

# Claims of Fact, Value, and Policy

A multidisciplinary approach to  
informal argumentation

# Claims of Fact

- A claim of fact posits whether something is true or untrue, but there must always be the potential for controversy, conflict and conversion. i.e. The sun is shining today is not a claim of fact, but signs and symptoms of a medical emergency can be, as well as a defendant accused of a crime.
- For your papers, think of the claim of fact as a problem to be solved with the claim of policy.

# Claims of Fact

- Claims of fact must be specific as to time, place, people involved, and situation.
- Can you investigate your claim of fact through original research such as interviews or field work?
- If it is a text, how thoroughly, closely and critically can you read it to determine its flaws and strengths?
- Using descriptive and analytical writing, explore every angle of your problem, or claim of fact, to assess its level of truth.

# Claims of Fact

- By limiting the scope of your study through specific claims of fact, you may avoid logical fallacies.
- Write down at least one counterclaim to your claim of fact.
- Be aware of fallacies of relevance, presumption, and ambiguity that may color your and your opponent's arguments.

# Definitions

- Before proceeding to claims of value, define every aspect of your problem in your own words, aided of course by thesaurus and dictionary. Be aware of connotative and denotative, implicit and explicit meanings.
- Make a list of the abstract words attached to your topic and how they relate to your claim of fact.
- See how these definitions help categorize your topic and put it in perspective.

# Claims of Value

- Once you have your definitions, claims of value are easier to understand because of the many interpretations of those definitions.
- Examine your topic in terms of the phrases, “it is better to..., it is unethical that..., it is wrong to..., ...is more beautiful than....
- Allow your prejudices to surface in order to examine them.
- Claims of value also involve “taste” in art, literature, music, film, food etc.

# Claims of Value

- Claims of value involve judgments, appraisals, and evaluations.
- Everyone has a bias of sorts, often embedded in social, religious, and/or cultural values.
- At this point, you can OPEN UP your topic by comparing and contrasting your problem with a similar one in another time and/or place.
- When you “fight” with friends and colleagues over intellectual issues, you are usually debating claims of value.

# Claims of Value

- What are the competing values around this topic?
- Is it good or bad in whose eyes?
- Has the value been properly applied to the claim of fact?
- For example, you determined that the Menendez brothers killed their parents with a shotgun in the claim of fact, but the claim of value investigates all the reasons, good and bad, for this act, in order to establish intent and/or mitigating circumstances.

# Claims of Policy

- Claims of policy typically provide a solution or another series of questions in response to the claims of fact.
- Claims of policy are often procedural, organized plans.
- A counterclaim of policy posits that the problem exists, it's good to solve it a certain way, but there is a better solution than the one you have proposed.

# Claims of Policy

- In medicine, claims of policy debate the best treatment for a certain condition. For example, Johnny has a bad back, caused by a herniated disc. It is imperative that he fix this problem because he is a fitness instructor. But there are three competing claims of policy for his treatment: back surgery, chiropractic treatment, or massage/exercise/postural retraining. Dr. Keefer posits that the third claim of policy is the best way to solve the initial claim of fact.

# Lines of Reasoning

- In law, the claim of fact posits that O.J.Simpson is guilty of killing his wife.
- The claim of value would investigate intent, whether it is first-degree, manslaughter, accident or whatever.
- The claim of policy would determine the punishment, be it acquittal, imprisonment, execution etc.

# Claims in the Humanities

- Claims of fact center around a critical analysis of the text.
- Claims of value involve interpretations of the text to determine what is good, bad, pleasing, etc.
- Claims of policy could involve a new procedure regarding the text, awarding prizes, or making this interpretation part of some pedagogy.

# Toulmin Chain

- Stephen Toulmin's chain of reasoning is another way to organize the presentation of claims, especially good when you must think quickly in a specialized setting, like assessing a medical emergency.
- You move from data to claim, based on evidence, interpreted by warrant, making allowances for reservations. In other words, you examine the patient for signs and symptoms of diseases, previously described in Physicians Desk Reference, except when such and such occurs, and then you determine the treatment, based on the data.

# Formal Logic

- Formal logic can be mathematical or deductive, proceeding from necessity from premises to conclusion, stated as categorical, disjunctive, or conditional syllogisms.
- While 20<sup>th</sup> and 21<sup>st</sup> century rhetoricians use informal logic and inductive thinking, reasoning from probability, it is still good to identify syllogisms and use them when appropriate.
- Aristotle identified and described this type of logic as early as 5<sup>th</sup> Century B.C. in Athens.
- This logic is based on syntax and empirical thinking.

# Kinds of Logic

- Boolean logic began in the nineteenth century under Georges Boole, and was further developed recently with Venn diagrams and the kind of and, or, but Internet searches we do today.
- Since so much of our contemporary knowledge is abstract, mathematical, i.e. non-empirical such as particle physics, we need many ways of determining the truth or validity of such knowledge.
- Languages create their own logic, embedded in syntax, and mixtures of languages obviously confuse this.
- Cyberspace has its own kind of rhetoric, with hypertext, and intricate pathways to places where we have a hard time discerning what is true or real!

# Your Reasoning Chain

- Regardless of your discipline, identify claims of counterclaims of fact, definition, value, and policy as an exercise to help you develop your own argumentation.
- Distinguish between argumentation and the kind of slippery rhetoric used by advertising in which language and images manipulate logical fallacies to create a false truth that is good only for the advertisers.
- See through the logical fallacies in your counterclaims in order to strengthen your own claims.

# Outlines

- Go back to your five or six part outline and re-organize it in terms of claims and counterclaims of fact, value, and policy.
- Examine your bibliography to see how you are using all that information as evidence for specific claims.
- Refine your thesis as a dilemma throughout all the claims in order to make your reasoning more cohesive and organized.

