Chapter Four
Elements of Argument: Claims and Exceptions

Debate is a process wherein individuals exchange arguments about controversial topics. Debate could not exist without argument. Arguments are the substance of debate. Of course, debates can include more than arguments. Some debates also include humor, stories, and appeals to emotion. In some unfortunate cases, debates may even include verbal aggression and threats. The view supported in this text is that substantive debate, focused primarily on argument, should be promoted.

A description of argument ought to account for the elements of argument and how those elements relate to one another. The next three chapters will focus on four elements of argument: claims, evidence, links, and exceptions.¹ This chapter will consider claims and exceptions. Chapter Five will focus on evidence, and Chapter Six will turn to links between evidence and claims. Later, Chapter Eight will focus on the relationships among those four elements.

Some beginning students of argumentation mistakenly believe that the elements of argument must be presented in a particular order. However, the arrangement of elements into a particular structure does not dictate the order in which each of the elements must be presented. Sometimes advocates find that presenting the claim and following it with supporting reasons and evidence is the most persuasive way to present an argument. At other times, an argument may be persuasively presented by starting with evidence then leading up to the claim. Thus, the following is a discussion of the structure of an argument, not necessarily the order in which the elements should be organized.

Claims

A claim is the main point or the thesis of an argument. A claim is based on or supported by explicit evidence.² As people argue, they present evidence designed to lead their audiences or judges to accept their claim. A claim can either be the conclusion that the

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¹ These four elements emerge from the work of philosopher Stephen Toulmin who initially generated six elements of argument in his book *The Uses of Argument*. Toulmin has since revisited and refined his model, most recently publishing a revised version with Albert R. Jonsen *The Abuse of Casuistry*. This chapter will describe these same four elements except for the sake of simplicity will use different titles to describe them. The names used in this text to describe the four elements are claim, evidence, link, and exception.

² The concept of evidence will be discussed in more detail in Chapter Five, however it will be introduced in this chapter because it is essential to explaining how a claim functions.
debater wishes the audience or judge to accept or it can be a starting point for a subsequent claim.

Sometimes a claim involves simply a movement from evidence to a conclusion as illustrated in the following diagram:

![Diagram](image1)

In this case, evidence is used to convince an audience to accept a claim. In this instance, audience acceptance of the claim is the only goal of the debater. An example of evidence being used to produce a claim is presented in the following diagram:

![Diagram](image2)

Here, the claim that the person wants the audience to accept is that “Smoking should be banned in public places.” That claim is supported by evidence suggesting, “second-hand smoke contributes to health problems for children.”

In other instances, claims are used to produce other claims. So evidence is used to produce Claim 1 and then Claim 1 is used to convince an audience or judge to accept yet another claim. Thus, Claim 1 produced by the evidence was not the debater’s ultimate goal. In this case, Claim 2 is the ultimate goal but Claim 1 was necessary to convince the audience of Claim 2. For instance:

![Diagram](image3)

The above example demonstrates how one piece of evidence can be used to produce one claim, and how that claim can be used to produce yet a second claim. Of course, numerous different combinations exist where claims are used to convince an audience of subsequent claims. Here is another example:
In this example, evidence is used to produce Claim 1 and Claim 2. Then these two claims are used to convince the audience to accept Claim 3. Using the example of wireless cities, can clarify how this combination of evidence and claims works:

Three pieces of evidence about wireless cities are produced, one suggesting that a wireless city would relieve traffic, another that traffic relief and bill paying are important to local government, and a third that wireless cities will simplify bill paying. The combination of Evidence 1 and Evidence 2 are used to create claim 1 that “Relieving traffic will improve management of local governments.” Then the combination of Evidence 2 and Evidence 3 are used to produce Claim 2 that “Simplifying the bill paying
process will improve management of local governments.” Then, Claims 1 and 2 lead to Claim 3 that a “wireless city is desirable”—precisely the claim the debater wants the audience to accept. To attain this goal, the arguer uses 3 pieces of evidence and 2 other claims in combination with one another. Therefore, from the perspective of the arguer, Claim 1 and Claim 2 are important only because they can be used to convince the audience to accept Claim 3.

Convincing an audience to accept a claim may be the ultimate objective of the debater or that objective may be to create a claim that is to be used to convince the audience of a subsequent claim. The process of combining claims to produce subsequent claims will be considered further in Chapter 9. Understanding that process requires understanding different types of claims.

Kinds of Claims

A number of authors writing about argumentation and debate have proposed various taxonomies of claims. The most traditional method of classifying claims is into the classic categories of fact, value, and policy. To these three, David Zarefsky has added a forth category of “definition.” Bill Hill and Richard Leeman, while following the traditional categories of fact, value, and policy, subdivided fact into being, designation, and relationship. The viewpoint advocated here is not to accept or reject any particular category system, but simply to suggest that no single system is capable of providing a list of categories that are exhaustive and mutually exclusive.

Claims can be made about an almost endless number of concepts. However, creating a taxonomy for discussing claims is important for a variety of reasons. One reason for thinking about claims as falling into different categories is that different kinds of claims require different kinds of support. Thus, a taxonomy that distinguishes different types of claims from one another allows students of argumentation and debate to learn how to support various types of claims. A second reason that taxonomies are useful is a functional reason. As discussed earlier, claims can be combined to create other claims. As will be discussed in Chapter Nine, certain types of claims can be created by the combination of other kinds of claims. Thus, a taxonomy of claims is useful because different kinds of claims require different kinds of support and because certain kinds of claims can be combined to produce other kinds of claims.

In this section, a taxonomy of claims will be created and will be compared to more traditional taxonomies. As stated earlier, no taxonomy is perfect. The one advanced in this text is, in many respects, no better or worse than others. It is chosen because it is

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more functional for the purposes of this text. This taxonomy includes **descriptive**, **definitional**, **associational**, and **evaluative** claims.

**Claims of description** and of **definition** are used in this text as a replacement for the traditional category of claims of fact.\(^5\) In order to explain the reasons descriptions and definitions are appropriate replacements for the factual category, a few words about facts are in order. Linguist John Searle distinguishes between what he calls institutional and brute facts.\(^6\) Institutional facts are those that are most clearly human creations. What is marriage? What is the difference in a ball and a strike in baseball? Brute facts, on the other hand, are about those things that would continue to exist should humans completely vanish. What is a giraffe? What is water?

Definitions and descriptions are human creations about both institutional and brute facts. The difference is that supposedly, a brute fact would be the same whether or not humans were around to describe it. Marriage, on the other hand, would be nothing if humans did not define and describe it.

Definitions and descriptions of brute facts and of institutional facts work somewhat differently. A definition or a description of a brute fact is a good one to the extent that the definition or description conforms to some empirical, observed reality. A description of a giraffe is a good description to the extent it conforms to the characteristics of an actual giraffe. The criterion for a good definition or description of an institutional fact is different. A definition or a description of an institutional fact is good to the extent that it serves the needs and interests of the community.\(^7\) So with respect to the definition of marriage the question becomes does it serve the interest of the community to define marriage as a union between one man and one woman or does it serve community interests to define marriage as a union between any two persons?

Of course, the distinction between brute and institutional facts is not always a clear-cut one. Some things exist on the border of each kind. In other words, some kinds of facts are judged both by whether or not they conform to empirical, observed reality and also by whether or not they serve the needs and interests of the community. Here are a couple of examples of these borderline cases: First, consider the claim that “The universe began and will end with a ‘big bang’.” Whether or not the universe began with and will end with a big bang is not dependent on what humans believe about the beginning and end of the world. How the universe began and how it will end is independent of any human belief or conclusion. So, on its face, that claim seems as if it should be judged by whether

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\(^5\) See for instance, Schiappa, Edward. *Defining Reality*. Carbondale: Southern Illinois University, 2003. “The primary thesis of this book is that definitional disputes should be treated less as philosophical or scientific questions of ‘is’ and more of sociopolitical and pragmatic questions of ‘ought.’” p. 3. In other words, Schiappa is arguing that claims of definition and description ultimately are more about values than about facts.


or not the claim conforms to some elements of observed reality. On the other hand, some will argue that a belief in a world that began with a “big bang” does not conform to community interests because it appears, at least on its face, to be inconsistent with some versions of religion. To the extent that those versions of religion are seen as good for the community, the definition of the beginning of the world with a big bang will be seen as bad for the community. Take a similar claim that “the human condition is the result of a process of evolution.” In order to satisfactorily support such a claim, a person needs to describe how the claim corresponds to empirical observations or lived experiences in the world. At the same time, some may argue against that claim because it, like the big bang example, does not serve the interests of a certain religiously inclined community.

Definitions in particular almost always contained an imbedded question about the needs and interests of the community – about the values and principles by which the community lives. Claims of definition frequently suggest that a certain definition ought to apply to a particular category of things—what should something be named? Claims of definition frequently involve controversial questions. Should a group be called “terrorists” or “freedom fighters”? Should an abortion be called “terminating a pregnancy” or “killing a baby”? These claims of definition not only are attempts to answer controversial questions but also are efforts to provide answers that then can be used to develop other kinds of claims, especially evaluative. For instance, supporting freedom fighters has a more positive connotation than supporting terrorists even though the people described as “freedom fighters” may be engaging in precisely the same kinds of activities as those who are described as “terrorists.” Similarly, “terminating a pregnancy” does not have nearly the negative connotations as “killing a baby.” Thus, by supporting certain definitions of “freedom fighters” or “pregnancy termination” provide the arguer with a more effective way to evaluate those concepts.

In Botswana, the debate over how to use wilderness areas and manage wild animals features a claim of definition. Government sources use “natural resources” to refer to animals and exotic locations, advertising on roadside billboards using gigantic pictures of rhinoceroses and giraffes accompanied by phrases such as, “Save our natural resources.” A nation that historically has relied on its diamond mines to raise its standard of living above surrounding countries, the government of Botswana is attempting to supplant the dwindling diamond supply with a “natural resource” that brings income through tourist business. Thus, the claim is that exotic animals and locations should be defined as a “natural resource.” Farmers who defend their livestock against attack by lions and ranchers who give up land to wilderness areas may find that they need to argue against defining animals and wilderness areas as “natural resources.” For them, lions and other animals that attack their livestock are “wild, predatory animals,” not “natural resources.”

**Claims of association** are used by debaters to show how people, institutions, concepts, or policies are associated with one another.  

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8 In one sense, all claims involve associating one thing to another. Descriptions associate a thing with our experience of the thing; definitions associate a word with a concept or a thing; and evaluations associate some thing with a value. However,
another in a variety of ways. Two of the most common kinds of association used by arguers include associations of cause and effect and associations by similarity. Both of these kinds of association go beyond defining and describing objects to assert that two or more objects are associated with one another by the forces of cause and effect or by similarity.

For example, the claim that “the embargo imposed on Cuba by the United States has weakened the Cuban economy” is an assertion about the cause and effect association between two things: the embargo imposed on Cuba by the United States and the Cuban economy. The statement suggests that these two are related to each other by cause and effect. The cause is the United States’ embargo of Cuba and the effect is a weakened Cuban economy. The notion of cause and effect associations will be considered in detail in Chapter 20.

Claims of association by similarity are useful when debaters need to ascribe the characteristics of one thing to another. For instance, some have compared exploitation of animals for work and food to human slavery. To make such a claim, a debater might argue that in order to use animals in work or to use them for food, humans need to consider animals as “property” in the same way that slaves were considered property. Since most audiences reject slavery on moral grounds, this kind of claim of similarity is used in an attempt to convince that same audience to reject the idea that animals can be considered property. More will be said about associations of similarity in Chapter 21.

**Claims of evaluation** include several kinds of claims all of which involve values or evaluation in similar ways. First, these kinds of claims can be used to order values so that one value is considered more important than another. For instance, a debater might assert the claim that “freedom is more important than security.” Such a claim is interesting by itself because it brings to light a particular hierarchy of values. A value hierarchy can be used to assign certain concepts, people, institutions, or actions a higher or lower order in terms of how those things will be evaluated. Thus, this kind of value hierarchy may also become important when debaters create claims to assign values to objects.

Second, some evaluative claims assign values to objects. These claims are quite common in debate. For instance, the claim that “the culture of ancient Greece was the most enlightened in human history,” assigns a positive value to the culture of ancient Greece. Similarly, to argue that “the 2008 Beijing Olympics were the best Olympic games in modern history,” assigns a very high value to the 2008 Olympics relative to other Olympic games.

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this category of claims is at least subtly different because it is used to explain different methods of associating one concept with another.

9 Claims of causality and similarity involve specific methods of argumentation called causal arguments and arguments by analogy. These particular kinds of argument will be discussed in depth in Chapters Twenty and Twenty-One.
Third, another very common type of evaluative claim involves policy or action. “The nations of the world should reduce dependence on nuclear power” is an example of a claim that supports a particular policy. Another is “The government of Botswana should do more to protect wildlife within its borders.” Both of these claims evaluate a particular action whether that action is reducing dependence on nuclear power or protecting wildlife.

**A Taxonomy of Claims**

Claims recommending changes in policy may involve debates about definitions and descriptions, associations of cause and effect or similarity, as well as values. Policy claims are among the most complex claims that can be debated. Still, as a matter of convention, they are probably the most common.

Thinking about how to classify different kinds of claims is more than just an academic exercise. By considering how a particular claim is classified, a debater can also better think of how to support that claim. As they become more experienced, debaters will learn to use certain types of claims, either singly or in combination with one another to support various kinds of claims. Methods of combining types of claims to support claims of evaluation will be considered more fully in Chapter Nine.

The category system used in this text is different from systems used in other books about argumentation and debate. As stated earlier, the most common taxonomy is fact, value, and policy. Because debaters will undoubtedly come in contact with this traditional method of organizing claims, a presentation of the similarities of the traditional taxonomy and the current one is presented in the table below. The table takes Hill and Lehman’s taxonomy as a starting point because it is perhaps the most complete.

<table>
<thead>
<tr>
<th>Traditional Taxonomy</th>
<th>Taxonomy Used in This Text</th>
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<tbody>
<tr>
<td>Fact</td>
<td></td>
</tr>
<tr>
<td>Being (brute facts)</td>
<td>Description</td>
</tr>
<tr>
<td>Designation (institutional facts)</td>
<td>Definition</td>
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<tr>
<td>Relationship</td>
<td>Association</td>
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<tr>
<td></td>
<td>Association of cause and effect</td>
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<td></td>
<td>Association of similarity</td>
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<tr>
<td>Value</td>
<td>Evaluation</td>
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<tr>
<td>Policy</td>
<td>Evaluation Assigning values to objects</td>
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<tr>
<td></td>
<td>Evaluating policies and actions</td>
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</tbody>
</table>
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Hill and Lehman’s category of “fact” includes three sub-categories: being, designation, and relationship. The categories of “being” and “designation” correspond to the new category of “definition and description.” They describe the subcategory of “being” as “concerned with whether an object of focus exists or whether an action occurred.” This subcategory appears to be similar to what Searle called “brute” facts. Their sub-category of “designation” seems similar to what Searle called “institutional” facts. In their words, designation involves “naming or classifying an object of focus.” Thus, Hill and Lehman’s category of “facts” corresponds to “definitions and descriptions” in the new taxonomy. Their subcategory of “relationship” is similar to this taxonomy’s category of “association” although they exclusively discuss relationships of cause and effect. As they state, “propositions of fact can address issues of relationship [emphasis mine].” Hill and Lehman’s system does not explicitly include associations of similarity.

Hill and Lehman’s taxonomy contains a category they call “value” which “generally posits some sort of evaluative judgment about the object of focus.” Therefore their category of “values” corresponds to our category of “evaluation,” specifically to the subcategory of “assigning values to objects.”

Finally, Hill and Lehman include a category they call “policy,” about which they assert “that some type of action—policy—needs to be undertaken.” Their “policy” category is the same as a subcategory of our “evaluation” that is called “evaluating policies and actions.”

Since the system used in this text is so similar to the traditional taxonomy as presented by Hill and Lehman, some might question the need for a different taxonomy. Why not simply adopt the more traditional and well-known taxonomy? The answer to that question is that the category system used in this text is more than a taxonomy. It is a functional system that can be used to show how various forms of claims can be combined to create other kinds of claims. A complete answer to the question will be presented during the discussion of “Combining Claims Coherently” in Chapter Nine.

Exceptions

One question that none of the traditional debate texts considers is that of an exception. The exception is what Stephen Toulmin called a “reservation.” An exception allows the arguer to identify circumstances in which the claim does not hold. So, one might claim that in cases of divorce, the wife ought to have custody of the children except in cases where she is proven to be an incompetent parent. Another example might be that the People’s Republic of China should adopt an odd-even system for automobiles except in

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10 Hill and Leeman p. 134
11 Hill and Leeman p. 135
12 Hill and Leeman p. 135
13 Hill and Leeman p. 135
14 Hill and Leeman p. 129
In both of these cases, exceptions allow the arguer to further define the circumstances under which the claim ought to be accepted. This is especially useful because an arguer who proactively describes his or her own exceptions will be more persuasive than an arguer who allows the opposing debater to point out the exceptions. Exceptions thus allow a debater to make the claim clear and focused.

The following diagram illustrates the use of evidence to create a claim that contains an exception:

\[\text{Evidence: Mothers generally are better parents than fathers.}\]
\[\text{Claim: In case of a divorce, custody should be granted to the mother.}\]
\[\text{Exception: Except when evidence suggests that in the particular case, the mother would not be a good parent.}\]

Some exceptions are more appropriate than others. Appropriate exceptions are those that follow the implicit reasoning used in the original evidence – claim relationship. The exception mentioned above, because the original evidence – claim relationship involves who is a good parent and therefore which parent ought to have custody of a child during a divorce. An inappropriate exception is one that simply tries to protect the claim from legitimate objections that are not a part of the original evidence – claim relationship. So for instance, to claim that in case of divorce, custody should be granted to the mother unless she is a member of a certain religion or minority group is less legitimate because being a member of such a group is not obviously related to whether or not she will be a good parent.

\[\text{The odd-even system adopted in Beijing during the 2008 Olympic Games mandated that automobiles with licenses ending in odd numbers could be driven only on odd numbered dates and that those with licenses ending in even numbers could be driven only on even numbered dates. An exception was made for taxis.}\]
This chapter has discussed the idea of a claim that sometimes is combined with an exception. Claims are a fundamental element of an argument since they directly involve and articulate the point the arguer is trying to debate. Exceptions provide the debater an opportunity to focus and clarify the claim by identifying situations and circumstances when the debater does not support the claim, thereby strengthening their claim against the opponent’s refutation.