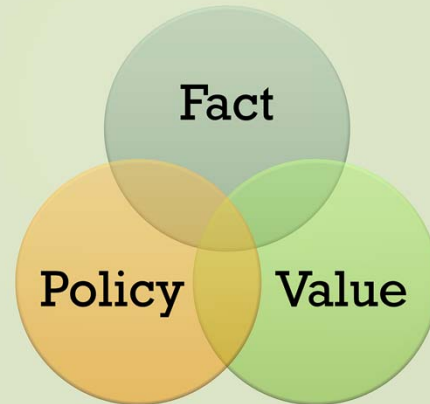


CLAIMS



In this lecture...

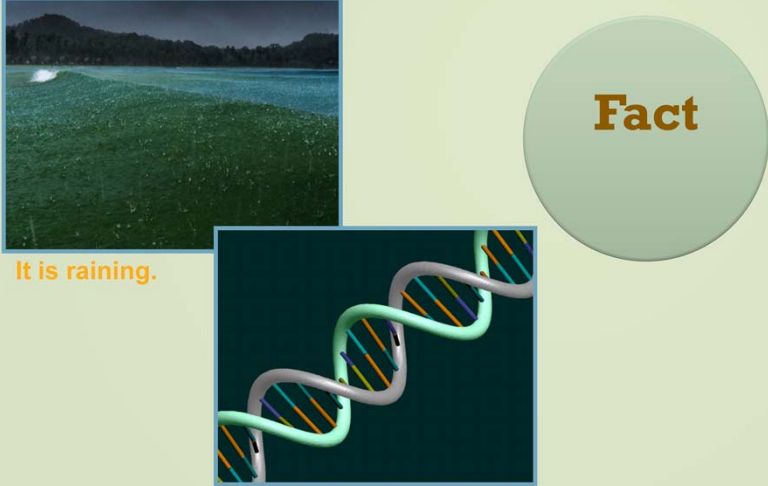
- About claims
 - Claims of fact
 - Claims of value
 - Claims of policy
- References



A claim, which can also be called the conclusion, hypothesis, proposition, thesis, or even the premise, plea, or position, is what the arguer wants the audience to **accept**, **believe**, or **do**. It is a statement that asserts something is valid, true, real, factual, or believable. Questions cannot be claims.

Claims require support. The evidence selected is often a matter of considering the type of claim being made and choosing the most appropriate evidence. In complex arguments multiple types of claims can be made, so let's take a look at the primary types of claims (fact, definition, value, and policy), how they function, and how one might support them.

Fact

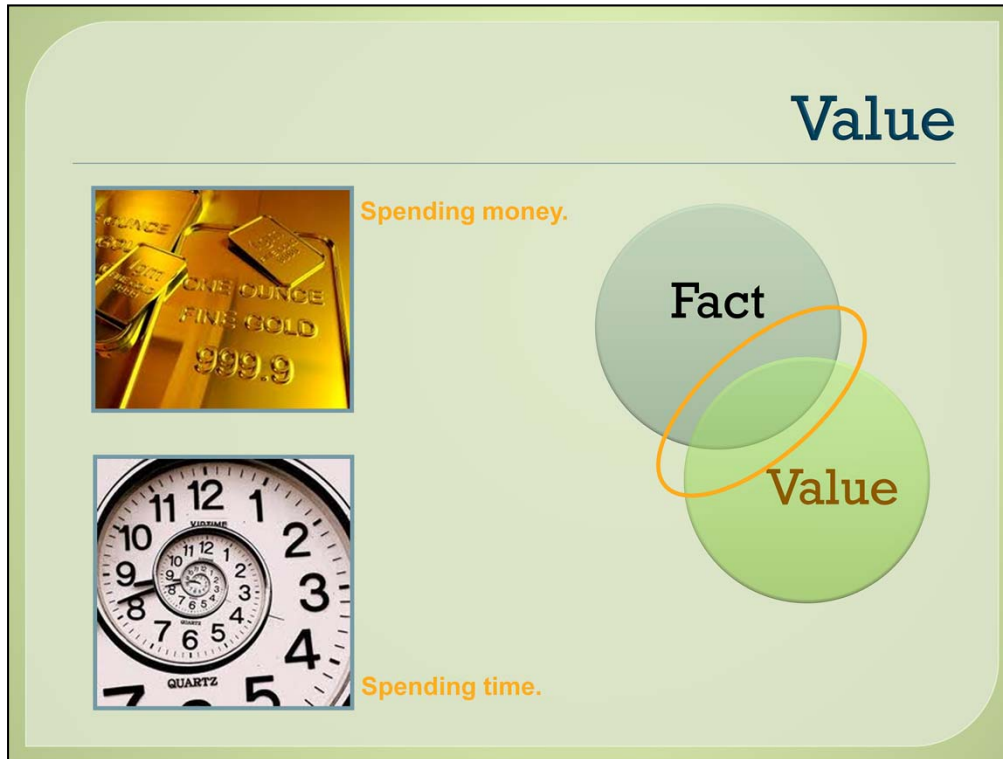


It is raining.

DNA is genetic material.

Fact

Claims of **fact** are based on verifiable, usually concrete evidence. If one claims it is raining, others can see and feel water drops falling from the sky. If one discusses DNA, the fact of its existence as genetic material in human bodies has been established by scientific research and accepted by all. A verifiable claim of fact can end an argument before it even begins. If there is no dispute, there is no argument. Claims that are purely factual are not as common as one might think, though. We usually blend or overlap types of claims.




Not surprisingly, claims of value seem to generate a great amount of contention. For instance, we've all heard the terms pro-life and pro-choice with respect to the abortion controversy. Both positions are value laden. The pro-life side believes at the moment conception takes place a human exists separately from the life of the mother. The pro-choice side believes that same moment of conception results in a potential human that does not exist separately from the life of the mother. That difference in perspective allows, even demands, different approaches to defining the problem and resolving the contention.

It's been said that if one wants to know what another values, look at the way time and money are spent. These are both finite resources, and how we use them reveals a great deal about the contrasts between what we think we value and what we show we value. The nation that proclaims, "children are the future," is not acting on that expressed value when it refuses to tax itself for the purpose of educating the children. It's not acting on that expressed value when it allows children to go hungry. It's not acting on that expressed value when it does not provide basic health care for its children. The father or mother professing high family values is not acting on those expressed values when three or four hours a day are devoted to Facebook or online games. How about the couple claiming to love its children but choosing to become so overburdened by debt ... large house, fancy car, computer equipment, smartphones, etc. ... that it is unable to arrange time to be together because of the need for both parents to work long hours?

Reflect for a moment on the way you spend your time. Is it reflective of the values you desire to hold, or does it reveal a conflict between your ideal and your actuality? What about money?

Policy



A nation of law...

Claims of policy are about the way life **should** be. A young girl is abducted and killed, so we implement the Amber Alert system. A horse lover cannot abide the idea of eating horsemeat, so California creates a felony law against selling horses for human consumption. It is inconceivable to most of us how many laws actually govern virtually every aspect of our lives. In fact, most of us break laws every day that we don't even know exist. Whether we are held accountable is often a matter of luck, timing, or bad humor.

A claim of policy is made in only a few ways: X needs to be regulated; regulations of X need to be changed; regulations of X need to be ended; X should not be regulated. As with all other types of claims, we can draw from values, facts, and even definitions to support a policy claim.

We can look to arguments about marijuana regulations to see how this can be true:

Policy: Marijuana should be legalized and regulated like alcohol for recreational use.

Fact: Marijuana is dangerous, but it is not as dangerous as alcohol, cigarettes, or many prescription drugs.

Value: It is wrong to spend taxpayer resources to regulate marijuana as a Class 1

drug because current laws cause more harm and have done nothing to reduce marijuana use in the time they have been in place.

Of course, each of those claims would need sufficient proof that it is correct if an argument for change was to be considered strong and valid.

Even a definition can become a point of support in an argument.

Definition: Marijuana should not be defined as a Class 1 drug because it actually fits more logically in the Class 3 category.

While they are not considered a formal type of argument, claims of definition have an effect on multiple aspects of argumentation.

Definition

Some claim the accelerated arctic ice melt is evidence of global climate change.



Others say the changes are nothing more than a normal, long-term pattern of change.

Definition
An unusual claim

For instance, one might make a claim of policy that carbon emissions should be regulated because of global climate change. This argument would be based on a value that places long-term survival of the planet above the short-term profits of industries and behaviors that add high amounts of carbon to the ecosystem. It also depends on the fact that global warming exists and is harmful. However, the way one **defines** global warming overlaps the **fact** of its existence *and* it affects the value judgments made about the problem.

The way one approaches an argument often depends on how key terms are defined. One who defines current weather change as a normal, long-term fluctuation would approach the problem of environmental harm far differently from one who defines it as primarily or even significantly affected by human action. When trying to figure out a complex argument, one valuable step is to examine the terms used to see how they define the point of debate.

Consider the argument about health care in which one side defines a point of debate as “advance care planning consultation” and the other side defines it as “death panels.”

Sarah Palin: “The America I know and love is not one in which my parents or my baby with Down Syndrome will have to stand in front of Obama’s ‘death panel’ so his bureaucrats can decide, based on a subjective judgment of their ‘level of productivity in society,’ whether they are worthy of health care.”

(http://www.facebook.com/note.php?note_id=113851103434&ref=mf)

Barak Obama: “I guess this arose out of a provision in one of the House bills that allowed Medicare to reimburse people for consultations about end-of-life care, setting up living wills, the availability of hospice, et cetera. So the intention of the members of Congress was to give people more information so that they could handle issues of end-of-life care when they're ready, on their own terms. It wasn't forcing anybody to do anything.” (http://www.whitehouse.gov/the_press_office/Remarks-by-the-President-at-Town-Hall-on-Health-Insurance-Reform-in-Portsmouth-New-Hampshire)

Senator Johnny Isakson (R, Georgia): “In the health-care debate mark-up, one of the things I talked about was that the most money spent on anyone is spent usually in the last 60 days of life and that's because an individual is not in a capacity to make decisions for themselves. So rather than getting into a situation where the government makes those decisions, if everyone had an end-of-life directive or what we call in Georgia ‘durable power of attorney,’ you could instruct at a time of sound mind and body what you want to happen in an event where you were in difficult circumstances where you're unable to make those decisions. ... How someone could take an end of life directive or a living will as [a death panel] is nuts. You're putting the authority in the individual rather than the government. I don't know how that got so mixed up.”

(http://voices.washingtonpost.com/ezra-klein/2009/08/is_the_government_going_to_eut.html#more)

The way we define an issue is often a matter of our personal values. It’s also important to be aware that **naming something defines** it, and that definition may well be a logical fallacy. Palin’s use of the term “death panel” to describe a meeting with a doctor to consider health care options is an example of a fallacy often called “explaining by naming”.

Resources

- ◉ **Claim**
 - <http://grammar.about.com/od/c/g/claimterm.htm>
- ◉ **Claims**
 - <http://terpconnect.umd.edu/~jklumpp/comm401/lectures/claims.html>
- ◉ **Types of Arguments**
 - <http://www.colorado.edu/PWR/writingtips/21.html>
- ◉ **Types of Claims**
 - <http://department.monm.edu/cata/McGaan/Classes/cata335/O-claims.335.html>