In our book, Rhetoric in Civic Life, by Catherine Helen Palczewski, Richard Ice, and John Fritch, it talks about Presumption and Burden of Proof in chapter four. Richard Whately developed the concept of presumption in 1828. He defined presumption as “a predisposition to believe that a claim is correct until overwhelming evidence proves otherwise” Presumptions are rooted within a context of commonly accepted opinions, practices, and institutions and not found in political or social context. (117). This is true in so many different ways. An example of presumption, given by the book, is Pluto. People are making presumptions that Pluto is a planet. Then the defenders say that they, “believe that until we land on Pluto and find controvertible evidence that that world does not wish to be called a planet, that we should leave things as they are”. Then the last argument is that despite substantial evidence that Pluto is not like other planets, Plutophiles argued that overwhelming evidence was necessary to overcome the presumption that Pluto was, indeed, a planet. Which this example and given arguments can be found on page 117 in our text books. This is saying that before anyone can or cannot call Pluto a planet, they need solid and convincing evidence before any presumptions are taken into consideration on whether or not Pluto is or is not a planet. Presumption could go with anything though. It could go with a murder suspect, you could make the presumption that this man killed this woman but without the evidence, an investigator cannot prove that he is guilty. Therefore, to make sure someone’s presumption is correct, they need substantial evidence. Presumption and Burden of proof go hand in hand. Whately explains the relationship between Presumption and the burden of proof. Burden of proof is “the obligation to offer reasons sufficient to overcome presumption.” (117) Then he says that it is an important concept for determining when you should approve to a claim that another person advances. This affects the people who support ideas that lack presumption. In law, presumption is almost always fixed and unchanging. Then it says in other debates that presumption may not be predetermined, and the debate may begin with determining where presumptions rest and who, then, carries the burden of proof. Another example of presumption was the debates over the 2003 invasions of Iraq, which was justified at the time because the president of Iraq had in possession weapons of mass destruction but they could not find any at the time. Later, the Secretary of Defense was question on why they had not found those weapons he stated “as we all know, the absence of evidence is not evidence of absence. It says on page 118 that this statement clearly located presumption with those who believed Iraq possessed the weapons. Then according to Rumsfeld, the secretary of defense, the burden of proof was not on those who believe weapons existed but on those who argues that they did not. To show those who do not believe is known as the burden of proof because if we do not have that proof we cannot prove to those why we are in danger. That evidence and presumption is crucial because they needed to get the people to believe and that is why it is called the burden of proof.

[https://lawshelf.com/courseware/entry/burden-of-proof-and-presumption-of-innocence (Links to an external site.)Links to an external site.](https://lawshelf.com/courseware/entry/burden-of-proof-and-presumption-of-innocence)

[https://www.nycourts.gov/judges/cji/1-General/CJI2d.Presumption.Burden.Reasonable\_Doubt.pdf (Links to an external site.)Links to an external site.](https://www.nycourts.gov/judges/cji/1-General/CJI2d.Presumption.Burden.Reasonable_Doubt.pdf)

Here is a video on presumption of Justice.

https://www.youtube.com/watch?v=4XzpNdt89ak