

Very rough draft

## 12.1 Friendly amendments

Your senate should have at least one pedant deathly allergic to the phrase ‘friendly amendment’.<sup>1</sup> Symptoms include wheezing, agonized cries, and the fervent insistence that THERE IS NO SUCH THING AS A FRIENDLY AMENDMENT!!!!!! YAAAAARRRRRRGGGGGHHHHH!

If this is the last sentence you read in this section, please know that THERE IS NO SUCH THING AS A FRIENDLY AMENDMENT.<sup>2</sup>

Ahem, YAAAAARRRRRRGGGGGHHHHH

Are they gone? Okay. [Looks around furtively] So, [whispering] there actually can be friendly amendments. Understanding how this can happen and the pedant’s (generally correct) distress is a useful window into the amendment process.

Let’s start with what a putative ‘friendly amendment’ involves and why the phrase causes such distress.

The general idea is that the maker of a motion retains discretion over its content such that someone else can suggest changes which, if accepted by the maker, change the motion.

Let’s reconstruct one such crime against order [parliamentary pedant trigger warning]:

Senator Red: I move that tacos be served at every Senate meeting.

Senator Blue: Second!

Chair: It is moved and seconded that tacos be served at every Senate meeting.

Senator Green: I’d like to make a friendly amendment that we add ‘and burritos’ between the words ‘tacos’ and ‘be.’

Senator Red: I take that to be friendly.

Chair: Very well. The question is on the motion that tacos and burritos be served at every Senate meeting.

YAAAAARRRRRRGGGGGHHHHH.

Give me a moment while my face returns to its normal color....

### 12.1.1 Problems

Phew. Thanks for your indulgence. There are at least 2 problems with what just happened in our example.

#### 12.1.1.1 Problem 1: Undermines the second

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<sup>1</sup> Obviously, I’m describing myself. Thus I urge you to recognize that this is an early symptom of incipient parliamentarian syndrome. If you don’t cure it now, it’s only a matter of time before you find yourself writing weird guides for your colleagues and snuggling up with the rules on new business before bed.

<sup>2</sup> NB, this applies to all amendable motions. I’ll focus on amendments to main motions for clarity.

First, the friendly amendment<sup>3</sup> undermines the person who seconded the motion. We can bring this out by modifying our example.

Senator Red: I move that tacos be served at every Senate meeting.

Senator Blue (*notorious burrito hater*): Second!

Chair: It is moved and seconded that tacos be served at every Senate meeting.

Senator Green: I'd like to make a friendly amendment that we add 'and burritos' between the words 'tacos' and 'be.'

Senator Red: I take that to be friendly.

Senator Blue: [*Speechless with anger and disbelief that she has been roped into burrito-advocacy.*]

Chair: Very well. The question is on the motion that tacos and burritos be served at every Senate meeting.

Senator Blue's outrage should indicate the problem. She's seconded something she abhors.

That said, what just happened is still compatible with the underlying principle, viz., IT TAKES TWO.<sup>4</sup> Motions require seconds to ensure that Senate business is not wasted on items which only one person supports.<sup>5</sup> It's true that Senator Red and Senator Green both support the amended motion. But this happened by hijacking another Senator's voice. Not the worst thing in the world, but not ideal either.

In some cases, such as bodies which record who proposes and seconds motions, this could be more serious. Senator Blue would be identified for posterity as the second of something she opposes. Her taco-only credibility would be shredded like delicious carne asada.

#### 12.1.1.2 Problem 2: The motion belongs to the body

The bigger problem is that motions belong to the body once made and seconded. It's easy to miss the metaphysical magic<sup>6</sup> that happened here

Chair: It is moved and seconded that tacos be served at every Senate meeting.

At that point, the motion belongs to the body. No individual has any special claim to it.

Thus the friendly amendment is anathema to the principles underlying the deliberative process on our picture. Given that the will of the senate is not identical with the wills of its constituent senators, there has to be a point at which the body becomes the agent of what happens. The Chair stating a seconded motion is that point.

Incidentally, this is why it's bad practice for the Chair to refer to amendments as though they belong to the maker (e.g., "The Red Amendment" or "Senator Red's Amendment"). That reinforces a false picture of senate action.

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<sup>3</sup> It hurts my fingers to type that.

<sup>4</sup> Remember, things are different in small committees.

<sup>5</sup> RONR §4

<sup>6</sup> Don't scoff. This metaphysical magic happens with many illocutionary speech acts. [https://en.wikipedia.org/wiki/Illocutionary\\_act](https://en.wikipedia.org/wiki/Illocutionary_act) The right person uttering the words in itself makes something real. E.g., a legally sanctioned officiant saying "I now pronounce you married" or a judge saying "I find the defendant not guilty".

### **12.1.2 Actual friendly amendments**

Assuming that we've now driven off all but the most dedicated readers, let's talk about when it's okay to use the phrase 'friendly amendment' or, gasp, when it's okay to make a friendly amendment.

#### **12.1.2.1 Acceptable use #1: Annoying pedants**

While I do not endorse the sport, it is admittedly fun to annoy pedants. Thus it is acceptable, if obnoxious, to use the phrase 'friendly amendment' in proposing an ordinary amendment. The miscreant who adds 'friendly' or its synonyms to 'amendment' in this way is encouraged to defuse the common invidious connotation by treating other motions similarly — motions to friendly refer, amicably postpone, or table-like-old-chums.

The Chair should ignore this hateful phrase in how she proceeds; it may be helpful to remind the body that the purported friendliness adds nothing to the motion.

#### **12.1.2.2 Acceptable use #2: Expressing one's feelings**

The second acceptable use is to convey one's feelings for the amendment. Here, 'friendly amendment' is shorthand for "I really like this motion. I want to be friends with it. In the spirit of friendship with those words...."

That said, a nearby use where 'friendly' expresses the maker's intention is more suspect. There may be cases where the effect of an amendment is not clear enough for others to decide whether to second it. In such cases, casting the amendment as friendly or hostile up front might be helpful. That usefulness needs to be weighed against the invidious connotation of interpersonal conflict and the imperative for depersonalized debate.

#### **12.1.2.3 Ninja-level acceptable use**

The acceptable uses so far are at best questionable and at worst immature. Thus it's best to avoid the phrase 'friendly amendment.'

That said, let's consider when actual friendly amendments are allowed.

The putative friendly amendment has two properties:

- (a) Alters the content of the motion.
- (b) Requires only the maker's approval to take effect.

Can this ever happen?

Yes! Since the Chair stating a motion is the magic moment, there are 2 opportunities for suggestions which satisfy (a) and (b). They can be helpful, if used judiciously.

First, if the motion has not been seconded, others can suggest revisions to the maker. This is most common when the maker is fumbling for the right words. Other senators may (politely) call out

suggested revisions. This is even easier when meetings are conducted remotely and the chat box can be used to sort out a motion's language before it is introduced. This can help avoid formal motions fixing grammar or improving clarity. The motion's maker has complete discretion over whether she entertains or accepts any suggested change.

Second<sup>7</sup>, a similar process is available if the motion has been made and seconded but not yet stated by the Chair. The one wrinkle depends on who suggests the change.

If the Senator who seconded suggests the change, the maker's agreement is all that's required for the new language to become the motion.<sup>8</sup>

If another Senator suggests the change and the maker agrees, the Chair should ask the seconder if she would like to withdraw her second. If she does, the person who suggested the change is ipso facto the second; there's no need to solicit a new second.<sup>9</sup>

In all of these situations, the Chair should proceed with wary indulgence. A few moments of free-for-all wordsmithing can avoid a confusing formal amendment process; it can also quickly devolve into disorderly unhelpful debate. She should gently intervene to avoid cacophony and ensure that the Secretary properly represents the revised motion. As soon as it becomes apparent that the suggestions are controversial or anything resembling debate begins, the Chair should intervene and insist that the changes be handled through the regular amendment process.

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<sup>7</sup> See what I did there?

<sup>8</sup> C.f., RONR §4

<sup>9</sup> C.f., RONR §33.c