

Chapter 1: Analyzing Controversy -- an introduction

"Sorting Things Out"

He who establishes his argument by noise and confusion shows that his reason is weak.

— Michel de Montaigne

It is often hard to make sense of controversial issues. This book teaches you how. Chapter 1 introduces the basic process. It explains that we should examine three aspects of any controversy: language, fact and value.

We live in a storm of disagreement. On TV, in the newspapers, at public meetings, in private bull sessions, contrary opinions clash continuously.

- An expert declares that overpopulation is a myth; another replies that “the fuse is burning on the population bomb.”
- A sociologist asserts that morality is relative to culture; a bishop responds that Church doctrine defines morality for all humankind.
- A human rights advocate demands an end to capital punishment; a victim's rights advocate counters that it should be swifter and more certain.
- A "Pro-Life" activist declares that abortion is wicked; a "Pro-Choice" partisan replies that a woman has a right to make decisions about her own body.
- An expert recommends that drugs be decriminalized; a legislator warns that this will destroy America.

What are we to make of all this? Does one side make more sense than the other? Of course, everyone has the “right” to an opinion, so we say. But what about developing *informed* opinion worthy of an educated person? That is what this book is about.

Basic Approaches in Analyzing Disagreements

Analyzing disagreements can seem complex. But there is a way of organizing the analysis that makes things more manageable. Divide your considerations into:

- matters of language
- matters of fact
- matters of value

Let's briefly preview each.

Matters of Language

Do not assume that because those arguing a controversial issues use the same words, they mean the same things. Opponents might assign different meanings to key terms. Consider people arguing whether *the law is soft on criminals*. Focusing on language suggests the following questions:

- **What do they mean by “the law?”** Is one referring to the criminal code while another means the judiciary, the police, or something else?
- **What do they mean by “soft?”** Does one mean agreeing to provide prisoners with special diets or weight lifting facilities? Is the other thinking that it is "soft" to give convicts early parole for good behavior?
- **What do they mean by “criminals”?** Is one talking about convicted felons, while the other also includes persons accused but not convicted?

When disputants do not specifically say what they think terms mean, lack of common definitions can be difficult to detect — even by the disputants themselves. But we sometimes can uncover this kind of disagreement

The unity of freedom has never relied on uniformity of opinion

--- John F. Kennedy

by looking carefully at how each antagonist uses the terms. In any case, though, unless there is mutual agreement on the meaning of key terms, it is unlikely the dispute will be resolved. Why? Because the opponents are not even debating the same things.

Here are some indicators that issues of language are crucial to a dispute:

- **Different parties to the dispute offer conflicting ways of identifying the “same” thing.** For example, consider a dispute about the term *Law*. “The Law is too soft; police don’t even arrest panhandlers!” “No, the Law is too harsh; there is a mandatory one-year sentence for panhandling!”
- **Disputants complain that their opponents don’t “really understand” what is at issue.**
- **Disputants use the term, “true” or “really” to characterize what they’re proposing.** For example, “The true Law is found in the law books.” Or, “Law is really enforcement practices.”
- **The argument remains at the theoretical level; disputants avoid giving practical examples.**
- **A secondary dispute develops about “the real meaning” of terms.**
- **Questions of authority of the source of definitions arise.** For example, “Do you think the Oxford English Dictionary is appropriate here?”

Matters of Fact

We can easily imagine one person arguing that the law is too soft on criminals only to have another say, "Your facts are all wrong. If you knew what I know, you wouldn't say that." Disputes often involve disagreements about facts.

It is not necessary to know the facts in order to argue. It is only important to know them in order to argue *intelligently*. To decide if the law is really "soft" on criminals, for instance, would require knowledge of facts such as: the average length of sentence imposed upon those convicted of various crimes; living conditions in federal, state and local prisons; the rights and privileges guaranteed to inmates in these various prisons, the proportion of sentences actually served; punishment for similar crimes in other societies; and so forth.

Ascertaining fact takes time and effort. That is one reason some prefer to ignore them and others gather what passes for fact from the *National Enquirer*, or other questionable sources.

Public opinion is a compound of folly, prejudice, wrong feeling, right feeling, obstinacy and newspaper paragraphs.

— Robert Peel

Here are some indicators that issues of fact are crucial to the dispute:

- **Different parties to the dispute make conflicting statements about the same thing.** For example, "The getaway car was a blue Ford." "No, it was a blue Buick."
- **Parties to the dispute complain that their opponents are misinformed about the subject of their dispute.** For example, "He doesn't know what he's talking about."
- **A secondary dispute develops about the reliability of the source of facts.** For example, "You can't trust that almanac; use the *Encyclopedia Britannica*!"
- **Disputants call their opponents "ignorant," "stupid" or "uninformed."**

Matters of Value

Let's briefly return to those persons disputing whether "the law is too soft on criminals." Suppose they agree on what key terms like "soft" mean, and further suppose they also agree regarding: the average length of sentence for felons convicted of violent crimes; what proportion of these sentences are actually served; conditions in federal, state and local prisons; and so on. Despite all of these agreements they may still disagree on whether or not the law is "too soft on criminals" *if* what they value is different.

Valuing revenge, punishment and an "eye for an eye," for example, some might regard the facts about American crime and punishment as evidence of spineless permissiveness. Others, who value forgiveness, rehabilitation and the

advice, "let him who is without sin among you cast the first stone," may interpret the same facts as evidence of misguided cruelty that will only produce more vicious criminals.

Here are some possible indicators that issues of value are crucial to a dispute:

- **There does not seem to be a dispute about language or facts.** (These possibilities should be brought up in advance of inquiring into the possibility of value disputes.)
- **Parties to the dispute complain that their opponents have the wrong *attitude*.** For example, "I don't see why you think good behavior in prison should reduce time served!"
- **Disputants tend to see their opponents as perverse rather than as just misinformed.** "Of course, the welfare queens and the tax-and-spenders are against my proposal!"

Chapter Highlights

To better understand any issue in dispute ask whether the opponents agree on common meanings for the critical terms in their dispute. If not, then their dispute is, at least, a disagreement about language. Such disputes cannot be settled without agreement on the meaning of terms.

Also ask whether the opponents agree on the facts. Factual disputes cannot be settled without recognizing a common authority as a source of fact.

Finally, ask if the opponents agree on what is desirable? If not, we are dealing with a value dispute. Disputes in value cannot be settled without one side to the dispute changing its values; or by both sides overlooking the values clash for the sake of a higher common priority.

Rather than rushing to take sides in an argument, use this process to start to examine what is at issue and for whom it is an issue. Recognize, too, that disputes often involve a combination of the kinds of disputes described above.

Analyzing controversies requires an appreciation for the subtleties of language; and slogans are a crucially important aspect of that subtlety. While there are characteristic forms for slogans, e.g., mottoes, it is the way they *function* that is crucial. Sloganizing is what people do to encourage superficial agreement. But this superficial agreement often covers over profound depths of controversy. (See *Chapter 3: Reifications*)

Other Related Chapters in This Text

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|---------------------|----------------------|
| 3. Reification | 12. Authority |
| 5. Pseudo-solutions | 14. Inquiry Blockers |
| 8. Presuppositions | |

Chapter Review Sheet

1. Describe the chapter briefly in your own words.

2. What are the core ideas developed in this chapter? If more than one, list them in order of their importance to you.

3. Briefly explain the importance to you of your first choice.

4. Briefly describe a scenario in which you could apply one of the ideas from the chapter to improve your professional practice.

5. Connect this chapter to at least one thing you already know.

6. Suggest one way to make this chapter more effective.

NOTES: