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the necessity for civil disputation . . .

" . . . Not inferring . . . vices from the side a person takes, though it be the contrary side of the question of our own . . . giving merited honor to everyone, whatever opinion he may hold, with calm as to see and honesty to state what his opponents and their opinions really are; exaggerating nothing to their discredit, keeping nothing back which tells in their favor. This is the real morality of public discussion . . . "

"On Liberty"
John Stewart Mill

In the relatively brief time since man emerged from barbarism, the development of a sense of community has become a hallmark of human progress. The painfully achieved balance between individual desires or rights and the need to live in peace and harmony in community slowly evolved into the concept of the Social Contract. This concept recognizes that because others also have rights to life and liberty that consequently they and ourselves need exercise restraint and forbearance when their—and our—wants converge. This contract requiring mutual consent, sustains diversity of needs, opinions and rights; it also implies a mutually agreed upon restraint imposed upon completely unfettered expression of individual desires. This fragile, unwritten document represents a flimsy barrier delicately poised between civilization and civil discord. To rend it is the first step on the road back to barbarism.

Coincident with the emergence of this contract was the development of a Common Law tool for the resolution of dispute, i.e., the Adversary System. Given the inherently subjective nature of human experience, only by dispassionate and complete disclosure of perceptions of reality—as seen by the parties to such conflicts—could disputed human encounters be resolved. By necessity, in the legal setting, ultimately dichotomous decisions must emerge. The reality of the judicial process devolves by necessity on one party's innocence or guilt, liability or non-liability. This, despite the reality of human experience which clearly indicates that elements of error inevitably reside on both sides of any matter at question.

But just what is the adversary system? If it is the depersonalized non-vituperative, non-withholding presentation of fact as perceived by each party—this is consistent with the scientific tradition of publication and test by peer review. If it is the uncivil converse—exaggerated, inten-

tionally offensive, designed to cast doubt upon the honor of the opponent—the adversary system descends to the bathotic level of gamesmanship. It is not designed to find elusive truth; rather its end is solely to win, to vanquish. This "civilized" surrogate for combat allows hedonistic expression for the verbal and provides them ego satisfaction. But in fulfilling these egocentric needs, it has no place in science. Further, it rents the fragile social contract that stands between the individual, the community and civil discord. We have seen in the too recent past what the zealots' attribution of personal evil and vituperation imposes upon society; their single-minded prescription for truth leads to proscription of rights. Since the veneer of civilization is thin, one cannot but view any uncivil assault upon the Social Contract which encompasses both rights and responsibilities as anything but a potentially retrogressive step. While carrying this potential menace for the social fabric, its intrusion into the body scientific poses immediate destructive implications.

While this adversarial approach might be adequate—with some reservation—to the judicial system, its uncritical application is open to serious question when applied to matters susceptible to the quantification inherent in scientific debates. Certainly, if the courts could apply a consistent, scientifically based quantitative yardstick to the business before them, application of the adversarial approach might be invalidated. However, the bench and bar possess no such tool; by contrast, scientific questions have an inherently quantifiable aspect. Accordingly, thoughtless application of the adversary system to matters which can be dealt with by scientific methodologies would appear irrational.

In actuality, many science-based discussions ultimately may revolve about honest differences of opinion, since most scientific hypotheses must admit the existence of countervailing hypotheses. The validity of this observation is especially apparent to any student of the standard-setting process. So, indeed, an uncorrupted adversary approach to the resolution of such questions may be useful at an appropriate point in such discussion, or under limited circumstances. But to advocate indiscriminate use of that system in the realm of science is inherently inimicable to the common weal and to the scientific community itself.

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