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Are arguments abstract objects?

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ABSTRACT: Geoff Goddu's 2010 paper "Is 'Argument' subject to the process/product ambiguity?" and Paul Simard-Smith and Andrei Moldovan's 2011 paper "Arguments as abstract objects" have revived the dialogue about what might be called the "metaphysics of argument". Both papers are important. Both also seem to me to be open to significant objections. In this paper I will lay out some of these objections and give, in rough outline, the kernel of an alternative approach.

KEYWORDS: ontology of argument, abstract objects, process/product distinction, open concept

*There is little to be gained by making a frontal assault on the question of what an argument is. Instead, let us approach it indirectly by discussing how arguments are appraised and evaluated. (C. L. Hamblin, *Fallacies* Ch.7., p. 231)*

1. GODDU ON THE PROCESS/PRODUCT DISTINCTION

In his 2011 paper, "Is 'argument' subject to the product/process ambiguity?" Geoff Goddu considers a number of possible ontologies for argument. Considering the view that an argument is a set of propositions, Goddu (2011) writes:

If the group that is the argument just is a set, say the ordered set of a set of propositions and another proposition, then, since the set is itself an abstract object and exists independently of anyone thinking of it or creating it, the group is not produced by the act of arguing. (p. 78)

Goddu's point is to show that acts of arguing aren't necessary to form groupings of propositions. This seems perfectly obvious and in need of no further comment.

With respect to the conception of arguments as groupings of sentence tokens (he quickly and rightly dismisses groupings of sentence types, to which many of the same problems afflicting propositions would apply), Goddu asserts that acts of arguing only serve to make manifest what already exists. The tokens exist "in the head" first, and it is only after they come into being that acts of argument are even possible. On this conception, the individual argument not only may but must pre-exist the act. So if one thinks of arguments as sets of sentence-tokens then the

process/product ambiguity fares poorly.

But what about the possibility that arguments are sets of utterances, or speech acts? These too are not created by acts of arguing, says Goddu (2011):

The statements, or utterances, or speech acts currently being made just are the acts of stating or uttering that constitute the current act of arguing. If I were not to make those statements, or utterances, or speech acts in the proper context or order there would be no act of arguing. Hence, taking arguments to be composed of statements, or utterances, or speech acts does not support the claim that arguments are the products of the process of arguing. (p. 81)

An analogy may be helpful here. Suppose one wants to build a bicycle. The act of building the bicycle is not the bicycle. Similarly, the bicycle is not straightforwardly identical with the various parts of which it is made. To hold the view that arguments are the products of acts of making arguments out of sentential or illocutionary “parts”, on this analogy then, would be like holding that bicycles just are the products of acts of assembly of wheels, chains, sprockets, pedals, and so forth. But this cannot be so on Goddu's analysis, for in both cases the act of building either is preceded by an idea of what is to be built or cannot be executed without the parts. Similarly, one could connect the bicycle parts in any way allowable by their physical characteristics, but the result would not necessarily be a bicycle. Only if one competently assembles the parts with the idea of a bicycle in mind will the result be a bicycle. This, or something like it, seems to be what Goddu (2011) means when he closes the paper with the following observation:

Regardless of one's chosen ontology of arguments (propositions, sentences, utterances, statements, speech acts, or sets or groups thereof), either the arguments exist prior to the relevant acts of arguing or are constituents of those acts of arguing—they are not the products of those acts of arguing.(p. 88)

Goddu's analysis of the process/product ambiguity is interesting and potent, but he leaves the most interesting question unanswered: just what is the best ontology of arguments? Paul Simard Smith and Andrei Moldovan try to give an answer to this question, but before examining their attempt it will be worthwhile to consider another lesson that can be drawn from Goddu's paper.

Goddu considers three possible ontologies of argument: a propositional ontology, a sentence-token-based ontology, and a speech-act-based ontology. On none of the three, he convincingly argues, is it plausible to suppose that arguments come into being as the result of acts or events of arguing.¹ This is fine, so far as it

¹ By 'acts or events of arguing' here I mean to refer only to those acts that assert arguments. I do not intend to refer to just anything that might take place in an episode of argumentation. For clarity's sake I will adopt the convention of using 'argument' and its cognates to refer only to the expression or assertion of premise-conclusion sequences. Similarly, I will use 'argumentation' to refer to the larger-scale dialectical processes in which agents offer arguments, counter-arguments, criticisms, questions, responses, challenges, etc. to one another. I do not assume that my merely adopting these conventions settles the question of whether or not 'argument' is properly separable from 'argumentation'.

goes. Note, however, that the fundamental thing all three conceptions share apart from their potential use in support of process-centric conceptions of argument is the notion that arguments are sets of somethings--either propositions, sentence-tokens, or speech acts, respectively. No conception of argument could stop there. As one can immediately see, not just any group of propositions, statements or utterances is going to be an argument. It is highly unlikely, for example, that the set of the first three propositions/sentences/utterances uttered by Douglas MacArthur in his radio address to the American people on September 2, 1945 ("Today the guns are silent. A great tragedy has ended. A great victory has been won.") plus the first one uttered by me to my children on the morning of January 22, 2012 ("We're having pancakes for breakfast.") make an argument. So what is it, exactly, that marks out a set that is an argument as opposed to any other kind? I shall call this the *argument classification problem*. A satisfactory answer to this problem doesn't have to tell us how to classify any set of propositions with which we might find ourselves confronted, it need only tell us what features, if any, of any given set of propositions, statements or utterances makes that set an argument.

Thinking of argument as the product of a process or act has the advantage of solving this problem rather handily--all and only those groupings that come into being as the result of an act of arguing could count as arguments. Random assemblages like the Macarthur-pancake set would fail such a test and so would not. So it's not as if process or act-based conceptions of argument have nothing going for them, as Goddu seems at times to suggest. But need we be driven to a process answer to the argument classification problem? Simard-Smith and Moldovan say no.

2. SIMARD-SMITH AND MOLDOVAN ON THE ONTOLOGY OF ARGUMENT

Bravely forsaking metaphysical agnosticism, Paul Simard-Smith and Andrei Moldovan propose an answer to the question of the ontology of argument. They write:

On our account, arguments are created when an agent forms an intention to infer, in a certain way, a proposition from some other propositions." (Simard-Smith & Moldovan, 2011, p. 257)

So far, so good. What is needed is an account of what ways of forming an "intention to infer" count as the right ones. To their credit Simard-Smith and Moldovan do not leave it to the reader's imagination. They supply this account:

...an argument's existence depends on an agent relating some set of propositions S to another proposition p by intending that p be inferred from S in accordance with a rule of inference. And, since this intention to infer comes into existence at a certain time, arguments are temporal and are produced by human beings. A fortiori, given that arguments are formed by human cognitive activity, arguments are not mind-independent. In a very real sense their existence depends on the mental activity of the agents who formulate them. Finally, lest one be concerned that Anselm's Ontological Argument be a concrete object, this very same argument, as mentioned earlier, can be expressed today in a place spatially distant from the place Anselm

first formulated it, and it can be expressed today in more than one place at the same time." (Simard-Smith & Moldovan, 2011, p. 257)

Before going any further it should be clear that the account on offer here would solve the argument classification problem: all and only those sets of propositions, sentences or utterances formed by an intentional, cognitive act of rule-guided inferential connection count as arguments. But how is this mental activity not a process, an act-of-arguing in Goddu's sense? Certainly it cannot be the fact that all of this takes place "in the head" that exempts it from the process label. If anything, what separates Simard-Smith's and Moldovan's account from process accounts is that communicative intention (the *sine qua non* of process-centric theories) has no place in it. In the place that communicative intention would occupy is, instead, an inferential intention. This idea isn't implausible on its face, but it is subject to some powerful objections.

2.1 Objections to the SSM Account

For easy reference it will be helpful to have in hand an outline of Simard-Smith and Moldovan's account (hereafter, the SSM account or just, 'SSM').

'P therefore Q' is an argument if and only if:

1. Some agent, S, intends to infer Q from P at time t, AND
2. S's intended inference accords with a rule.

The meeting of these conditions is something that happens (presumably) in the mind of an agent. there being the appropriate sort of mental act. Once the act is done, 'P therefore Q' is created as an abstract object capable of expression by other agents at other places and times. The analysis seems neat and clean. In the following sections, however, I give a trio of cases that reveal some serious problems for it.

Case (1): CONCERT

Suppose that an agent, S, intends to go to a piano recital in the afternoon. She then hears from a reliable source that the pianist has the flu. Quite reasonably, she also holds that if the pianist has the flu then there will be no concert this afternoon. Clearly, if she believes both of these things, then it seems as though she has a decent argument that there will be no concert this afternoon. But she refuses to draw the inference, and carries through with plans to attend the concert anyway.

That there will be no concert is straightforwardly implied by her other commitments according to *modus ponens*. So condition 2 of the SSM account is met. But, we must not draw the conclusion that there is an argument here on that basis alone, for condition 1 specifies that the intent to infer is also required. On the SSM

account all that need happen for condition 1 to fail to be satisfied is that S not form the intention to draw the inference. To be clear: S does *not* have to deny that P and $P \rightarrow Q$ together imply that Q . She just has to refuse to apply the rule in this case. Let us assume that it is at least possible that there is a difference between recognizing that an inference could be drawn and intending to draw that inference oneself. To reduce the apparent tension some might feel in this way of talking we might simply add to the present case the suppositions that S has good reason to think that she saw the pianist out jogging this morning, and judges that it is unlikely that the pianist has the flu if this is the case. So S's reluctance to draw the conclusion that there will be no concert is motivated by uncertainty about the truth of one of the premises, not a rejection of *modus ponens*.

Even with this comforting contextual story there appears to be a problem for the SSM account. In the absence of the intention to infer, SSM are committed to saying, at least with respect to S, that there is *no argument at all*, from the conjunction of P and $P \rightarrow Q$, to Q . This seems strange. For it seems indisputable that, in some sense, an argument *is* there, S just doesn't want to make it. Perhaps in such a case the most we could say that, as a matter of how far she is willing to go in terms of her intentions to make inferences, S has no argument--not that there is no argument at all. The SSM account does not permit us say this, though. According to it, the intention to infer is a necessary condition for there being an argument. An argument "exists", then, only if there is an agent who intends to make the inference it contains. The strangeness of the present case is that, at least some sense, it is perfectly clear that there can be an argument, even when an agent does not intend to make the needed inference. This casts doubt on the necessity of condition 1 of the SSM account.

To preserve a role of the intention to infer in the SSM account, some might be tempted to treat it as a sufficient condition rather than a necessary condition for the existence of an argument. I agree with SSM that this would not be a good idea. The following example demonstrates why.

Case (2): PANCAKE

Suppose that, being in a jaunty mood, S forms a non-ironic intention to infer 'Pancakes are the greatest food on earth.' from 'The atomic weight of Helium is 2'.

Now, to be clear, I do not deny that S really might intend to infer the pancake statement from the helium statement, but (unless one wishes to allow the possibility of a correct but unexpressed, perhaps unconscious chain of appropriate inferences in S's mind that connects the atomic weight of helium to the evaluative status of pancakes in the necessary fashion) it seems clear that the intention would fail in its aim. S's intent to infer is no more sufficient for the production of an argument than my intent to cook Coq au Vin is sufficient for the production of Coq au Vin. The actions that are taken in pursuit of the intention must be attended with at least some sort of success in order for the product to come to be. In the case of cooking, this would mean, among other things, that one would have to perform correct

actions on the appropriate ingredients at the appropriate times. One must learn these conditions and requirements, through a recipe perhaps, or instruction. What is clear is that there is more to cooking than forming intentions of a certain sort. The same seems to hold for of arguing. This point suggests a line of questioning that I will not pursue here but that I think is important. This is the question of whether and to what degree it is possible for anyone to have an argument, and to know that they have an argument, in the absence of any possibility of communicating that argument to others who would recognize it as such according to the standards, conventions, and practices of their shared community. This is not to suggest relativism about the rules of argumentation so much as it is to highlight a well placed worry of a roughly Wittgensteinian sort that I think any needs to be answered by account of argument that strips out the communicative dimension. It may be that the authors of the SSM account can address this worry, but they do not take it up in the paper under discussion.

This is why the SSM account is correct not to accord too much creative power to the intent to infer. The intent to argue simply isn't enough to make an argument. As an additional necessary condition they stipulate that the inference in question must be formed in accord with a rule of inference. It should be pointed out that this isn't, on its face, as implausible suggestion as it might seem to many. For what else is there to fill the gap in their account? What else is there that might stand to 'inference' in the same relationship that 'recipe' stands to 'cook' in the Coq au Vin example? The rules of pragma-dialectics find their application at a different level of analysis. So too do the guidelines and best practices of the various rhetorical approaches to argument. Both would re-import the process/product distinction that the authors, following Goddu want to avoid. Working by elimination it becomes clear that there really aren't many alternatives for the SSM account to look toward. Requiring inference in accord with rules of inference begins to look better in this light.

Indeed, it becomes even better if we stipulate that the rules of inference required need not even necessarily be those of the classical deductive canon. They could be Bayesian, for example, or even dialethic. Perhaps all that is need for the production of argument (in addition to the intention to infer, of course), is for the inference(s) to hold according to the rules of some system, any system. Thus understood, is the requirement that the inference be made in accord with a rule capable of providing a necessary condition for the existence of an argument?

Unhappily, I believe the answer to the previous question is probably "No". SSM's addition of the condition requiring a rule of inference, if anything, only makes matters worse. There are any number of good arguments that don't follow any known rule of inference. Consider, for example, the case I will call SNOW:

Case (3): SNOW

Suppose that a mother responds to her child's demand for a reason why she should wear her uncomfortable winter hat: "It is snowing outside, this is the reason why you should wear your cap."

Assuming that the premise of SNOW is true, and that the intention to infer is present on the speaker's part in both cases, the SSM account leaves us no way of saying consistently that SNOW is an argument and PANCAKE is not.

An heroically determined defender of the SSM account might respond by declaring SNOW an enthymeme.² Properly reconstructed, this defender might tell us, SNOW does conform to a rule of inference. That might be so--but then again it might not. Even if it is the defender of the SSM account is still burdened with the obligation of telling us why SNOW is not an argument when SNOW precisely is what S says, and precisely represents the inference that S actually intends to make.

2.2. Options for the SSM Account?

Clearly then, it seems as though the SSM account cannot solve the classification problem. Defenders of the SSM account, at this point, have the following options:

1. Bite the bullet where arguments like SNOW are concerned and either declare them enthymematic or rule them out. This will defend their account from PANCAKE-type counter-examples, but it does nothing to allay the worry posed by CONCERT, that there might be "real" arguments that persist even if no agent intends the inference therein.
2. Abandon the requirement that accord with a rule of inference be necessary for an intended inference to result in an argument. This has the aforementioned problem of collapsing their account into an extreme subjectivism about argument whereby any [P,Q] counts if the agent intends to infer one member from the other.
3. *Contra* Goddu, rehabilitate the process/product distinction and treat arguments as inseparable from the processes of argumentation in which they are embedded. This amounts to declaring the classification problem insoluble.

Certainly there will be those who would be perfectly happy with either option 1 or option 2. It goes without saying that 3 will have its proponents as well. In what remains of this paper, however, I wish to explore a fourth alternative. For it seems

² The only other alternative I can think of is one that SSM do not explore, that of working from a conception of material inference along the lines outlined in Brandom (1994). It would be interesting to see such an attempt made, though for reasons that become clearer below it doesn't seem clear to me that it would offer much hope of saving the SSM account.

to me that there is methodological value in thinking of arguments as artifacts, even if the SSM account doesn't tell quite the right story about them. Apart from this methodological value, there is also the considerable linguistic evidence mounted by SSM for the proposition that 'argument' frequently if not usually plays the role of an object in those English sentences in which it occurs. There may be something of importance laying underneath our ordinary language here, so we owe it to ourselves at least to investigate the possibility it presents. This means that the classification problem must be dispensed with. In light of the difficulties sketched so far, and in keeping with the spirit of the quote from Hamblin with which this paper began, I suggest an oblique rather than a frontal strategy. The main idea of this strategy is to follow a route to thinking about the concept of argument along which the problem does not arise.

3. A SUGGESTED ALTERNATIVE: MUSICAL WORKS AND ARGUMENTS

Thankfully, our investigation of the ontological status of arguments need not proceed from scratch. A little reflection on the kinds of considerations that make it seem reasonable to treat arguments as things points the way to similar, much more thoroughly treated problems in the philosophy of music regarding the ontological status of musical works. To explore this analogy is very much within the spirit of the SSM proposal as they themselves assert that arguments are similar to musical works. What grounds might there be for this similarity?

In the first place, both musical works and arguments are human creations. It is true that computers can be programmed to argue, but as those programs are the result of human intelligence themselves, it doesn't seem overly problematic (yet) to think of argument as a primarily human phenomenon. Computers can also play and, in perhaps a limited way, compose music. What goes for arguments in such cases seems to go for music too. As humans are the authors of the programs that play and/or write the music, the phenomenon of music can still be generally seen as human for present purposes.

Secondly, and importantly for the present investigation, both musical works and arguments seem to exhibit recognizable identities. Beethoven's *Fifth Symphony*, or Duke Ellington's *Mood Indigo*, for example, are instantly recognizable to anyone adequately acquainted with them. In the same way, Anselm's Ontological Argument, or Martin Luther King's arguments in "Letter from a Birmingham Jail" are instantly recognizable. Equally important is a third, related observation: The grounds of the identity both of musical works and of arguments are incredibly hard to pin down with any satisfaction. I will have more to say about important implications of these points in a moment.

Before moving to those implications let us add a fourth condition. Both musical works and arguments, though known through encounters with them of a physical sort (e.g. via the vibrations of sound waves in the ears or visual perceptions of written text--or, in the case of performers, through other senses as well) are at least partially abstract. Basic recognition that something is music or is an argument at all requires the possession of a certain particular background. In the first instance, both in the case of the work and in the case of the argument, the bare

physical elements of any encounter--say the written score of *Mood Indigo*, or the page of an introductory philosophy textbook containing Anselm's Argument--are not enough to establish that one is experiencing a musical work, or an argument in question. This point should be clear enough. After all, we spend considerable effort training students to detect arguments--largely through investing them with a conceptual background and a methodological basis for doing the task. In the case of the musical score or even, in the case of certain very technical or abstract kinds of music, the auditory perception of a performance, one also needs training to augment one's intuitions in a way that will lead one to the recognition that what one is looking at or hearing is, in fact, music. The same may be said of arguments, which are often no less subtle.

Let us extend this point to the case of individual works of music and individual arguments. There are many arguments for the existence of God. We believe that among them is a particular one, say Anselm's, of which we can say "This is the one--this is Anselm's argument". We hold a similar belief about works of music. Even if played on a kazoo as a joke, anyone who knows the piece can recognize the theme of Beethoven's *Third Symphony*. Both arguments and music can be realized in various media. Beethoven's *Third Symphony* can be performed with a variety of arrangements, or even electronically, by a program running an 8-bit analog synthesizer program.³ Anselm's argument can be written or spoken in nearly any natural language. It could even be sung in a nice contrabass. And yet we would recognize it as readily as we would recognize the opening strains of Beethoven's Third. What this shows is that we are capable, both in the case of musical works and in the case of arguments, of recognizing sameness despite large gaps in temporal continuity and widely differing circumstances of production. Exactly how we do this is an interesting question, but one that for now will have to be put off to the side. For the present purpose it is enough if it is plausible that arguments and works of music are sufficiently alike in the matter of their having identity conditions that allow us to recognize them in a variety of contexts, at a variety of different locations and times. In the philosophy of music this idea is indicated by saying that works of music are "multiple entities" (Kania, 2008, p. 24-29). If the foregoing is right, arguments seem also to be multiple entities.

To sum up I have argued that arguments and musical works are alike in that 1) both are human productions, 2) there are important cases of individual arguments and individual musical works with recognizable identity conditions that 3) are hard to establish in any concrete way. I have also argued the similarity on the grounds 4) that recognition of something as music or as an argument in and of itself requires possession of a special battery of concepts and methods and that 5) both works of music and arguments are "multiple entities". Let us suppose for the

³ Some in the philosophy of music who adhere to versions of strong Platonism would reject this assertion, holding that the precise arrangement of instrumentation intended by the composer is necessary for the performance of a musical work to be genuine. This position strikes me as extremely implausible, for reasons that are explained in great detail by Goehr (1992). Though I do not share her assumption that analytic philosophy of art is driven to such theories, I believe her criticisms of strong Platonism are correct.

moment then, that these are sufficient grounds of similarity between musical works and arguments for thinking that their ontologies might be comparable as well. What might the ontology of musical works suggest about the ontology of arguments?

3.1 *The Open Concept Approach*

The ontological nature of musical works is one of the most hotly contested topics in the philosophy of music.⁴ Unfortunately a full review of this discussion would take this paper far afield of its limited purpose. To simplify matters, I will instead proceed to use the proposal for the ontology of musical work that I find most helpful for the purpose of avoiding the classification problem. This is the proposal that 'musical work' is an *open concept*.

The best-known formulation of this view was first given by Weitz in his 1956 essay "The Role of Theory in Aesthetics":

The problem of the nature of art is like that of the nature of games, at least in these respects: If we actually look and see what it is that we call "art", we will also find no common properties--only strands of similarities. Knowing what art is is not apprehending some manifest or latent essence but being able to recognize, describe, and explain those things we call "art" in virtue of these similarities. (p. 78)

That the concept of art seems to be better accounted for by a constellation of similarities than by hard and fast conditions of necessity and sufficiency is what leads Weitz to call the concept of art "open" or, interchangeably, "open textured." He goes on to explain further what this means:

A concept is open if its conditions are emendable and corrigible; i.e. if a situation or a case can be imagined or secured which would call for some sort of decision on our part to extend the use of the concept to cover this, or to close the concept and invent a new one to deal with the new case and its new property. If necessary and sufficient conditions can be stated for the concept, then the concept is a closed one. But this can happen only in logic or mathematics where concepts are constructed and completely defined. (Weitz, 1956, p.79)

Already, those working in informal logic and argumentation theory should find themselves on familiar grounds, for such "decisions" lie precisely at the heart of many of our discussions. That said, some more clarification is in order. The notion of an open concept did not originate with Weitz, or in the philosophy of art. Not only does its origin cloud the issue, but the alternate life of the term 'open concept' under certain usages in the philosophy of law also has the potential to mislead.

The earliest usage of the term 'open concept' in a journal of philosophy (at least the earliest I can find) has it more or less synonymous with a concept's being vague in such a way that only a survey of popular usage can settle it:

Here is the solution of the very difficult epistemological problem of the existence of both "open " and "closed"" concepts or meaning. A closed meaning is, e.g., a square.

⁴ A good overview of the contemporary discussion can be found in Kania (2008).

One need not be in doubt as to what is the rule determining the set of squares. But what about, e.g., "bald-headed"? Is this a gentleman with 62 hairs, or with 188, or what? The extension of an open concept (meaning) can only be decided by voting or a Gallup poll. And most meanings are open in this sense. (Meyer, 1949, p. 390)

Certainly this is not what we should want in the case of 'argument'. Openness in Weitz's sense partakes of vagueness but isn't coextensive with it in the way that the above quote would suggest. This is grasped immediately when one considers how uncomfortably Weitz's notion of an open concept sits with the idea of deciding application by a vote or a poll. For this fails to take account of the kinds of paradigmatic examples that give an open concept like 'art' its epistemological center of gravity. That 'art' as a concept is not susceptible to a sort of paradox in the way that 'bald' is another sign that there are two notions that ought to be kept separate here. Open concepts share with vague concepts the phenomenon of having problems of application at the boundaries, but the problems are of a different sort, and are addressed with different strategies. In the case of a vague term like 'bald' or 'rich', the context of utterance often guides us in the question of whether or not to extend the term to a particular case. Alternatively, we might also stipulate a range of application for a specific, delimiting purpose--as when we define terms operationally for the purpose of statistical research.

Neither of these strategies seems to avail us with open concepts like 'art'. It would be strange to think that in one context an object is a work of art, while in another context it fails to be so. Clearly this is so in paradigm cases like Picasso's *Guernica* or Mahler's *Symphony No. 2*. Similarly, it would seem strange to appeal to context when trying to settle the question of whether a borderline case, say a child's finger-painting or a skilled forgery was a work of art. In both of those cases it is other properties of the work that command our attention as we struggle to decide whether or not the concept of 'art' or 'work' should be extended to cover them. The immediate context doesn't seem to matter much, if at all. Less so does it seem as though we could settle the matter by stipulation. So in addition to the features taken from Weitz's account above, we ought to add the caution that a concept's being open is not to be confused with its being vague in the typical sense. There is another caution that needs to be added as well, and this is to avoid confusing the lack of necessary and sufficient conditions with a lack of substantive content of any sort.

This is a risk one runs if following certain strains of thought in the philosophy of law, where the openness of an open concept signifies that the content of the concept is to be filled in by legislative or sometimes judicial processes. Examples of this type of concept in the law are 'the common good' and 'the public interest'. Such concepts are often considered 'open' in the sense that the particulars of their content may vary widely, subject to differences in interpretation at various times. This sense of 'openness' is discussed in Bedner (2010). For a given community, what was considered a matter falling within the scope of the common good in the Seventeenth Century, for instance conformity to certain religious doctrines or practices, may be considered to be essentially a private matter in the Twenty-first.

This is also not the sort of account of open concepts that should be expected to help for the present purpose. Whether we are talking about 'art' or 'argument', it seems clear that we are not bound to the sort of socio-historical relativism that underwrites the kind of openness at issue in the kind of legal usage I've described here. Our practice with both terms shows this. Much of what we now consider to be Ancient Greek art was not thought of as art at all. Indeed, it isn't clear whether or not the Ancient Greeks had a concept of artwork like the one we now possess (though certainly they had concepts of beauty and excellence of technique). This doesn't stop us from using our aesthetic vocabulary to treat a black-figured amphora skillfully painted with triremes from Periclean Athens as a piece of art. Similarly, with arguments, socio-historical context doesn't seem to have the power to change whether or not a particular set of propositions, sentences, utterances, etc. should be considered an argument. Our *evaluations* of the quality of a particular argument might be, and in some cases perhaps even should be, indexed in such a way, but not our use of the concept 'argument' itself.

So, to recapitulate, to say that a concept is open is *not* to say that is vague in the usual sense of being subject to the Sorites paradox. Nor is it to say that the concept is a mere placeholder, the actual content of which is completely determined by socio-historical processes. Lydia Goehr (1992) sums up the sort of openness at issue this way:

We should never be misled by the idea of openness. We might think that calling a concept open implies that 'anything goes', that unless a concept has a fixed or bounded identity, anything in principle could fall under it. This is mistaken. ...Conceptual change is restricted in precise and different ways depending on a concept's particular use.

Suppose you wanted to produce a radical change in the way a given concept was used, and you thought this could be done by producing something incorporating a denial of everything we (others) thought was involved in the employment of *this* concept. We could only understand it to be a use of this concept if we found it to have a significant connection to something which constituted the use of this concept in the past. Otherwise we would simply deny that your use had anything to do with the concept at all....If this is a plausible view of concepts...the nature of conceptual continuity and relevant restrictions must be spelled out carefully from case to case. (pp. 94-5)

To say that 'argument' is an open concept, then, will be simply to say that while we may be clear about paradigm cases or particular properties that arguments should have, (e.g. at least some sort of reasonable inferential linkage between the premises and the conclusion) it will still be the case that the borders of the concept are not decisively settled.⁵ Assigning a novel case to the concept will be a matter of showing how doing so is continuous with other such assignments that have been made in the past. We will not simply be able to declare that something is an argument because

⁵ The current discussion of whether or not there can be visual or other nonverbal types of arguments strikes me as a good example of the kinds of philosophical debate that could be expected to happen along the borders of the concept of argument.

our intuitions say so. A case will have to be made and defended that we have not wandered off the ranch. While this doesn't give us the kind of neat and tidy decision procedure that checking against necessary and sufficient conditions does, it does give us a way of explaining what ought to count as an argument and why. Once the central characteristics of the concept are articulated and a sufficient number of paradigm cases identified, then resources will in place for the discussion that takes place on the borders of the concept's extension. There may be other benefits as well to the open concept approach. I suggest that at least two can already be identified.

3.2 *Two Advantages of the Open Concept Approach*

If the analogical argument I have given here stands up to scrutiny, then there is at least some reason to think that 'argument' is an open concept in much the same way that 'musical work' might be. Two benefits of approaching the concept of 'argument' in this way are immediately evident.

3.2.1. The Classification Problem is Avoided

The classification problem, recall, was the problem of identifying the criteria that make it possible to classify a set of propositions, sentences, or utterances as an argument. The SSM approach fails to solve this problem because the criteria it proposes are either too wide (as illustrated by PANCAKE) or too narrow (as illustrated by SNOW), and because at least one of its conditions is neither necessary nor sufficient (as demonstrated in CONCERT).

Treating 'argument' as an open concept avoids such difficulties because the boundaries of an open concept are not fixed by firm criteria that need to be satisfied in advance. Instead, an open concept is built aggregatively out of similarity relations between cases, at least some of which are so clear that it's barely possible to doubt that they belong in the category. Just as works such as *Beethoven's Third Symphony* and Tizol's *Caravan*, as performed by Art Blakey, supply the sort of clear examples around which a central understanding of what a musical work is can be built, premise-conclusion sequences like the famous Socrates syllogism (All men are mortal, Socrates is a man, therefore Socrates is mortal) and humbler but infinitely more familiar ones like "It's raining, so you should take your umbrella." (among many others) form the kind of core that is needed for an open concept approach to 'argument'.

It is true that this advantage comes at the price of the sort of clarity that philosophers (including myself) tend to find congenial. I submit that this is perhaps not too high a price to pay in order to avoid being drawn into what promises to be a wild goose chase after a set of necessary and sufficient conditions for 'argument' that are impervious to counterexample.

3.2.2. The 'Real Arguments Debate Becomes Tractable

In addition to avoiding the quagmire of the classification problem, the open concept approach promises to be helpful in a related discussion about what ought to be

counted as a "real" argument.⁶ The crux of that debate is a question of whether or not there is a significant theoretical difference between arguments that are deployed in argumentation between actual persons in ordinary settings and the arguments of specialists or teachers, which may or may not have been constructed for theoretical or pedagogical purposes. The debate is not an idle one, for one of the justifications of informal logic from the very beginning has been that it develops the theoretical tools needed to appraise and evaluate arguments of the sort met in daily life, in contrast to the artificial sorts of arguments given in deductive logic textbooks for the purpose of training students in the skills of various formal systems. One can use informal logic to considerable benefit at work, or in political contexts, so the claim goes, but one cannot so use deductive logic (unless one happens to be a programmer or a philosopher).

If we approach 'argument' as an open concept, then it seems to me that much that moves this debate can be put to rest, for there would be no significant theoretical difference between the sorts of arguments used to teach logic (either formal or informal) and the sorts of arguments one encounters in daily life. Following the analogy with music, the arguments occurring in logic textbooks would be like the songs that occur in introductory music textbooks. The Socrates syllogism is our *Mary Had a Little Lamb*. It stands to complicated arguments in the public sphere about the international financial crisis in much the same way that *Mary Had a Little Lamb* stands to Rachmaninoff's *Third Piano Concerto*. The difference is one largely of degree of complexity or sophistication, not one of kind or subcategory. That few arguments we encounter in daily life resemble the neat and tidy Socrates syllogism, or follow *modus ponens* need not trouble us at all.

This *does* mean that informal logic will not be able to defend itself on the grounds that it studies a particular *type of argument* that students are more likely to encounter. This seems to me to be an acceptable consequence. After all, the defense of informal logic as an independent area of inquiry should rest more on its ability to provide a set of methodologies and conceptual tools that formal logic (however construed) does not. So long as it can do this--and I believe that it can--there is no need to fall back on the notion that what makes informal logic special is the subcategory of arguments that it studies.

4. CONCLUSION

I have attempted in this paper to suggest that one way of putting the metaphysics of argument on the right footing involves reconceptualizing argument in a way analogous to that used in the philosophy of art for conceptualizing works of art. On this view, arguments have many of the properties that SSM claim that they have, including the important property of being multiple entities with identity conditions. The position I've offered here departs from the SSM account in that it requires a different approach to the concept of argument than the traditional one they take of

⁶ For the background of this discussion see Hamby (2012) and Goddu (2009).

attempting to articulate necessary and sufficient conditions. Having argued that this approach leads them into serious problems, I have suggested that it ought to be abandoned in favor of an approach that sees argument as an open, regulative concept that functions as an ideal for practicing arguers.

I should stress, however, that I have only described what such an account would be like. I have not established that the account is the correct one. I haven't done much beyond hinting at them to suggest the kinds of characteristics and paradigm examples that would give the concept of argument its content, either. For this reason a theorist of argument who preferred the "closed concept" account would be within her rights to dismiss all that I have said here except for the objections. At worst, she might say, all I have shown with these objections is that the conditions offered by SSM are incomplete, or are the wrong ones. "Better that the search for an answer to the classification problem continue than that we should be satisfied with the notion that 'argument' is an open concept", she might say. To such a rejoinder I would have no reply. The contest between the open and closed accounts of the concept of argument would then come down to which position was the most perspicuous, and the most fruitful for theorizing about argumentation.

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