

8. Questionable Questions in Question Period: Prospects for an Informal Logic of Parliamentary Discourse

1. Introduction

Those of us who are working in the area of informal logic, and are interested in fallacies and other critical faults of questions, have by tradition concentrated their efforts on certain types of question.¹ Typical of this area of interest are the following:

1. *The fallacy of many questions.* The traditional example is, 'Have you stopped beating your spouse?' This type of question is both complex and argumentative in a way that appears designed to entrap the respondent.

2. *False dichotomous questions.* This type of question offers a restricted range of choices, where all the options for answer-

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ing are bad, e.g., 'Will you reduce interest rates immediately, or continue trampling on the unemployed?'

3. *Terminologically loaded questions.* Here the problem is less the lack of options than simply the implications of the argumentative language used in the question. In the example, 'When will you put a stop to your spending orgy of taxpayers' money?' the problem is how the action in question is described.

4. *Ad hominem questions.* These are questions containing abusive or circumstantial personal attacks, e.g., 'How can you stand there and argue for fiscal restraint against the threat of inflation when you yourself are already earning a large salary and just got a raise last year?'

5. *Evasive replies.* It often happens in interviews and political debates that the reply does not answer the question posed, but addresses itself to some other question which may be only tangentially related to the original question.

The oral question period of the *Debates of the House of Commons* in Canada, as recorded in *Hansard*,² seems to provide the perfect data bank for studying these types of fallacies and critical faults. But there are some methodological problems in applying techniques of critical analysis and evaluation to these specimens of argumentative discourse, plentiful though they appear to be.

Any method must begin by defining three things: (1) the concept of a presupposition of a question, (2) the obligations of the participants in the question period, and (3) the purpose of the speech event that is the question period. The first job has already been carried out in Walton (1989), where the presupposition of a question in a context of dialogue is defined in terms of what propositions in the prior order of dialogue the respondent must accept in order to give a direct answer to the question. For example, in

² This work is listed in the bibliography under the title. *Canada: House of Commons Debates.*

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order to give either direct answer to the spouse-beating question, the respondent must concede his acceptance of the prior propositions that (s)he has a spouse that (s)he has beaten at some time or other.

The job of adequately defining the remaining two parameters is, however, more problematic. In this paper, an attempt to frame these two tasks accurately will be made, but some problematic hypotheses involved will also be discussed.

2. The Setting of Question Period

The (oral) question period in the Canadian House of Commons takes place five times a week during the period when Parliament is in session. On Fridays it takes place in the morning, and on the other four weekdays it takes place between 14:15 and 15:00. The seating arrangements reflect the adversarial nature of the proceedings. The room is rectangular. On the right of the speaker of the House are the government members including the Prime Minister and his cabinet ministers. On the left of the Speaker sit the opposition members.

Normally the House is nearly deserted during debates, but during question period it is crowded. Since 1977, proceedings in the House have been televised, but in sharp contrast to the other speeches and debates, question period is very lively, and most of the media coverage centers on the exchanges that occur during the question period. After question period, the packed chambers, including the press gallery and the public galleries, become almost empty by comparison. According to Franks (1985, p. 3), the exodus is remarkable.

The bulk of the television and newspaper coverage of Parliament comes from question period. After it is over there is a remarkable exodus; where there were 280 Members there are now twenty-five; where the press gallery was packed, only two or three remain; the public galleries are empty.

Most of the time in the House of Commons is spent on debating specific bills that have been put forward. These debates often tend to be dull, but the atmosphere in question period tends to be tense. The government ministers are forced to respond spontaneously to complaints and attacks posed by the opposition in the form of aggressive questioning while knowing very well that these exchanges are most often highlighted in the media coverage of political affairs. Short segments from question period, for example, may be played over and over again on the television news. There is confrontation, drama, excitement, and often personal attack in the question period exchanges. They are perfectly suited for television coverage.

3. Goals and Rules of Question Period

Two types of questions are recognized in the Canadian House of commons, written and oral questions. The purpose of questioning is to allow the opposition to ask the responsible government ministers for information, or press for action, on matters of current concern to the Canadian public.

Those are among restrictions on the kinds of questions that may be asked, listed in *Beauchesne*, the official book of parliamentary rules and forms of debate. But in fact these rules are quite permissive - anything is permitted if it is a real question, if it deals with something for which the minister to whom it was addressed is responsible, and if it is expressed in parliamentary language - or more precisely, if it avoids unparliamentary language. According to the fifth edition of *Beauchesne* (1978, p. 131) however, in 1964 a Special Committee on Procedure recommended the following set of guidelines on the asking of oral questions.

(1) Such questions should:

(a) be asked only in respect of matters of sufficient urgency and importance as to require an immediate answer;

- (b) not inquire whether statements made in a newspaper are correct;
 - (c) not require an answer involving a legal opinion,
 - (d) not be asked in respect of a matter that is sub judice;
 - (e) not be of a nature requiring a lengthy and detailed answer;
 - (f) not raise a matter of policy too large to be dealt with as an answer to a question;
- (2) Answers to questions should be as brief as possible, should deal with the matter raised, and should not provoke debate.

Another restriction mentioned in *Beauchesne* (p.132) is that a question must be brief, and it must not be 'an expression of an opinion, representation, argumentation, nor debate.' A question 'ought to seek information,' according to another rule (p. 132) and 'therefore, cannot be based upon a hypothesis'. Nor can a question impute 'motives' or cast 'aspersions upon persons within the House or out of it.' Under heading §359, twelve rules of this sort are laid down. But, as noted above, the interpretation of these rules in question period is generally permissive. In many instances, lengthy, argumentative questions based on hypotheses - and even questions that attack the character or good judgment of the respondent or his associates - are allowed.

A government minister may decline to answer a question, and the member asking the question does not have the right to insist on an answer (p. 133). Ministers generally do try to answer the questions put to them, however, or at least try to reply to them in a manner that they hope will appear effective or informative. Any question that violates parliamentary rules or practices may be ruled out by the Speaker of the House.

Although an answer is not supposed to be 'debated' in the question period, further 'supplementary' questions to clarify the answer may be allowed, according to the discretion of the Speaker.

The Speaker of the House is a member of one of the parties who has been elected to his post by the majority of the members. The function of the Speaker is to intervene if the rules are broken. In extreme cases, an offender may be asked to apologize or leave the House. In practice, however, although the Speaker is very effective in some cases, (s)he does not tend to intervene where aggressive tactics of questioning are used - like those typified in the initial list of 'fallacies'- unless specific problems, like the use of 'unparliamentary language' arise.

4. Obligations on Participants

In light of the purposes and rules for question period stated in *Beauchesne*, it is possible to formulate a set of very general obligations on any questioner who is a participant in the speech event of question period, and a matching set of obligations on any participant who is a respondent. These obligations are only rough, tentative, and general normative guidelines which need to be interpreted and supplemented, in specific cases, by the particular institutional rules of procedure given in *Beauchesne*. Such a set of general obligations would not be meant to be an empirical recapitulation of the actual practices of questioning and replying in question period. Instead, it is part of a normative model meant to provide an ideal of how constructive (correct) questioning and answering *should* proceed, in order to optimally realize or facilitate the goals of question period.

Ostensibly, the goal of question period is to provide a format where informative questions can be asked by opposition members to responsible government representatives so that light can be thrown on important matters of public concern or urgency. By this means, supposedly, the general public can be informed, and constructive action by parliament and the government can be facilitated.

At least, these are ostensibly the purposes of question period. As we will see shortly, whether these are the real purposes is an interesting question. But on the assumption that these stated purposes represent the real goals of question period as an institutionalized type of dialogue, the following set of obligations can be formulated.

Obligations on the Questioner

1. To ask relevant questions, i.e., questions that are on issues of genuine concern for the Canadian public.
2. To avoid asking questions based on presuppositions that are hypothetical or unwarranted.
3. To ask probing questions that seek genuine information or constructive action on an issue.
4. To avoid overly complex questions, i.e., questions that are more complex than is necessary or useful.
5. To refrain from asking overly aggressive questions, e.g., questions that engage in unwarranted personal attacks.

Obligations on the Respondent

1. To give a direct answer, provided the question is reasonable, appropriate, and directly answerable.
2. To give reasons, if the question cannot be answered directly.
3. To give a relevant answer, or at least a helpful reply, if a direct answer is not given.
4. To correct where it is useful to do so, or even to rebut questioning that is unduly aggressive.

The above set of obligations represents a more event-specific formulation of the general set of obligations given in Walton (1989, pp. 350-351). They are more event-specific in the sense that they are designed to be applicable to the special context of the speech event of the Canadian question period. In another sense, however, the set

of obligations above is general rather than specific - it is of a higher degree of generality than the specific rules laid down in *Beauchesne*. The set of obligations above cannot be applied literally or automatically to any particular text of discourse of a case from *Hansard* in a question period exchange. It only gives general guidance which can be applied conditionally to specific rules and particulars of interpretation of the context of a case in aiding judgments of whether a particular question or reply is correct or incorrect, critically strong or critically weak. At least, that is the intended function of this set of obligations.

5. What Happens in Question Period?

If you look at the actual practices of questioning and replying in the question period, many of the questions are aggressive attempts to entrap the respondents. In fact, it is not at all difficult to find questions that are cases of the list of fallacious or objectionable types of questions given in the list of 'fallacies' in section one. There is no shortage of good case material here for the student of fallacies of questioning.³

Many of these interesting cases of questionable questions in question period have been presented and studied in Walton (1988;1989;1991). The three cases below (from Walton, 1991) are not representative of all the various kinds of tactics that are used. But they will give the reader an idea of the cut and thrust of questioning and replying discourse in question

³ The description of Franks (1985, p. 3) conveys the flavour of question period very well.

The Canadian question period is unique. For forty-five minutes opposition Members attack the government. Most questions are of the 'have you stopped beating your wife yet' variety. They are, in effect, miniature speeches in which the questioner claims that some problem or desperate situation exists and asks the government what it is going to do, or stop doing, about it.'

period, and illustrate one or two characteristic types of sequences.

One of the main things of importance is that the questions are often heavily loaded with incriminating presuppositions. In some cases, the respondent rebuts the presupposition more or less effectively during his reply. But in many cases, respondents let these presuppositions pass by, failing to point out the loaded or hypothetical nature of the question.

In still other cases, like Case 2 below, the respondent does respond very effectively by actively rebutting the incriminating presuppositions loaded into the question, but then is attacked by the questioner for being 'evasive'. In evaluating this kind of case, a critic must look carefully at both sides.

In judging exchanges in question period, it is often tempting to criticize a reply that does not give a direct answer to a question by saying that the reply is irrelevant because it evades the question. However, in fact, many of the questions asked during question period are extremely argumentative, in that they are based on presumptions that the respondent could hardly accept without incriminating himself or his party, associates, or office. In such cases, a reply that does not answer the question may be the most reasonable type of response.

During a period of recession in 1982, the following question was put to the Minister of Finance (*Hansard*, June 10, 1982, p. 18304).

Case 1: Hon. Flora MacDonald (Kingston and the Islands): Madam Speaker, my question is also directed to the Minister of Finance. I would like to say to him that his policies are directly responsible for the fact that 1,185 more Canadians are without jobs every single day, 1,185 more Canadians with families to feed and mortgages to pay. How long is the minister prepared to condemn 1200 more Canadians every day to job loss and insecurity because he is too stubborn and too uncaring to change his policies?

Hon. Allan J. MacEachen (Deputy Prime Minister and Minister of Finance): Madam Speaker, I do not accept for one moment the statement in the hon. member's question that the policies of the government are responsible for the recession which is taking place, not only in Canada but also in every industrialized country in the world. I am surprised that the hon. member, considering her experience, would make such a foolish statement in the House of Commons.

Miss MacDonald: The Minister's answer is appalling.

This question posed by Miss MacDonald has many incriminating presuppositions for Mr MacEachen. It is based on the hypotheses that Mr. MacEachen is condemning 1,200 Canadians every day to job loss and insecurity, that he is too stubborn and uncaring to change his policies, and that his policy on employment is the cause of their job loss.

Mr. MacEachen replied by denying these presuppositions of the question, claiming that it is a world recession that has affected all industrialized countries. He calls Miss MacDonald's question a 'foolish statement' and she replies that his answer is 'appalling'.

One can question whether this exchange had any informative value for those who were listening to it. It seems more like theatre or 'show business', if we are to seek a value in it.

Two years later, the shoe was on the other foot, when Miss MacDonald, as the minister responsible for employment, was called upon to answer a question concerning the hiring practices in the Unemployment Insurance Commission (*Hansard*, November 20, 1984, p. 412).

Case 2: Mr. George Baker (Gander-Twillingate): Mr. Speaker, my question is directed to the Minister of Employment and Immigration. The Minister has announced that \$200 million will be saved through intensified interviews with unemployment

insurance recipients. Since the average UIC payment in Canada is \$155.88 per week, and since the average period for drawing unemployment insurance benefits is 26 weeks, then in order to save \$200 million the Minister would have to knock 50,000 people off the UIC rolls. How many extra staff members will the Minister's Department hire to persecute, prosecute, or prevent these 50,000 people from drawing unemployment insurance?

Hon. Flora MacDonald (Minister of Employment and Immigration) Mr. Speaker, contrary to what the Hon. Member thinks, the objective of claimant interviews is to ensure that we are doing everything that we possibly can to help people find jobs.

Some Hon. Members: Hear, hear!

Miss MacDonald: I would like to give an example of this to the Hon. Member. Just the other day the President of the Canadian Federation of Independent Business said that there were 170,000 jobs that were going unfilled. We want to find out where those jobs are, and we want to match them to those people who are unemployed so that they will be put back to work again. This will reduce the amount of money that is being paid out of the unemployment insurance fund.

Mr. Baker: Mr. Speaker, the Minister did not answer my question. I wanted to know the number of people who would make up 'Flora's heroes.'

Mr. Baker's question (like Miss MacDonald's question in Case 1) is loaded with offensive presuppositions: her department will hire extra people to 'knock' 50,000 people off unemployment insurance, these staff members will 'persecute' the unemployed people, 'prosecute' them, and prevent them from drawing their benefits.

Miss MacDonald responded by denying the accusations made in the question, by claiming that (to the contrary) her department is trying to help the unemployed, and by offering an example to

back up her reply. She did not answer the question. But given the argumentative, aggressively loaded nature of the question, her reply by rebuttal seems like a reasonable response.

Not satisfied, however, Mr. Baker attacked again, accusing her of not answering his question. His original question asked how many staff members, whom he called 'Flora's heroes' would be hired to 'prosecute' the unemployed.

Another tactic of argumentative questioning often used in question period is the circumstantial *ad hominem* attack. The use of this tactic gives a sharp edge to a questioning of some respondent's action by arguing that it is inconsistent with his own policies or principles. The strategy works by suggesting that the respondent lacks principles, is illogical, or is hypocritical.

The use of this tactic of questioning is illustrated by the following case (*Hansard*, April 11, 1986, p. 12132).

Case 3: **FIREARMS**
IMPORTATION TO CANADA

Ms. Sheila Copps (Hamilton East): Mr. Speaker, my question is directed to the Prime Minister. Given his stated concerns this morning about increasing terrorism, and given recent moves in the United States to relax its gun control laws, could he tell us why, in his Government's Budget, he made it cheaper to import rifles and shotguns into Canada?

Hon. Barbara McDougall (Minister of State (Finance)): Mr. Speaker, this had to do with a Tariff Board ruling on sportsmen's rifles. It was a regulatory change which was made before, and this was brought into line with other regulations.

GOVERNMENT POLICY

Ms. Sheila Copps (Hamilton East): Mr. Speaker, my supplementary question is directed to the Prime

Minister. Is he not concerned about the kind of signal which this sends out? On the one hand he is expressing concern about increasing terrorism. On the other hand his Government is making it cheaper to bring high-powered shotguns and rifles into the country. Does he not think this sends out a mixed message to Canadians?

Hon. Barbara McDougall (Minister of State (Finance)): Mr. Speaker, I think it is a little unfair to deal with Canadian sportsmen in the same breath as dealing with terrorism.

In this case, the question is highly loaded, and tends to make the action of the Prime Minister appear to be inconsistent, perhaps even hypocritical. But in reality, the attack posed by the question is a kind of tactic that could easily be rebutted. In reality, an increased cost of sporting rifles is no real or serious obstacle to terrorists, who no doubt buy their arms on the black market anyway, and who are likely to be interested in automatic weapons and military equipment.

At any rate, Ms. McDougall's first reply was effective, but then she seemed to give up when Ms. Copps persisted in following up her attack with a second question. Clearly, Ms. Copps *ad hominem* attack in her supplementary question could have been rebutted much more vigorously by questioning the presuppositions of Ms. Copps's question. Although Ms. McDougall sketches out the beginning of a rebuttal, for whatever reason, she does not follow it up with a vigor that would match the force of the question.

6. The Problem of Question Period

For anyone who has followed question period, or spent much time looking over the written transcripts of these exchanges in *Hansard*, a problem quickly presents

itself. The actual practices of question period, in many cases, appear to go at cross-purposes with its ostensible goals of soliciting information or pressing for action on matters of urgency in political affairs. For many of the questions adopt an attacking mode, and the replies strike defensive or counter-attacking postures. Are these aggressive tactics good ways of soliciting information or pressing for action on matters of concern? This can, and perhaps should be questioned. Many of the cases look like model specimens of the sorts of questioning and replying tactics that we warn students about in informal logic texts and courses as fallacious. As ways of attacking the government, or as ways of defending against attacks, these sequences of argumentative discourse seem much more comprehensible and efficient than if they are portrayed simply as information-seeking or action-producing dialogues.

The problem is whether this apparent anomaly or situation of cross-purposes is a genuine problem, or is it just something we should normally expect in political argumentation where competing parties have opposed interests?

Of course, we normally expect politicians to attack each other with adversarial tactics in hotly contested debate. For that is the basic idea behind all democratic government. According to Franks (1985, p. 17) question period is such a valuable Canadian institution precisely because it is the parliamentary 'bear pit' where the skepticism of the opposition can most effectively be brought to bear in debunking, or at least putting to the test of doubt the political 'myths' and 'romances' of the governing party. According to Franks, political ideologies are put across to the public in the form of an optimistic or upbeat story, a 'romance'. But to counter-balance the optimism of romantic myth, we also need the pessimism of tragedy - the romantic myths and the heroic leaders need to be exposed by a 'challenging and exacting combat' fought out in the parliamentary bear pit.

This interpretation of the function of question period is quite reasonable, up to a point. Parliamentary politics is basically an adversarial debate where the issues have to be simplified because the audience is outside the House. And we expect all political debate and argumentation to be adversarial in any democratic system. Consequently, it would be inappropriate to expect a dialogue like question period to be a carefully reasoned information-seeking inquiry.

On the one hand, we do not want to be naive in expecting political discourse to meet standards of logical clarity, rigor, sincerity, honesty and relevance that would be inappropriate for a basically adversarial type of dialogue. But on the other hand, thinking of the type of dialogue in question period as argumentation for and against romantic myths may be far too permissive. While a certain degree of the 'bear pit' type of argumentation is not only tolerable, but also acceptable, given the nature of the democratic multi-party system, question period should not be viewed as a kind of soap opera for public consumption. The danger is of course that once we accept this view of question period, soap opera is what it will become.

7. The Context of Dialogue

What, then, is question period, as a type of dialogue? What characteristics should it have?

The model proposed here is that question period is a mixed type of dialogue, which has elements of four basic normative models of dialogue.

1. **Information-seeking Dialogue** The basic purpose is for opposition members to ask for information on relevant issues of concern.
2. **Action-producing Dialogue** A second basic goal is to facilitate or press for action on urgent issues.
3. **Eristic (Contentious) Dialogue** Question period should allow for adversarial (partisan) exchanges, to some degree.

4. **Critical Discussion.** Questioning of assumptions, and other clarifications and rebuttals should be regarded as legitimate where they are appropriate.⁴
5. **Negotiation** Underlying political debates are very real conflicts of interests, in many cases, which may be a significant factor in partisan bias.

The fourth model of dialogue serves as a kind of check or restraint on the third type of dialogue, when the quarrelling type of dialogue becomes a problem, threatening to interfere with purposes 1. and 2. being fulfilled.

Question period can be regarded as a normative system where the rules in *Beauchesne* provide a set of boundary conditions. You know, full well, that these rules will be exploited by members, even, in some cases, to their limits. But this interpretation of question period, by itself, is a rather cynical one, and also not a very productive one for goals 1. and 2. For by asking very aggressive questions that exploit argumentative tactics to the maximum degree allowed by the very permissive rules of *Beauchesne*, the questioners 'score points' - they make themselves look good, and their respondents look bad. Yet this need not be so. For such a respondent could easily restore the balance by scoring points through replying critically - for example, by pointing out and questioning key presuppositions of argumentative questions.

Of course, there is a problem here in how far you can go in encouraging critical skills when question period is clearly meant for a public audience. Moreover, it is clear that some members are already much better at critical skills of rebutting argumentative questions than others.

Even so, practices are tied to norms. Normally the skills go towards the norms, but the purpose can also go towards the skills. Clarification of the normative structure of question period as a reasoned type of dialogue could not only make the

⁴ See Van Eemeren and Grootendorst (1983).

rhetoric of a particular party more effective, it could heighten the quality of the exchanges generally, and thereby contribute to efficiency of the working of the democratic system. At the same time, the project of analyzing and evaluating fallacies and other critical faults of questioning in question period would become not only useful but theoretically well-grounded.

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