highly unlikely that people will want to participate in a social practice which they consider unfair. Like the rules in a game, the rules which govern our argumentational interaction must be followed if we expect others to devote their time and energy to helping solve the problems which we face. If we sense that others do not argue fairly, then there is little incentive to participate.

Honesty fosters trust. There are, admittedly, other reasons why we should not trust people; for example, we often do not trust those who are incompetent. Incompetence, however, is more corrigible than dishonesty because we can always teach those who lack the knowledge to do a certain task, or we can teach them to be more careful. Dishonesty, though, is far more dangerous because while incompetence can be seen as a lack of something (and we cannot all be perfect), dishonesty is intentional. Encountering those who take advantage of our tendency to trust others shatters our trust more forcefully than encountering mere incompetence. We tend to feel violated and betrayed. When we start to lose trust, then the 'glue' which holds our society together starts to degrade.

Finally, I argued that clarity fosters understanding. Since we need some understanding of an issue before we can enter most of the argumentative dialogues (pedagogy being the exception), then we need to make the meaning of our words clear to others. Clarity functions at the linguistic level, and is also necessary for clear ideas. Without the clear meaning of our words, we cannot hope to communicate and to foster understanding about an issue being discussed.

So, if we want to foster three basic requirements of democracy, we should embrace the aforementioned argumentative norms. If this is the case, then two questions arise. First, do these norms interact with each other in any way such that they can check and balance each other? Second, do these norms do more than foster their respective requirements? The answer to both questions is yes. As mentioned in previous chapters, sometimes an excess of honesty can lead to procedural unfairness and a lack of clarity. Depending on the argumentative dialogue, too much clarity can be harmful. In addition, we cannot sacrifice clarity to procedural fairness; sometimes we have to give more speaking time to those who have the ability to

be clearer than the rest of us. These sorts of scenarios will be explored more fully in the next section. Section 5.3 will examine how honesty fosters more than trust, fairness more than participation, and clarity more than understanding. When we encounter honest arguers, then we are also more likely to participate. Likewise, we tend to trust those who treat us fairly. This cross-over amongst the norms and the requirements strengthens the need for their adoption in political argumentation. When we are unfair, as I have argued, we primarily risk reducing participation by the citizenry in political argumentation. We also risk reducing their trust and inhibiting their understanding.

5.2 The interaction of the argumentative norms

Is it possible to have too much of a good thing? In the case of these norms suggested for political argumentation, the answer is yes. In some instances, it may be possible to be *too fair*, *too honest*, or *too clear*. An arguer who wants to support participation, trust and understanding in a democracy needs to integrate fairness, honesty and clarity into their arguments *as a whole* and be

sensitive to situations where one norm may need to dominate and to keep another in check. In short, an excess of one norm may inhibit the other requirements which the other norms foster. Here are some examples to illustrate my point.

To start, suppose parliament had a question period where everyone had a chance to have their 'say', and interpretive unfairness was kept to a minimum. Even though procedural and interpretive fairness are followed in this scenario, we may still ask after the session, "But do we *understand* the issue?" I mentioned before in chapter two that we also have to be fair to the issue. Being fair to the issue meant taking care to be accurate with our information, and subjecting the issue to a range of argumentative dialogues. In order to achieve understanding, however, we may need to give some speakers more time to speak at the expense of others. Since political argumentation is realistically subject to time restraints, then we may need to override procedural fairness in order to be fair to the issue *and* to achieve understanding. This means that those who are experts in a particular field related to the issue, and can speak more

clearly about the issue than the rest of us, should be given the time in which to communicate their knowledge. Of course, we should not swing the pendulum too much in the other direction towards clarity because, if only the experts were allowed to speak, we risk losing participation by the citizenry. Too much honesty can inhibit understanding. In today's society, there is much complaint about an excess of information. If we ask a scientist, for example, to be totally honest about an issue in her particular field, then there may be such an excess of information that we cannot get a grasp of the total picture. If we cannot get a grasp of the total picture, then it is unlikely that we can act effectively. Too much honesty, in this case, can inhibit understanding.

Although clarity is involved on the basic level of language, and without clear meaning in our words it is difficult to understand anything at all, there may be times where too much clarity can lead to unfairness. As mentioned in the previous chapter, vagueness has its uses, especially in negotiation and diplomatic situations. If that is the subject, i.e. a negotiation, then it would not be fair to those who rely on a successful negotiation for

the bargaining team to make sure that they are *clear* every step of the way in the bargaining process. Vagueness is often needed in this particular argumentative dialogue in order for people to get what they want. Of course, once the negotiation has ended and the wording of the new contract must be placed in writing, then the meaning of those words must be clear if they are to be effective. Hence, a successful negotiation relies on a slippage in clarity now and then.

In conclusion, sometimes too much of one norm in a particular situation may inhibit the other norms from supporting their corresponding requirements. Just as good artists do not use just *one* colour in their paintings, good arguers who want to foster democracy cannot follow just one norm. In a painting, the colours should complement each other and balance against one another. The same goes for political argumentation.

5.3: How the norms support the other requirements

In chapters two, three and four, I explained how we can arrive at our argumentative norms from the three basic requirements of democracy. But participation, trust and

understanding are not solely linked to their respective norms because they are interconnected as well. I will examine each requirement in turn and show how the other norms support it.

Although fairness must be present if we want participation, participation by the citizenry needs more than just procedural and interpretive fairness. We cannot participate if arguers are not honest and clear. Honesty also fosters participation because we tend not to participate with those whom we do not trust. Clarity too, fosters participation in a democracy since we cannot participate in argumentative dialogues which we cannot understand.

Trust needs honesty, but it also needs fairness and clarity. If we are constantly subjected to unfair argumentative strategies, then we may begin to lose trust in the democratic process. After all, we may think, democracy has given me a right to speak, but if this right is not recognized by others, then we may lose trust in the fact that others respect the democratic process itself or that the democratic process has any authority.

Clarity is also important to trust. When we encounter

those who deliberately obfuscate the meaning of their words, we tend to think that they are hiding something. This is the connection between clarity and trust, although it is possible that the person is just being outright dishonest.

Finally, clarity may foster understanding, but fairness and honesty help as well. If we do not allow others to speak, misinterpret their words when they do speak, or do not treat the topic with meticulous care when warranted, then we would probably not gain an adequate amount of understanding about the issues and the participants. Getting a complete picture of an issue requires that we are fair arguers because we need input from many people in order to understand the issue. This means that we cannot exclude them or misinterpret their words. Being fair to the topic also fosters understanding because striving for accuracy in our information and reasoning means that we will avoid hasty conclusions formed on only half of the evidence. In the same way, honesty is needed for understanding. Since dishonesty, as I have characterized it in this thesis, is the deliberate misrepresentation of information, then it is obvious that

no understanding about an issue can be reached if participants are dishonest.

5.4 Conclusion

As we can see, because of the connection between democracy and argumentation, *how* we argue is as important as the decisions themselves resulting from the argumentational process. Following these norms, and asking that others do so as well, will serve to enrich and strengthen our democracy.

BIBLIOGRAPHY

- Govier, Trudy, *Social Trust and Human Communities*,
Montreal & Kingston: McGill-Queen's University
Press, 1997.
- Johnson, Ralph H. & Blair, J. Anthony, *Logical Self-
Defence*, 3rd Ed. Toronto: McGraw-Hill Ryerson,
1993.
- "Critical Thinking and Command of Language",
Inquiry, Winter 1996, Vol. XVI, No.2
- Neigh, Scott, "Dawn of Zombies?", in *View: Greater
Hamilton's Weekly Alternative*, June 3, 1999.
- Orwell, George, "Politics and the English Language", from
The Orwell Reader, (New York: Harcourt Brace &
Co., Inc, 1956), 355-366.
- Robert, Henry M., *Robert's Rules of Order Revised*,
Toronto: Ryerson Press, 1951.
- Rotter, Julian B. & Stein, Donald K. "Public Attitudes
toward the Trustworthiness, Competence, and
Altruism of 20 Selected Occupations", *Journal of
Applied Social Psychology*, 1(1970): 334-43.
- Saul, John Ralston, *Voltaire's Bastards: The Dictatorship
of Reason in the West*, Toronto: Penguin Books,
1992.

----- . *The Unconscious Civilization*, Concord:
House of Anansi Press Limited, 1995.

Schreier, M., Groeben, N. & Christmann, U., "'That's Not Fair!' Argumentational Integrity as an Ethics of Argumentative Communication", *Argumentation*, May 1995, 267-289.

Walton, Douglas N., *Informal Logic: A Handbook for Critical Argumentation*, New York: Cambridge University Press, 1989.

----- . "What is Reasoning? What is an Argument?",
The Journal of Philosophy, Aug. 1990, 399-413.