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### Commentary on Los

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**Author:** James B. Freeman

**In Response to:** Paul Los' *Attention to kinds of claims in argument evaluation*

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Paul Los's central claim is distinctly insightful: In evaluating arguments, both for premise and connection adequacy, we need to take into account the types of statement constituting the argument. Is a premise an is-claim or an ought-claim? Does the argument seek to establish an is-claim or an ought-claim? I completely agree and endorse his proposal (Step 2 of his argument evaluation procedure) that in evaluating premises, determining what type of statement is involved is required. Indeed, I believe this should be the first step in premise evaluation. In these comments, then, I want to indicate ways in which I believe Los's project should be developed.

First, rhetoricians have long maintained that distinguishing types of statements for purposes of argument construction is necessary and proper. This goes back to classical rhetoric. As Kruger (1975) points out, early Latin rhetoricians in effect distinguished questions of description, interpretation, and evaluation. How we construct an argument will be influenced by whether the claim we are trying to establish concerns whether something happened (Did the American plane enter Chinese air space?), what sort of thing happened (Was this incursion deliberate provocation or an accident due either to human or mechanical error?), or whether what happened is the kind of thing which can be justified (If the incursion was a provocation, did the United States nonetheless have proper reason to carry out this action? Is it nonetheless right or justified?) This tripartite classification clearly encompasses Los's is-claim/ought-claim distinction. (Further, we can easily classify statement (7), which Los finds problematic, as an evaluation, together with statements (5) and (6), although the former are instances of a different kind of evaluation.) Different rhetoricians have proposed variant schemes of classification. For example, Fahnestock and Secor (1982) propose four questions for classifying statements. What is it? How did it get that way? Is it good or bad? What should we do about it? Kruger finds the traditional description/interpretation/evaluation distinction wanting because it ignores the distinction between empirical and analytic statements. Los allows that there may be further types of statements besides is-claims and ought-claims. To develop his project, then, he needs to develop an account of the types of statements which may occur in arguments. (In this connection, I feel that Los also needs to explain how he sees the is-claim/ought-claim distinction matching up with the familiar fact/value distinction. He feels he may need to argue for distinguishing is-claims from ought-claims. How then does this distinction differ from the fact/value distinction which I expect would be commonly conceded?)

Secondly, the purpose of this classification, as Los already correctly realizes, is not to facilitate argument construction but argument evaluation. The issue here is logico-epistemological rather than rhetorical. An epistemological classification of statements then need not carve the class of statements up in the same way as a rhetorical classification. It may, but this is something to be shown. How then may statements be classified on logical or epistemological grounds or in ways which are interesting for argument evaluation? Surely the considerations required to show some tautology true are not the same as those for some empirical generalization. Los is maintaining that the considerations needed to show some is-claim true are not the same as those for showing an ought-claim. This seems highly plausible. Given a typology of statements, or perhaps concurrently with developing a typology of statements, Los might answer this question to further his project. In this connection, he also needs to consider just what

are the criteria the premises of an argument need to satisfy for an argument to be good from the logical or epistemological point of view. Los speaks as if assessing premises for truth or falsity were the same thing as assessing them for acceptability or unacceptability. But these are distinctly different concepts. Truth is an ontological concept; acceptability is epistemological.

Thirdly, given an epistemological classification of statements, the question arises as to the circumstances under which statements of each type are justified. Under what circumstances is one justified in believing statements of that type? In this connection, what Los has said raises the preliminary question of whether the statements in each class are open to objective verification or justification, or whether the statements in some classes can only be subjectively acceptable, given the predilections of a given audience. This issue is especially acute, given what Los says about how ought-claims are to be evaluated. "It would seem that, at some point, the evaluator must consult his or her own intuitions (moral intuitions, perhaps) in order to evaluate this claim." Los needs to indicate to what understanding of intuition this requirement is tied. Is it an understanding of intuitions such as Ross's (1930), where we intuitively recognize certain synthetic *a priori* principles of *prima facie* duty and other evaluative properties, akin to our recognizing elementary arithmetic truths? On this understanding, our intuition discloses claims for which there ought to be intersubjective agreement. "Promises ought *prima facie* to be kept" has the same epistemic status as " $2+2=4$ ." On the other hand, "intuition" can indicate something vague and downright subjective. For example, Nagel speaks of the "vagaries of intuitive judgments." (Nagel 1961, 53) Something may seem intuitively right to me but not to you. On this understanding of intuition, in assessing an ought-claim, one could only assess whether the claim was acceptable to oneself, not whether it was acceptable in a way requiring intersubjective assent at least from all those with epistemic access to the same information as oneself. Again, given that those classes of statements which can be objectively justified are identified, we need to develop what that justification involves.

I am presenting the three steps I have just outlined as a road map for developing Los's project. Let me repeat that I find his thesis insightful and regard Los's insight as correct and his project important.

### **References**

- Fahnestock, Jeanne and Marie Secor. 1982. *A Rhetoric of Argument*. New York: Random House.
- Kruger, Arthur N. 1975. "The Nature of Controversial Statements," *Philosophy and Rhetoric* 8: 137-158.
- Nagel, Ernest. 1961. *The Structure of Science: Problems in the Logic of Scientific Explanation*. New York: Harcourt, Brace & World, Inc.
- Ross, W.D. 1930. *The Right and the Good*. Oxford: Oxford University Press.