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Distinguishing Facts from Values

Facts and values are fundamentally different, but often confused. This essay examines the confusion clarify the two terms.
Distinguishing Facts from Values

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The Basic Issue

Many conflicts involve disputes about facts and values. Despite important differences, facts and values are often confused -- a conflict of values may be thought to be a conflict of facts, or vice versa. Because of the nature of their differences, factual issues and value issues will contribute different kinds of problems to a conflict. Parties must be able to sort these out, handling each type appropriately, in order to be able to address a conflict constructively.

"Factual disputes may be resolved by the analysis of data and so can be treated differently from values disputes which are impervious to the methods of science." -- *A. Mazur, A.A. Marino, and R.O. Becker*

Objective Facts

The term "fact" refers to a truth about the world, a statement about some aspect of objective reality. For example, there is a fact that can be given as an answer to each of the following questions:

- What is the average flow rate of the Colorado River?
- When taken into custody, what was the suspect's blood-alcohol level?
- Is the global warming trend natural or the result of pollution?

An accurate answer to any one of these questions is a matter of fact. A wrong answer, whether the result of a mistake or a lie, would not be a fact. A fact does not depend on who believes it or who presents it. A fact simply *is*.

The most useful kinds of facts are those that can be verified by others. By performing a scientific experiment or a thorough investigation, we can become convinced that a claim is an authentic fact. Other kinds of facts, though, may be more difficult to find, or may even be completely unknowable. For example, it might not be possible to know whether the global warming trend is part of a natural long-term cycle or is being caused by human activity. This doesn't mean there *is* no fact, it merely means we have no access to it. Facts exist at every point on the spectrum between what is knowable and what is unknowable, and this changes over time -- some things that we cannot know today may be within our grasp at some point in the future.

Subjective Values

Values, as opposed to facts, have a clearly subjective element. They vary from person to person and from situation to situation. For example, a value judgment is called upon to answer each of the following questions:

- Who has a better foreign policy, Republicans or Democrats?
- Should we have a moment of prayer in our school?
- Is it appropriate to work on Saturdays?

The answers to these questions are both subjective, in that each of us likely has our own opinion, and relative, in that they may be answered in different ways in different contexts. Perhaps you or I like the Democrats' foreign policy in today's state of the world, but would favor the Republican approach at some other time. A moment of prayer may be quite appropriate in a Catholic school, but is probably inappropriate in a public school. Some value issues are relative to a social or religious group - I may work on a Saturday without giving the matter much thought, but an Orthodox Jew would view it as a violation of the Sabbath.

Questions that call for value judgments are not susceptible to matter-of-fact answers. We expect people to have different personal opinions on such matters. Though you and I may argue over a value judgment, we are likely at some point to *accept* whatever differences we may have. We also tend to accept the fact that people with differing cultural backgrounds and/or religious views will have different sets of values. Members of a cultural or religious group expect similar values of other members, but do not expect these values to be found in non-members. So, for example, if I have several Jewish co-workers they might expect each other to observe the Sabbath and avoid working on Saturday, but none of them will be offended if I, a non-Jew, work on Saturday.

Objective Values

The situation becomes more complicated for other kinds of value judgments -- specifically, moral ones. Offering a moral judgment can resemble offering a fact in that it is an *attempt* to describe objective reality instead of merely stating a preference or opinion. For example, consider the following statements:

- Killing, except in self-defense, is wrong.
- If you make a promise to someone, you should keep it.
- It is important to be tolerant of others of different races and ethnic backgrounds.

These kinds of claims fall under the category of ethics and morality. Like a statement of preference, people may differ on these kinds of issues. But making a moral statement goes beyond offering an opinion. For example, if I say killing is *wrong* I don't mean that as my opinion, I mean that as if it were a *fact*. I also may not mean it to be relative to just me or my social group, instead meaning it is wrong for *anyone, anywhere*. In this way, ethical statements try to express something that is supposed to be *objectively* true. And unlike when someone disagrees with me about foreign policy or the celebration of a religious holiday, when someone disagrees with me on an ethical issue, I'm much more likely to be shocked or appalled instead of thinking they merely have a different point of view.

Just because moral claims are sometimes offered as fact doesn't mean that they really are. This matter has been fiercely debated for quite some time. After all, what kind of scientific experiment

or investigation can be performed in order to find the basis for a value, such as the importance of being tolerant or the immorality of murder? This is known as the "is-ought barrier," reflecting that it is difficult or impossible to say with any certainty that because something *is* some way that it *ought* to be that way. Some feel that all values, including moral ones, are merely matters of opinion and preference, relative to the person and their culture. But this view has an unappealing consequence: if all value judgments are subjective, then it is possible to justify any action, including the worst one can imagine.

For example, some of the most notorious and brutal criminals have attempted to justify their actions, suggesting that they actually did "the right thing."[1] If values really are relative, who's to say they were wrong? This allows any act to be morally justified. Uncomfortable with such moral relativism for this very reason, many ethicists have channeled considerable effort into finding a foundation for morality. The task has proved daunting. In the meantime, ethics lie somewhere between values and facts -- we expect some variation but won't tolerate it when it is too serious or adversely affects us.

Facts vs. Values in Conflicts

Issues of facts and value can be important in nearly any kind of conflict.[2] When this is the case, parties must address the following kinds of potential complications:

Separation: Before a mediator can get a clear picture of the conflict issues, which is needed to diagnose the problems, one has to separate factual issues from value issues. Determining whether a conflict is a debate over facts, values, or a combination of the two can be difficult. This difficulty is made worse by conflict rhetoric -- sometimes a fact is stated as if it is clearly undesirable or immoral, or a value statement is offered as if it were a fact.[3] This can be done unintentionally as well as deceitfully. Separating the relevant facts from the parties' values is, therefore, an important starting point for diagnosing a conflict.

Focus: Contending parties may debate factual issues when the conflict is actually reducible to an essential value conflict, or vice-versa.[4] Mediation resources are finite. If a conflict is, at its core, a debate over one kind of issue and not the other, resources devoted to the wrong kind of issue will be largely wasted. Such a mistaken focus can lead to a missed opportunity for resolution, and may even prolong the conflict by stimulating unnecessary debate.

Resolution strategy: A fact-based conflict will likely reach resolution in a very different way than a value-based conflict. Reasonable people, when faced with overwhelming evidence for a particular fact, come under tremendous pressure to accept that fact. Of course, no one likes to openly admit that they are wrong, but a well-supported fact is a powerful thing. So, in a fact-based conflict, the strategy will be to get to the relevant facts and eliminate speculation and bias. While this isn't always easy, once it is done, the power of facts will likely do most of the work toward resolution. In contrast, people do not usually "give in" to someone else's value choices. Values are much closer to the core of a person or group, a central part of what makes them unique and gives them identity. One's values are among one's most cherished beliefs. Given these attachments and the fact that it is hard to find concrete evidence that one value is better than another, values are seldom subject to external change. They can even become stronger in the face of a challenge. In this way, one side conceding to the other's point of view almost never resolves value conflicts. Rather, they demand different confrontation strategies (for example, advocacy, activism, or constructive confrontation.)

Experts and Resources: Factual debates and value conflicts demand the use of a different set of experts and different kinds of resources. A person or group that is qualified to judge one may not be qualified to judge the other. For example, a dispute over some scientific fact will demand that experts in the appropriate fields be employed, tests and experiments may be required, and data must be analyzed. Specific resources may be needed, such as testing and laboratory equipment. An inquiry into legal facts will require lawyers and legal support staff. Values conflicts may benefit from mediators or facilitators who are experienced with constructive dialogue. Access to the right experts and the right resources at the right time is crucial.

Bias: Value and ethical judgments are invariably biased -- the value judgments *are* the points of bias. On the other hand, facts are supposed to be unbiased. Unfortunately, this is often not true: factual claims are often biased in subtle ways by disputants engaging in "adversary science" which distorts, misinterprets, or misrepresents facts to conform to a particular point of view.[5] So while bias is to be expected when the issue is a difference in values or ethics, it needs to be uncovered and eliminated in factual disputes.

Resolution Strategies

Determining which aspects of a conflict are value-based and which are fact-based, and communicating that distinction to all involved, is the key to successful conflict management or resolution. Enrolling an outsider as a mediator is often helpful, since the parties in a conflict may be too close to the issues to provide the objectivity needed. Once the issues are made distinct, decisions can be made regarding what to do and where to focus resources.

If a factual debate is part of the core conflict, a fact-finding technique will likely be needed. Each technique has its own advantages and disadvantages, and different kinds of facts will allow for different kinds of results. What is appropriate in one kind of factual dispute may be totally inappropriate in another.

One of the fact-finding techniques often used is joint fact-finding. In joint fact-finding, the parties work together to develop common scientific viewpoints. While it is natural for parties with differing viewpoints to try to find information that supports their view, when the fact-finding efforts are combined it is hoped that the net effect of both party's inquiries will balance each other out such that the truth will emerge. In addition to this equalizing effect, joint fact-finding provides both parties the opportunity to show their inclination toward compromise as an act of good faith. Therefore, agreeing to pursue the facts together tends to make both sides more consensus-oriented.

Also important to factual conflicts are the ways in which the parties involved view facts. Beyond finding the actual facts needed, it cannot be assumed that different parties will accept the facts in the same way. How facts will be accepted depends on the party's fact frames. It also may be important to foresee reactions to emerging facts. If a fact-finding endeavor reveals that one side is wrong, these facts may be opposed or simply ignored. Parties may harden their position on non-factual issues when they feel "backed into a corner" by facts that conflict with their claims. One possible way to diffuse this reaction is to provide the party a way to save face, to soften the blow by leaving them a dignified "out." When one considers both the complexity of finding facts and the issues of how facts will be received, it becomes obvious that fact-finding in general can be quite complicated. Despite these complications, though, the end result of a well-executed fact-finding endeavor is very often a robust conclusion, one that can be quite compelling.

Value conflicts are much harder to resolve, which is why these conflicts tend to be intractable. However, there are many ways to address value conflicts constructively in the hope that, even if the conflict cannot be resolved, the costs in resources and human lives can be lowered. One of the most appealing resolution strategies for value conflicts is one that seeks a state of coexistence or tolerance. In liberal societies, it is common for groups with vastly different values to coexist in a relatively peaceful way. It is the hope of the mediator that parties in violent conflicts over value issues eventually see the benefit for both sides of peaceful coexistence, where energies are spent pursuing one's own way of life instead of being spent opposing others. (See also Principles of Justice and Fairness, Intolerable Moral Differences, Justice Conflicts, Rights, and Dialogue).

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[1] For example Al Capone, the famous gangster, is quoted as saying "I have spent the best years of my life giving people the lighter pleasures, helping them have a good time, and all I get is abuse, the existence of a hunted man." (Carnegie, Dale. *How To Win Friends and Influence People.* Pocket Books, 1964.) Also, in February 2002, Slobodan Molosevic repeatedly denied all guilt with regard to his orchestration of genocide in the Balkans. (*At Tribunal, Milosevic Blames NATO: Yugoslav Ex-Leader Opens Defense, Mostly Ignores Charges.* Washington Post. February 15, 2002 .)

[2] The most obvious conflicts where facts and values commingle are environmental and bioethical conflicts. Contemporary methods of caring for the environment and for human life involve extensive use of science and technology, but are also the application of a core set of values.

[3] For example, during the public phase of deliberation over possible cleanup of the Rocky Flats Plant in Colorado (a U.S. plant that manufactured weapons-grade plutonium) a common sentiment was that making nuclear weapons is automatically evil, and this sentiment was an undercurrent in the public's general attitudes toward the facility.

[4] For example, pro-life and pro-choice advocates have had extended debates over when a baby is "viable," a problematic factual issue, when the core issues of abortion can arguably be seen as moral issues. In contrast, opponents to genetically modified foods, by arguing that geneticists are "playing god," make an ethical issue of genetic modification, when the core issue is really a factual one of answering whether or not genetically modified foods are harmful.

[5] For an example of obvious adversary science, the Public Health Association of Australia writes: "The Tobacco Institute of Australia, a joint industry body formerly representing the three tobacco companies active in Australia, has been found guilty of 'misleading and deceptive conduct' under the Trade Practices Act in regard to its public statement that "there is little evidence and nothing which proves scientifically that cigarette smoke causes disease in non-smokers." (*NHMRC Research Funding and Researchers Who Accept Money From The Tobacco Industry or Parties Acting on its Behalf*. Public Health Association of Australia. Policy Index, 1988. http://www.phaa.net.au/policy/NHMRC.htm).

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