10. Normative reasoning

Normative (or prescriptive) claims say something about how things should or should not be. For example, such claims say what an individual, organisation, group or society should or should not do. By contrast, ***descriptive*** claims are about how things actually are, how they were in the past, or how they could be in the future or in hypothetical scenarios. For example, they say what an individual, organisation, group, or society is actually (or might be) doing.

Common indicator words for normative claims are *should, ought, must, need to, have to, fair, just, right, wrong, good, bad, responsible, irresponsible*.

> **Descriptive**: Raju weighs 200 pounds (91 kilograms).
>
> **Normative**: Raju needs to lose weight.

Normative claims occur in many different contexts. Some are about what a particular individual should do if they want to achieve a certain goal. Sometimes the goal is implicit and assumed to be widely accepted. Some are claims about government or social policies. Some are moral or ethical claims, which may be more or less controversial.

Why care about normative arguments?

Normative claims and arguments are about many of the things we care about most. They allow us to express our personal choices and decisions. They are also central to decisions about health and risk, business decisions, social policies, politics, and ethics. Whenever we think that how things actually are is not good enough, normative claims and arguments are a powerful way to lead us towards change or even just consider what change might look like. At their best, they allow us to envision a world in which things could be different from how they actually are, consider what things *should* be like, and find a path that can guide us in that direction.

Ironically, their great power and importance can also make normative arguments especially hard to evaluate. The more we care about a particular issue—for example, same-sex marriage, or animal rights, or human-induced climate change, or extreme poverty, or asylum seekers—the harder it is to evaluate the reasons supporting our opinions in a calm and level-headed way and take competing positions seriously. However, to make progress on many of these issues, it is important to consider them from different perspectives.

Because this is so hard to do, many people think normative claims and values are purely subjective and a matter of personal opinion or preference. If that were the case, a person's claim, say, that we, as a society, should do everything we can to mitigate human-induced climate change, or that out of concern for the well-being of non-human animals and our planet, we should adopt a plant-based diet, would be the same as saying, "I like pistachio ice-cream and it's clearly better than boring old vanilla!", or "Jazz is the only good music, forget about everything else!"

However, normative claims can be based on very sophisticated reasoning and are clearly more than expressions of likes and dislikes. Here, we will look at how to evaluate normative arguments and some common pitfalls.

Evaluating normative arguments

Normative arguments are arguments in which reasons are given for or against a course of action, or for or against what should happen or how things should (or ought to) be.

> Cigarette smoking has been shown to be a health hazard. Governments should ban all advertising promoting cigarette smoking.

No matter what kind of normative conclusion is involved (practical, social, ethical) we can evaluate such arguments by asking the two basic questions that apply to any argument:

(1) Are the premises acceptable as true?

(2) Do the premises provide sufficient support for the conclusion?

However, for normative arguments, the second question about support has a twist. Descriptive or factual claims on their own are not sufficient to support a normative conclusion. Put differently, if the conclusion of an argument is a normative claim, there must be at least one normative premise.

What if there isn't? If no normative premise is explicitly stated, there must be unstated normative assumptions. This is a special case of the 'rabbit rule' discussed in the material on assumptions (chapter 4). If the conclusion says something about what an individual or group ought to do, at least one of the premises should be an 'ought' claim too. If the 'ought' claim in the conclusion seems to be coming out of nowhere, it must rely on an unstated assumption. One (or more) descriptive claims on their own cannot support a normative conclusion. This is sometimes called 'Hume's Principle' (after 18th century Scottish philosopher David Hume) "You can't get an *ought* from an *is*".

To see why, consider again the difference between normative and descriptive claims. Descriptive claims tell us how things are. Normative claims tell us how things should be. For descriptive claims, whether they are true or false is fixed by the facts that these claims describe. "I did one hour of exercise today" is true if that's an accurate description of my physical activity today. What about "I should exercise more, I just did one hour of exercise today"? That claim doesn't just depend just on how much I exercised, but on some additional assumption about how much I should, generally, be exercising. This recommendation will be different for a professional athlete than for a philosophy lecturer, and there is bound to be some disagreement even among experts on how much is enough and for whom. Still, even with some restrictions, the normative claim will take the form of a general principle, something along the lines of: "An average, healthy person of such-and-such an age should do x amount of exercise." So, to evaluate the claim about how much exercise I should do, we need to evaluate the principle upon which it relies.

Let's return to our earlier example:

> 1. Cigarette smoking has been shown to be a health hazard.
> C. Governments should ban all advertising promoting cigarette smoking.

1 is a descriptive claim. C is a normative claim. This means there must be an unstated assumption about how governments should deal with health hazards. Something like this:

> A2. Governments should ban advertising that promotes activities that are a health hazard.

We now have a deductively valid argument. If the premises are true, so is the conclusion.

1 is an uncontroversial factual claim. What about A2? A2 is a strong universal generalization: it says that governments should ban *any* advertising that promotes *any* activity that is a health hazard. As is generally the case for generalizations, we can evaluate this claim by searching for ***counter-examples***.

Are there any cases in which advertising activities that pose a health risk is permissible? Lots of things pose some risk to health (including many sports). It seems implausible that the government should ban all advertising promoting *any* activity that might result in injury or other health risks to some group of people. That said, smoking is not like (for example) formula one racing (which can kill or injure drivers). So we need to reformulate the assumption to make it more plausible. How about:

> A2. Governments should ban advertising of products that contribute to serious public health problems.

Note that the assumption is not that governments should ban the sale of cigarettes, just cigarette advertising. And it is uncontroversial that smoking causes a huge amount of ill health that has to be dealt with by publically funded health care; it is addictive and has few (if any) benefits.

Still, not everyone would accept A2. For example, some might worry about the rights and responsibilities of governments. They might worry that if we accept A2, this would have unacceptable consequences. For example, does A2 rely imply that the government should also ban advertising of alcohol? Would that be unacceptable? Someone could also argue that provided people are sufficiently informed about the health risks, it is up to individuals to decide and governments should not intervene. Of course these arguments against A2 can also be evaluated using our two criteria of truth and support. And again, counter-examples and further consequences would have to be considered.

Generally, to evaluate normative claims, we can ask which possible ***further consequences*** the general principles on which they rely might have. If these further consequences are unacceptable (for instance because they violate our rights), the principle should be rejected and the normative claim lacks support.

Common problems with normative arguments

The most common problem with normative arguments is that they are ***one sided***. Very commonly people consider only the positive side if they want to argue *for* something and only the negative side if they want to argue *against* something. A good argument for a proposed policy would weigh up pros and cons and then attempt to come to a reasoned conclusion about whether the positives outweigh the negatives.

This is what one-sided arguments typically look like.

> 1. If we do X, there will be bad consequences A, B and C.
> Therefore:
> C. We should not do X.

This is usually not sufficient to establish the conclusion: X might also have some positive effects and we need to consider whether these positive effects outweigh the negative ones.

1. If we do X, there will be good consequences A, B and C.
Therefore:
C. We should do X.

This is usually not sufficient to establish the conclusion: X might also have some negative effects, and again, we need to consider whether these negative effects outweigh the positive ones.

The exception is when the negative consequences are so extremely bad (e.g. the end of all life as we know it) that there's no question about their being outweighed by positive effects (or vice versa).

Let's consider an example.

1. Introducing a minimum wage will increase unemployment.
Therefore:
C. The government should not introduce a minimum wage.

Even if the premise is true, it is not sufficient to establish the conclusion: a minimum wage might also have some positive effects. Depending on the size of the increase in unemployment, those positive effects might be enough to tip the balance in support of the policy.

In practice, many debates involve people defending one-sided arguments. Sometimes the one-sidedness of normative claims is even systematic, as in the 'adversarial' legal system. But there are also many public debates about important policies and issues in which there are two groups: those 'for' who present the positive case and those 'against' who present the negative case. Nobody presents both sides and tries to weigh them up. The public is supposed to decide for themselves who has the better argument(s) or what the relative balance of pros and cons are. But this is not easy for people to do and can sometimes even make it more difficult to find a constructive solution or compromise.

Things are made even more difficult when people defend exaggerated positions. The 'for' side will tend to exaggerate the positives and downplay or not mention the negatives. Equally the 'against' side will exaggerate the negatives and downplay or ignore the positives.

Another problem arises when both sides have their own supporting experts. Evaluating the credibility of sources is difficult and time consuming and can be especially tricky when different experts argue for different positions.

Finally, having two 'sides' makes confirmation bias more likely. People who are already predisposed to be 'for' have plenty of access to arguments and opinions supporting their views and can easily ignore the other side. The same is true for those who are 'against'.

Another thing to look out for when evaluating normative arguments is ***'loaded' or 'emotionally charged'*** words and phrases. Loaded words and phrases can make factual claims look as if they provided support for normative claims. Examples are the terms 'illegal arrival' or 'queue jumper' to describe people arriving by boat seeking refugee status in Australia, or describing a new proposal or policy as a 'reform', which raises positive associations.

It's amazing how often the *apparent* strength of normative arguments in real life is influenced by irrelevant features of the way they're presented. A good example is how normative arguments are ***framed***. The particular way in which a question is asked or in which

information is presented can make a big difference to decision making. Importantly, this is true even when the facts are the same.

> In an experiment, doctors were given statistics about the outcomes of two treatments for lung cancer: surgery and radiation. One group was given the statistics about surgery like this:
> The one-month survival rate is 90%.
> Another group was given *exactly the same information* in different words:
> There is 10% mortality in the first month.
> 84% of the doctors in the first group chose surgery, compared to only 50% in the second group.

A purely rational decision maker would make the same choice no matter which way the statistics were described. But the experiment suggests this is not what normal human beings (including trained doctors) actually do. What happens is that the emotional connotations of the words ('survival' is good 'mortality' is bad) can make a big difference to which option seems more preferable. Worryingly, when doctors were alerted to their inconsistency, they often still tried to justify their answers (cf. Tversky & Kahneman, 1981).

Other studies showed that judges give drastically more favourable rulings after they've had a food break, even controlling for other factors like the gravity of the offense, number of previous incarcerations, months served, and rehab program attendance (Danzinger, Levay and Avnaim-Pesso, 2011). People are also more likely to support an economic policy if the employment rate is emphasised than when the unemployment rate is highlighted (Druckman, 2001).

Similar examples are the following pairs:

> 99% fat free vs. 1% fat content
> Credit card surcharge vs. cash rebate
> Save money by doing X vs. lose money by not doing X

These differences appeal to our cognitive biases and are likely to lead to fallacious arguments like those discussed in chapter 9. But these differences in language make no difference to the strength of support provided by the premises to the conclusion. If a predicted 10% unemployment rate following a change in policy offers moderate support for the conclusion that we shouldn't implement the policy, then a 90% employment rate offers equally moderate support for such a conclusion. Nor do these differences in language affect the truth of the statements. They only change our immediate reactions to them. When we're employing our critical thinking skills, we are trying to ignore such irrelevant factors in assessing these arguments.

These issues are subtle and can be hard to spot. But if you are on the look-out for these manipulation techniques and biases you might be able to detect them and minimize their influence on your decision making.

Questions for evaluating normative arguments

1. Are the premises acceptable as true?
* Are the factual or descriptive premises well supported by good evidence? Are the sources credible?
* If the argument relies on normative general principles, can you think of any counter-examples? What further consequences does the principle have? Are those consequences acceptable?

2. Are the premises sufficient to establish the conclusion?
* Are there any unstated normative assumptions in the argument? (You can't get an 'ought' just from an 'is')
* Have all the relevant considerations, for and against, been considered? (That is, is the argument one-sided)?

Further reading

For an introduction to moral reasoning, see Richardson, Henry S., "Moral Reasoning", *The Stanford Encyclopedia of Philosophy* (Fall 2018 Edition), Edward N. Zalta (ed.), URL = <https://plato.stanford.edu/archives/fall2018/entries/reasoning-moral/>. Especially sections 1.1, 1.2, 2.2, 2.3, 2.4, 2.7

For an introduction to ethics and a number of ethical issues, see
http://www.bbc.co.uk/ethics/guide/

Exercises

1. Consider the following claims: Are they normative or descriptive?

1.1 Cigarettes cause cancer and many other health problems.

1.2 The government should ban cigarette advertising. normative

1.3 The number of people currently living in extreme poverty (without enough money to meet basic human needs) is 1.4 billion.

1.4 The gap between the richest and the poorest in Australia has increased over the last twenty years.

1.5 People in affluent societies ought to give more of their income to aid agencies. normative

1.6 The tax system in Australia needs to be reformed. normative

2. For each of the following statements, identify the *loaded term(s)* and give a neutral alternative or an alternative biased to the opposite side.

2.1 With the latest invasion of foreign nationals coming here, we won't have any jobs left for Australians. We should close the borders!

2.2 If global warming is real, how come we had the coldest day on record this year?

2.3 Breaking news: A riot has broken out in Melbourne CBD with thousands of people holding signs and blocking streets advocating for the release of refugees from Manus Island.

2.4 All these boat people are putting the lives of their children at risk! Those queue jumpers should wait their turn like everyone else.

2.5 The Australian government is providing tax relief to small business owners who have been impacted by the latest economic downturn in an effort to stimulate the economy.

2.6 "Dumbledore's regime is finally at an end." Voldemort said to his followers, "We can finally give wizards the respect they deserve."

2.7 The bureaucrats down at RACV don't deserve a pay rise, they cause more hassle to citizens every day!

2.8 If you really cared about human suffering, you would be pro-life!

3. For each of the following normative arguments, do the following:

a) Put the argument into standard form
b) Map the argument
c) Evaluate the argument

Hint: Many of the arguments are complex arguments!

3.1 There are gaps in what we know about global warming, for example how much of the rise in temperatures is due to natural causes, how fast our planet is likely to warm, and what impact some of our actions could have. Given these uncertainties, costly measures to reduce climate change, such as those required to comply with Kyoto Protocol are unjustified.

3.2 There are two reasons why we should have a smoking ban in pubs and clubs. Firstly, it will benefit the industry itself, since many more people are likely to go to pubs and clubs if they are smoke free. Secondly, it is wrong to subject people who work in pubs and clubs to the dangers of passive smoking.

3.3 There should be an international criminal court of justice which would take the process of prosecution for war crimes out of the hands of victors. Without such a court, punishment for war crimes is bound to *appear* unfair, because the winning side will be seen as imposing its own values, and ignoring the point of view of the losing side. An even more serious reason is that without such a court, punishment is bound to *be* unfair, in that some guilty people will escape punishment. If punishment is in the hands of the victors, people are likely to be brought before a court for war crimes only if they are on the defeated side. (adapted from Fisher, *Critical Thinking*, #40, p. 181)

3.4 The speed limit on major highways should not be reduced. Professional drivers spend much more time driving, on average, than do other people and hence they are more competent drivers than are other, less experienced drivers. So reducing the speed limit would have the undesirable effect of forcing some people who are now both law-abiding and competent drivers to break the law.

3.5 It would be false economy for the city to cut the zoo's budget in half. The zoo's current budget equals less than one percent of the city's deficit, so withdrawing support from the zoo does little to help the city's financial situation. Furthermore, the zoo, which must close if its budget is cut, adds immeasurably to the city's cultural climate and thus it attracts tourists and tax dollars to the city.

3.6 Over the past ten years, there has been a 20% increase in the number of people killed in road accidents who are found to have illegal drugs in their bodies. This rate of increase is much greater than the number of people killed in accidents who were found with alcohol in their blood. This shows that the campaign against drink-driving has succeeded. Therefore, the government should now concentrate on targeting those people who drive whilst under the influence of illegal drugs.

3.7 Since many chemicals useful for agriculture and medicine derive from rare or endangered plant species, it is likely that many plant species that are now extinct could have provided us with substances that would have been a boon to humanity. Therefore, if we want to ensure that chemicals from plants are available for use in the future, we must make more serious efforts to preserve for all time our natural resources.