Commentary on Sinclair's Uncovering Hidden Premises to Reveal the Arguer's Implicit Values: Analysing the Public Debate about Funding Prep

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1. INTRODUCTION

I have long argued for grounding argument theory in what actual people actually say when they engage in argumentative discourse. As Sinclair's excellent contribution to this conference shows, this is no simple matter. What people say is grounds for inferring what they think, and this inference can go wrong in myriad ways. Inferences that are uncharitable tend to amplify disagreement, for example. Interpreting others' sayings charitably is one aspect of conversational cooperativity.

Sinclair invites us to consider the value of extreme charity in analysis—meaning a degree and kind of charity far beyond what cooperative interlocutors would ordinarily apply. The purpose of extreme charity is to understand both the perspectives of the participants themselves and the unexplored argumentative potential in an unfolding debate. My enthusiasm for this project will be obvious.

The paper develops arguments of several different kinds, and I plan to touch, at least briefly, on each. First, there is an argument as to the potential value of argument analysis for ethicists, policy-makers, and other stakeholders in policy debate. Sinclair is convinced of this value, and so am I. Second, there is a philosophical argument for applying a principle of extreme charity in argument analysis, which I expect to be controversial among philosophers. I will focus my own attention on extreme charity as an analytic tool—on its viability and usefulness relative to varied analytic purposes. An important question Sinclair raises is how analysts should treat obvious argumentative moves that the participants themselves did not make. Finally, there are arguments about the best sense that can be made of a particular collection of texts, applying the method of extreme charity. I find Sinclair's analyses both insightful and credible overall, but I also have a level of discomfort with a point or two that I think might be worth some discussion. I take up these three themes in reverse order.

2. WHAT IS GOING ON IN THESE DATA?

Sinclair's study involves close examination of over 2000 comments posted on a BBC website, concerning a debate over the funding of a new drug (Prep) that helps prevent new HIV infections. Out of sheer enthusiasm for the project, I scraped all the Prep data myself and read through hundreds of the posts. My goal was to better understand just how difficult it will be to put extreme charity into practice.

The data show a pattern I have seen in many other debates and controversies: the intertwining of one set of issues, such as a decision about a course of action, with another set of issues, often involving standing concerns of one participant or another. The first set of issues in this case have to do with what medical treatments should be funded by NHS, and the second set have to do with the status of men who have sex with men, a major class of beneficiaries of the treatment. Intravenous drug users are another class of beneficiaries, but unlike men who have sex with men, these prospective beneficiaries do not make themselves known in the discussion. For brevity, I'll refer to NHS issues and MSM issues.

In cases like this, it is very tempting to identify one set of issues as the main business needing discussion and the other as a source of emotionally charged digressions. The danger in doing so is that extreme charity then elaborates what is chosen as the top-line disagreement, even if some participants have the other set of issues as their top-line concern. Here, the NHS issues might be supposed to be the top-line disagreement and the other issues might be supposed to contribute little or nothing to actually coming to a resolution of that disagreement.

But looking at subsets of the texts, it is also possible to see the top-line disagreement as MSM, with the NHS issues pulled in to defend a position on MSM. To see how this would work, it's possible that people on the "pro-MSM" side may see the fact that NHS had to be ordered by court to consider funding Prep as evidence of prejudice against men who have sex with men; and it is also possible that people on the "anti-MSM" side see the medical purpose of Prep as just further evidence of all that is wrong with men having sex with men. Their goals are broader and deeper than just getting Prep approved or keeping it from getting approved.

So NHS can be the top-line disagreement, with MSM arguments being weak lines of argument on both sides of that disagreement. Or MSM can be the top-line disagreement, with NHS just one policy decision where MSM issues bubble up to the surface. And this matters for the exercise of extreme charity: As supporting arguments, all of the MSM arguments appear very weak—and this includes not only the

arguments that condemn men who have sex with men, but also the arguments that call out prejudice against men who have sex with men.

This kind of situation is much more common than one might suppose. It is not always possible to represent argumentative discourse by finding one top-line disagreement to which all arguments contribute and to which all arguers orient. What we are arguing about is quite often … exactly what we are arguing about! So I'm queasy about the possibility that extreme charity can rest on the analyst having preferred one side over another on a meta-issue of this sort (what the top-line disagreement is). When we practice extreme charity on behalf of one distinguishable perspective in a debate, it does not seem right for that to automatically confer disadvantage to some other perspective.

But this is just an application problem, one I assume is easily solved once noticed. It does not undercut extreme charity as a method, so let's turn now to trying to evaluate its overall promise.

3. HOW SHOULD ANALYSTS TREAT OBVIOUS MOVES THAT PARTICIPANTS DID NOT MAKE?

Like Sinclair, I see something more than ordinary charity as indispensable, but only when practised with great self-restraint. Basically, extreme charity involves a donation of content to an unsound argument to make it sound (or to a vulnerable argument to make it less vulnerable). Donations are notoriously tricky, since we all know that they can become an unwanted burden for a recipient. Sinclair reviews several arguments against charity that are based on this basic social fact, but he has answered them in part with procedural assurances that the donation is not an imposition. (That is, he has answered *some* of the obvious objections with philosophical counters, but for others, he has actually solved the objections with rules designed to filter out varied classes of problematic donations.) Specifically, his method includes a set of restrictions on charity, including such conditions as that the donated content must not be inconsistent with anything the recipient has said, and that there must be some basis for believing that the recipient could and would defend the donated content if challenged. This latter condition is actually quite restrictive; if taken seriously, it will preclude not only outlandish projections, but also those that commit the recipient to far more effort than the original argument was worth.

I think of extreme charity as an exercise in projecting how a position might be extended by the participants themselves under the right circumstances. I use 'extension' as it is used in debate theory, to refer to the elaboration of a position in response to opposition. Good debaters try to anticipate long chains of extensions of their own position and their opponent's position. For an analyst to do the same is in my

mind benign, so long as we don't mistake projections of what *might* be said with reconstructions of what *has* been said. Especially in a long-lasting controversy, if an analyst can project plausible extensions of all distinguishable positions in the controversy, that is clear evidence that it is not yet over—no one has yet "won" the debate. This remains true even if no one actually puts a possible extension forward, so long as that extension remains available.

Obviously, though, an analyst should not supply an extension for one side of a controversy and then fault the other side for not having responded to it—after all, as Sinclair too points out, the fact that a strategically useful extension is available does not mean that any participant can be assumed to be willing to take on the commitments that go with it. For any number of reasons, debaters often choose not to go down paths that, viewed only in one context, appear to be advantageous.

4. WHAT INTERVENTIONS CAN ARGUMENT ANALYSIS SUPPORT?

I turn now ever so briefly to the most expansive of Sinclair's claims, that argument analysis of this kind, and possibly many other kinds, can actually improve public argument, but not by the obvious method of literally contributing content to the debate. I firmly believe this myself, but at the same time, have often felt quite a lot of discomfort over publishing my thoughts on controversies for fear of how claims advanced only for the sake of theory might circulate within a debate that has real-world consequences. For example, I believe that in many public controversies where experts and non-experts clash, a common problem is that expert communities expect their *first* contribution to a debate to be decisive; after all, they are the experts. They tend not to anticipate what extension an ordinary layperson might devise when scientific evidence is used to challenge their beliefs, and for this reason they often neglect to positions themselves to engage in dialogue. For me to publish this observation might have the positive effect of reminding experts and other authorities to treat critical questions seriously, but on the other hand, it might be taken as saying that experts cannot be trusted to play fair in argumentation.

Like all purposive social actions, an intervention into public argumentation may have unanticipated consequences (Merton, 1936). Interventions that involve the exercise of extreme charity are not alone in the potential for unintended consequences, but to the list of concerns philosophers already have about charity as an analytic method, we can add concerns about the ethics of exercising it from a position nominally external to the disagreement and impartial toward its issue.

Argument analysts do not as yet have the kind of strong professional ethics that have formed within interventionist disciplines (ranging from civil engineering to medicine to social work), so one interesting topic for the future is what such ethics would look like for argumentation. Sinclair forces us to consider this.

5. CONCLUSION

I conclude my commentary (and hopefully set an agenda for the discussion) by inviting Sinclair to help us get started on articulating an intellectually and ethically acceptable role for argument analysis within active public controversies. Should argument analysts themselves intervene by providing one side or another the benefit of expert argument analysis? Should our interventions be limited to providing analytic tools that participants themselves may use? How, in general, should we think about when and by what mechanism to intervene?

REFERENCES

Merton, R. K. (1936). The unanticipated consequences of purposive social action. *American Sociological Review, 1*(6), 894-904.

Sinclair, S. (June 2019). Uncovering hidden premises to reveal the arguer's implicit values: Analysing the public debate about funding Prep. Paper presented at the Third European Conference on Argumentation, Groningen.