THE PRAGMATICS AND EPISTEMOLOGY OF CONCEPTUAL DISAGREEMENT

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ABSTRACT

When speakers defend conflicting understandings of a concept that plays a fundamental role in how they make sense of the world, it is unclear whether they can rationally resolve their disagreement. To address this epistemological puzzle, I argue that we first need to confront the question of what speakers are doing when they defend or articulate an understanding of a concept – what kind of speech act they are performing. I argue that speakers are carrying out acts of stipulation. I propose a detailed account of the pragmatics of stipulation and argue that with this pragmatic structure clarified, we can open up novel resources for defusing the epistemological challenge of deep, conceptual disagreement.
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INTRODUCTION

Disagreements over how to understand concepts are pervasive in our linguistic lives. Does the concept of literature, for example, apply to Bob Dylan’s music, as the Nobel Committee thought, or are the concepts of literature and music better thought of as fundamentally distinct? Is the concept of a species best made sense of in terms of reproductive relations, in terms of shared morphological properties, or in some other way? Does the concept of personhood include or exclude corporations? Philosophy itself can plausibly be characterized as a discipline that consists in disagreements over how to understand concepts: the concepts of justice, knowledge, mind, action, among of course many others.¹

Once, however, cases of conceptual disagreement turn on concepts that play a fundamental role in how we understand the world, it can begin to seem that our reasons run out: we rely on the very concepts we are discussing in order to stake our claims. Is there a sense, then, in which we simply lack the rational, justificatory resources for defending how we understand the concepts that matter most to us? Robert Fogelin influentially argues that such justificatory exhaustion is indeed inevitable (1985). Disagreements over how to understand concepts that play a fundamental role in how we make sense of the world and that in turn generate this appearance of rational insolubility are, on my reading, what Fogelin categorizes as “deep disagreements”.

Many philosophers share the worry that disagreements over agents’ more fundamental commitments – even when those agents are epistemically idealized – cannot be rationally resolved. Richard Rorty, for example, similarly argues that our fundamental commitments equip us with our final justificatory reasons for understanding and acting within a particular domain, but, given that

¹ Throughout the dissertation, I use italics for stress and for certain terms-of-art. I use small caps to refer to concepts as well as the language of ‘concept of’ followed by the concept without small caps. I use single quotes to mention terms, and double quotes for quoting other authors and for scare quoting.
they play this role, there are no further reasons we can invoke to justify our commitments regarding this domain:

[T]he notion of ‘inalienable human rights’ is no better and no worse a slogan than that of ‘obedience to the will of God’. Either slogan, when invoked as an unmoved mover, is simply a way of saying that our spade is turned – that we have exhausted our argumentative resources...[These notions] are all ways of saying, ‘Here I stand: I can do no other.’ These are not reasons for action so much as announcements that one has thought the issue through and come to a decision (1999, 83-84).

Rorty’s reference here to the turning of our spade is of course to Wittgenstein – who was similarly preoccupied with the question of whether the structure of our conceptual lives necessarily condemns us to justificatory exhaustion. Here is the famous §217 passage from the *Philosophical Investigations* Rorty is referencing:

“How am I able to follow a rule?” – If this is not a question about causes, then it is about the justification for my acting in *this* way in complying with the rule.

Once I have exhausted the justifications, I have reached bedrock, and my spade is turned. Then I am inclined to say: “This is simply what I do.” (1953/2009, 91e).

It is no surprise that Fogelin also takes his account to be Wittgensteinian: deep disagreements, on Fogelin’s account, are where we hit “bedrock”, where our reasons run out. Fogelin, however, tell us that he instead takes his Wittgensteinian lead from the following sections of *On Certainty*:

611. Where two principles really do meet which cannot be reconciled with one another, then each man declares the other a fool and a heretic.

612. I said I would ‘combat’ the other man, -- but wouldn’t I give him reasons? Certainly; but how far do they go? At the end of reasons comes persuasion. (Think what happens when missionaries convert natives.) (1972, 81e).

In exchanges where speakers invoke fundamental “principles...which cannot be reconciled with one another”, the worry is therefore that we reach the end of the purview of the space of reasons and find ourselves exclusively at the mercy of the space of causes. We might, as a matter of fact, shift our commitments as a result of these exchanges, but is there a sense in which we can ever have a “justification” or “reason” for doing so? If there is not, if we are only causally and not rationally moved in these exchanges, then we will have to conclude that we cannot justify the commitments
that matter most to us. More specifically, given how I will approach deep disagreement in the subsequent discussion, we will never be able to justify our understanding of the concepts that matter most to us.

In this dissertation I argue that we would be well-served by taking a step back from the apparent epistemological challenge deep disagreement poses and first asking a different question – asking what it is exactly that speakers are *doing* when they engage in such disagreements. We should ask, in other words, what kind of speech act speakers are carrying out when they engage in deep disagreements. Are they, for example, *asserting* that something is the case? Are they *demanding* that others understand the issue in question as they do? Or is it perhaps some combination of various speech act kinds, and, if so, which kinds? Absent an account of what exactly speakers are up to when they engage in deep disagreements, it is unclear how we can be confident in our diagnosis of the epistemic ramifications of this linguistic activity.

I have mentioned already that my reading of deep disagreement will be that this form of disagreement is best understood as turning on concepts that play a fundamental role in how we make sense of some domain. To determine, then, what kind of speech act speakers perform when they engage in deep disagreement, we first need to understand what kind of speech act speakers perform when they articulate or defend an understanding of a concept, regardless of whether the concept in question plays a specialized “fundamental” role. The position I develop in this dissertation is that when speakers articulate or defend an understanding of a concept, they are in part carrying out the speech act of stipulation. My account of this speech act is the central component of the dissertation, and the account builds up to a discussion of how exactly this speech act is utilized by speakers in the context of deep disagreement. This novel reading of the pragmatics of deep disagreement, in turn, illuminates sources of justification speakers can appeal to that may not otherwise be apparent for justifying their understanding of the concept or concept in question. My
account of the relevant pragmatics therefore comes with an epistemological payoff: it provides us with new tools for addressing the epistemological challenge of deep disagreement. In the remainder of this introduction, I will provide an overview of the dissertation’s five chapters and discuss several general features of the project.

In Chapter 1, I take a closer look at the epistemological puzzle that deep disagreement seems to pose. I first show that we are best off reading these disagreements as ones that concern a concept or set of concepts that play what Michel Friedman calls a “constitutive” role for speakers (2001; 2010; 2011). I advance this reading because I argue that it is well-situated to make sense of how deep disagreement appears to give rise to the problem of rational insolubility. I say “appears” because, as I will emphasize, we do not want to build into our account of deep disagreement that such disagreements are, by definition, rationally insoluble. Whether they should be characterized as such remains an open question, and a view of deep disagreement should reflect this openness, allowing both proponents and skeptics of the notion that deep disagreements are rationally insoluble to make their case. Our account of deep disagreement should, however, help to explain why such disagreements tend to show up phenomenologically to speakers in this way.

After presenting this account of deep disagreement, I then consider the two general strategies philosophers have pursued for making sense of the epistemic consequences of this disagreement: Epistemic Conservatism and Epistemic Rejectionism. The Epistemic Conservative claims that we can bring to bear our standard epistemic practices for assessing claims made in the context of deep disagreement. The fact that these claims may have epistemically wide-ranging or disorienting consequences for how we make sense of a particular domain does not mean that they should be assessed differently from any other claim. The problem facing the Conservative, however, is that it is not clear that our standard epistemic practices for assessing truth claims will apply in the context of deep disagreement given that speakers here are arguing over the very categories in terms
of which such truth claims are made. The Epistemic Rejectionist, by contrast, claims that our justificatory resources are indeed inevitably exhausted when our more fundamental categories for understanding the world are challenged and departed from in instances of deep disagreement. Epistemic Rejectionism, however, seems to come with enormously revisionary consequences for most of our normative practices.

I then argue that the above back-and-forth between the Conservative and the Rejectionist is skewed by an underlying assumption, namely, the assumption that we should read what speakers are doing – the speech acts they are carrying out – in cases of deep disagreement through a declaratival lens. The Conservative assumes that speakers in cases of deep disagreement are making a set of felicitous truth claims; as such, even if the content of these truth claims is somewhat unusual, we should evaluate them in the way we would any other truth claim. For the Rejectionist, by contrast, truth claims are infelicitous in the context of deep disagreement, and, as a result, there is no meaningful sense in which we can talk about “rationality” in the context of these exchanges. I conclude the chapter by arguing that a richer pragmatics is needed to analyze cases of deep disagreement. Once we have this richer pragmatics in hand, we may not be forced to choose between either Epistemic Conservatism or Rejectionism (at least as they currently stand) – an unappealing choice given that neither seems able to defuse the epistemological challenge of deep disagreement.

In Chapter 2, I argue that in order to tackle the question of what speakers are doing when they articulate or defend an understanding of a concept that plays a “constitutive” role, we first need to understand what speakers are doing when they articulate or defend an understanding of a concept generally, whether constitutive or not. I turn to various metaphilosophical reflections where philosophers address the kinds of speech acts they take themselves to be carrying out in instances of conceptual disagreement, including recent literature surrounding conceptual ethics and engineering
such as Haslanger (2012), Plunkett and Sundell (2013), and Cappelen (2018). The reason I turn here is that philosophers often take themselves to specialize in conceptual analysis. If anyone should have something illuminating to say about what speakers are doing when they articulate or defend an understanding of a concept, it should be philosophers. In the examples I consider, philosophers consistently return to characterizing one another’s arguments as acts of *stipulation*, which they often intend in a pejorative sense. I call the latter approach the *stipulation-as-fiat* view. According to this view, when someone engages in the speech act of stipulating that a concept is to be understood in a certain way, this speaker has a unilateral semantic authority to settle what the term in question means for that speaker, but the resulting stipulation is thereby stripped of any genuine normative force; there is no reason anyone else needs to take the resulting stipulation seriously. While I believe these philosophers are right to characterize one another’s speech acts as involving acts of stipulation, I argue that they are wrong in their characterization of stipulative acts.

In the third (and main) chapter, I articulate my alternative, positive view of the pragmatics of stipulation. According to the view I defend – which I introduce through an analysis of various cases – a successful speech act of stipulation is one where a speaker is engaging in a meta-linguistic act that imparts to speaker and audience an entitlement to a specific inference, while also precluding both speaker and audience from denying this inferential entitlement. Even if not explicitly, the speaker justifies their stipulation on the basis of whether it serves the shared ends of speaker and audience, and the act counts as justified on this basis only if it is taken to be by the audience. I distinguish my view of stipulation from popular accounts of assertions such as Brandom’s (1983) and Stalnaker’s (2014), from accounts of exercitives such as McGowan’s (2004), and accounts of presupposition such as Lewis’s (1979). I also explain how authority relations factor into stipulative acts in conversation with Maitra (2012) and Kukla (2014). I argue that my account of stipulation
should be preferred to the stipulation-as-fiat view and consider some of the implications of my account for understanding the phenomenon of analyticity.

In Chapter 4, I apply my account of stipulation and conceptual disagreement to four sets of cases. I examine Elizabeth Anderson’s articulation of a novel understanding of the concept of government (Anderson 2017); I consider the debate between 17th-century Aristotelian thinkers and Descartes over how to understand the concept of a machine (Descartes 1644/2009; Garber 2002); I examine a case of different speakers articulating understandings of the concept of an incel; and I analyze how the novelist Leo Tolstoy in his manifesto What Is Art? dissents from the dominant aesthetics of his contemporaries to articulate a novel understanding of the concept of art (1896/1996). I conclude the chapter by considering the objection that my account of stipulation, when applied to instances of conceptual disagreement, will entail that speakers are talking past one another. I show that this objection reflects a misguided understanding of the phenomenon of samesaying – of what it means for speakers to talk and think about the same concept or subject matter.

In Chapter 5, I argue that the enriched understanding I have provided of the pragmatics involved in cases of deep disagreement brings to light important resources for addressing the epistemological challenge posed by this form of disagreement. I argue that the declaratival reading of deep disagreement that I considered in Chapter 1 keeps us myopically focused on the theoretical reasons we might invoke in the context of these disagreements. It is this nearly exclusive focus on theoretical reasons that is responsible, in part, for making it seem that deep disagreements are rationally insoluble. My reading of deep disagreements as crucially involving speech acts of stipulation, however, brings to the fore practical reasons that speakers can utilize to address and potentially resolve the deep disagreements they encounter. These practical reasons stem from the ends-directed structure of stipulative speech acts. Speakers can make explicit the ends they take
themselves to share with other speakers regarding how to make sense of the concept in question. Such practical reasons are not a guaranteed means of rationally resolving deep disagreement, but they represent a crucial tool speakers should have at their disposal for addressing these disagreements as they arise – a tool, that can easily be (and often is) overlooked when we read deep disagreement through a reductive declaratival lens.

I want to conclude this introduction with two general observations. The first is that in discussing this project with other philosophers, I have sometimes encountered the response that we already know how we should characterize what speakers are doing when they are engaged in the project of conceptual articulation. I am told, for example, that formulations describing this phenomenon such as the following are sufficient to make sense of what we are up to as speakers: speakers are in these contexts “rewaving” their beliefs, or “elaborating” their understanding of the concept in question, or “drawing on their traditions in novel ways”, or “making a proposal for conceptual revision” (Rorty 1991, 101; Kuhn 1970/2013, 52; Lear 2006, 65; Cappelen 2018, 30). I certainly do not want to deny that these formulations are suggestive and important, and in fact I will discuss them at various points in this dissertation. But these accounts of the metalinguistic activity of conceptual articulation rarely move beyond these figurative and ultimately elusive descriptions. Now these philosophers did not have in mind the specific aims I do in this dissertation, and so not providing a fully developed account of this phenomenon should not be held against them necessarily. But once we are trying to analyze this phenomenon head on, we should push ourselves to cash out such metaphors, to tackle the question of what exactly it is for a speaker to “rewave” or “elaborate” or “propose” an understanding of a concept. This dissertation represents a sustained effort to spell out in detail what this metalinguistic activity of conceptual articulation involves.
Among existing formulations in the philosophical literature, the most suggestive, in my view, comes from Nelson Goodman in *Ways of Worldmaking*. Towards the end of the book, in a moment of reflection on his own philosophical methodology, he writes:

Every so often a critic of one of my writings complains that on some topic I ‘state without argument that…’. A particular example I vaguely remember from somewhere reads something like: “Goodman states without argument that the core of representation is denotation.” This led me to reflect on why I made so crucial a declaration without argument. And the reason is that argument in any sense that involves inference from premisses would be utterly inappropriate here. In such a context, I am not so much stating a belief or advancing a thesis or a doctrine as proposing a categorization or scheme of organization, calling attention to a way of setting our nets to capture what may be significant likenesses and differences. Argument for the categorization, the scheme, suggested could not be for its truth, since it has no truth-value, but for its efficacy in worldmaking and understanding. An argument would consist rather of calling attention to important parallels between pictorial representation and verbal denotation, of pointing out obscurities and confusions that are clarified by this association, of showing how this organization works with other aspects of the theory of symbols. For a categorial system, what needs to be shown is not that it is true but what it can do. Put crassly, what is called for in such cases is less like arguing than selling (1978, 129).

Goodman tell us that the speech act he is carrying out when he articulates how he understands a particular concept (such as the concept of representation) does not aim at “truth” because it does not primarily involve “stating a belief”. Instead, this act is valuable in terms of its “efficacy”, in terms of “what it can do”, for our understanding of the world and for building a world we want to inhabit. But what is this mysterious speech act exactly? If it plays such a central role in philosophical inquiry – and indeed in any context where speakers articulate how to understand concepts – then we should have some account of this act that systematizes its various features and compares it to other things we are able to do with words. This dissertation is an attempt to do just that.

The second general observation I want to make here involves a methodological question that arises for the project of this dissertation, one that has remained in the back of my mind throughout. There is always a concern that positing a novel philosophical category or bit of terminology as a way to help address a long-standing philosophical problem risks serving as a *deus ex machina* that only re-names, rather than advances our understanding of, the target problem. A version of this worry is
brought out in a characteristically biting form by Nietzsche. At the beginning of *Beyond Good and Evil*, Nietzsche gives his diagnosis of key prejudices and flaws in the work of various major figures in Western philosophy. When he arrives at Kant, Nietzsche derisively points to what he views as the vacuous explanatory power of Kant’s critical, transcendental project: “‘How are synthetic judgments *a priori* possible?’ Kant asked himself – and what really is his answer? ‘*By virtue of a faculty*’ – but unfortunately not in five words” (1886/1989, 18). Kant’s purported philosophical innovation led to the “honeymoon of German philosophy…All the young theologians of the Tübingen seminary went into the bushes – all looking for ‘faculties.’ And what did they not find…[since they] could not yet distinguish between ‘finding’ and ‘inventing’” (18). This was “the eager rivalry of the younger generation to discover…‘new faculties!’” (18).

In this dissertation I want to be sure that I am not making an error parallel to these young neo-Kantians who fortuitously “discovered” various faculties that managed to solve seemingly all philosophical problems under the sun. I could easily imagine a version of Nietzsche’s criticism levelled at my project: “And how is conceptual articulation possible? Well, by virtue of a speech act!” Nietzsche might return to his line from *Beyond Good and Evil*: “But is that – an answer? An explanation? Or is it not rather merely a repetition of the question” (18-19). In a less satirical vein, J.L. Austin warns of a similar temptation for philosophers, especially those inspired by his work: “Certainly there are a great many uses of language. It’s rather a pity that people are apt to invoke a new use of language whenever they feel so inclined, to help them out of this, that, or the other well-known philosophical tangle; we need more of a framework in which to discuss these uses of language” (1970, 234).

My hope is that I am not making the misstep Nietzsche and Austin warn against. While I think it is a mistake to dismiss the importance of naming a phenomenon as a philosophical contribution, my goal in this dissertation is not only to say *that* there is the phenomenon of
conceptual articulation that is worth talking and thinking about, but to analyze precisely what this phenomenon consists in. I do this, in part, by placing my account within the kind of broader “framework” in Chapter 3 that Austin views as necessary for avoiding otherwise all-too-easy invocations of a “new use of language”. But, more generally, I do this by trying to avoid only gesturing at or figuratively describing the phenomenon of conceptual articulation that is my target. I aim to offer a philosophical account of this phenomenon that treats it both in-depth and in demystified terms. Whether the project succeeds in escaping this and other worries, I leave of course to the judgment of readers.
CHAPTER 1

In this first chapter, I delve deeper into the philosophical discussion surrounding deep disagreement and the epistemological ramifications of such disagreement. In the first section, I take a closer look at what it means for a disagreement to count as “deep” rather than not – a distinction I was only able to gesture at in the introduction. I argue that deep disagreement should be understood as turning on conflicting understandings of certain concepts – specifically, concepts that play what I will call, following Michael Friedman, a “constitutive” role (2001; 2010; 2011). Among other advantages of this approach, I will argue that it helps to explain why our reasons appear to run out when we find ourselves mired in deep disagreements. The account therefore explains speaker phenomenology in these contexts, but leaves open the question of whether deep disagreements are in fact rationally evaluable.

After presenting this account, I turn in the second section to the first of two dominant strategies for tackling the epistemological challenge posed by deep disagreement – Epistemic Conservatism. The Epistemic Conservative aims to show that the claims speakers make in the context of deep disagreement can be handled according to the same epistemic standards and practices we have for assessing any claim about the world. The challenge the Conservative faces is that it is far from obvious that disagreements over how to understand the categories we utilize for making sense of the world can be assessed in the same way as disagreements that make first-order truth claims about the world. In section three, I turn to a second approach for addressing the epistemological consequences of deep disagreement, which I call Epistemic Rejectionism. The Rejectionist argues that we cannot meaningfully invoke “justifications” or “normative reasons” for defending our understanding of the concepts that matter most to us – a position that represents an enormous bullet to bite. In section four, I turn to a view that attempts to carve out a middle-ground between Conservatism and Rejectionism, but that finds itself vulnerable to challenges similar to
those facing both views. In the fifth and final section of the chapter, I show that much of this
discussion is framed and ultimately skewed by a specific picture of what speakers are doing when
they engage in deep disagreement. The assumption underlying this picture is that we should interpret
the metalinguistic activity of speakers engaged in deep disagreement through a declaratival lens:
either these speakers are issuing truth claims, or they are not engaged in rationally evaluable speech
acts at all. I argue that a richer account of the pragmatics at stake in these disagreements may be able
to offer us epistemic options beyond those provided by Epistemic Conservatism and Rejectionism
(as these views currently stand).

I. Clarifying deep disagreement

a. Fogelin’s account of deep disagreement

Suppose I disagree with a friend over who directed a certain film. We nonetheless both agree
that we can check a particular source to resolve our disagreement. Fogelin distinguishes such cases
of routine disagreement from what he calls “deep” disagreement (1985). Deep disagreements,
according to Fogelin, are those where there is no consensus on how the disagreement can be
resolved. This lack of consensus arises because deep disagreement proceeds uniquely “from a clash
in underlying principles. Under these circumstances, the parties may be unbiased, free of prejudice,
consistent, coherent, precise and rigorous, yet still disagree” (5, emphasis mine). If deep
disagreements are in part distinguished by the fact that they concern speakers’ commitments to
different “underlying principles” and, as such, the speakers involved have no agreed-upon grounds
for resolving their disagreement, then Fogelin thinks that we must accept the inevitable conclusion
that “there are disagreements, sometimes on important issues, which by their nature, are not subject
to rational resolution” (7).
Deep disagreements therefore turn on what Fogelin variously calls “underlying principles” and “framework propositions”, but, as others have pointed out (e.g., Feldman 2005), Fogelin never makes clear exactly what he means by these different categories. To get a sense of what Fogelin has in mind, it is worth considering the specific examples of deep disagreement he cites in his discussion. Although Fogelin himself does not emphasize this detail, his two main examples concern how a particular concept is to be understood – the concept of moral standing. Fogelin asks us to consider disagreements over whether the practices of affirmative action and abortion are morally right where the parties to the disagreement agree on the relevant empirical facts and even generally agree on “moral issues” (5). They nonetheless disagree on the question of the morality of the practice. This is because, Fogelin tells us, after the parties cycle through the various considerations they take to count in favor of their view, they find that their “dispute is, in fact, one concerning” how to understand “moral standing” (7). In the affirmative action disagreement Fogelin imagines, “[t]he anti-quota argument rests on the assumption that only individuals have moral claims. The pro-quota argument rests upon the assumption that social groups can have moral claims against other social groups” (7). They are therefore at odds over whether the concept of moral standing applies to social groups as well as individuals. Fogelin takes the exchange to illustrate his general conclusion regarding deep disagreement: “Is there any way of adjudicating a clash of this kind? I confess that I do not see how” (7).²

In (b) of this section, I pursue this common thread in Fogelin’s examples and sharpen the notion of deep disagreement by arguing that these disagreements are helpfully thought of as turning

² Unlike Fogelin, I do not think the debate over affirmative action turns on the question of whether groups can have moral standing. (I think questions concerning the nature of equality, racial justice, and oppression are much more plausibly at stake in these disagreements.) But what I am interested in here is the fact that Fogelin’s examples of deep disagreements are all disagreements over how to understand a concept. This is an important clue for arriving at a more precise account of deep disagreement generally, even if we disagree with Fogelin’s treatment of specific cases. I give my own detailed example of a deep disagreement (PH) below.
on conflicting understandings of a concept or concepts. In (c), I then argue that it is a specific subset of conceptual disagreement that most clearly corresponds to instances of deep disagreement.

b. Deep disagreement and concepts

Fogelin does not himself acknowledge this point, but it is not a coincidence that the examples he cites of deep disagreement both end up turning on the question of how a concept is to be understood. I want to suggest that we are well-served by construing deep disagreements as disagreements over how to understand concepts because this approach gives us a clear diagnosis for why our reasons appear to run out when faced with such disagreements. Before making this case, however, I first need to clarify both the sense of “concepts” and “reasons” I will rely on in the subsequent discussion.

There is a growing skepticism among philosophers about the language of ‘concepts’. In Herman Cappelen’s (2018) book-length treatment of conceptual engineering, for example, he surprisingly eschews talk of concepts – which he views as fundamentally confused – and opts instead to refer to the engineering and amelioration of our “representational devices”. I do not happen to find the notion of ‘representation’ any less fraught than the notion of a ‘concept’. (Of the two, ‘representation’ in fact strikes me as more suspect.) But in keeping with the terminological choices of most of the philosophers I will be discussing, I will refer to concepts in this dissertation.

Concepts, as I will understand them, can be expressed by – but are not the same as – word strings. They are, in the broadest sense, cognitive phenomena that allow us to make sense of the particular entities we encounter. How do they do this? I default to an inferentialist vocabulary for glossing concepts and conceptual content to explain how concepts facilitate our understanding of entities we encounter. I understand a particular entity, on this broad inferentialist picture, when I draw certain inferences concerning it. If I apply the concept of red to a certain visual experience, for
example, I can or will infer that this experience is one that involves a color. Conversely, if a speaker fails to draw certain key inferences when invoking a concept, we often deny that the speaker is a competent user of the concept. For example, I will deny that someone understands the concept of red if they refuse to draw the inference that a red object has a color.

I will have more to say about the kind of inferentialism I favor throughout the dissertation. But two further clarifications are important here. The first is that while there is no need to wade into questions of competing views of inference for the purposes of this discussion (since I adopt the inferentialist vocabulary mainly as a strategic device for providing further specificity and clarity for references to conceptual content below), I want to point out that inferences need not be consciously rehearsed or accessible by an agent in order for them to count as possessing a particular concept. Robert Brandom is helpful on this point: “To grasp or understand a concept is…to have practical mastery over the inferences it is involved in – to know, in the practical sense of being able to distinguish, what follows from the applicability of a concept, and what it follows from” (1994, 89). If grasping or understanding a concept only requires this “practical mastery” over the relevant inferences, then it is not necessary that a speaker be able to consciously articulate this inferential structure – even on reflection – to count as a genuine user of the concept. As long as we have the relevant know-how to deploy the key inferences implicated by a particular concept, we can count as a competent user of the concept according to this Brandomian view, which I also share; our ability to articulate our knowledge-that the concept in question has a specific inferential structure is therefore not required.

Second, and relatedly, because I think our capacity for stipulation equips us with the linguistic autonomy to deviate from or revise a dominant understanding of a concept, I view any inferences speakers associate with a concept as in principle revisable. This means that there is no
“core” or “determinate” set of inferences I think a speaker must associate with a given concept in order to count as utilizing that concept. I address this point in detail in Chapters 3 and 4.

By ‘normative reasons’, I have in mind the now standard view of normative reasons as considerations that count in favor of an action or belief (e.g., Scanlon 1998). By ‘count in favor’, I mean that they serve to justify the action or belief in question. A normative reason, then, is a consideration or set of considerations that justifies an action or belief. Normative reasons are typically contrasted with “motivating” and “explanatory” reasons. Motivating reasons are understood as “the reasons why – or for which – someone does something” regardless of whether they justify the action or belief in question (Fogal 2016, 75). Explanatory reasons are “the reasons why something is the case”, i.e., the reasons why someone takes the action they do or has the beliefs they do (75). I take this account of normative reasons for granted in the subsequent discussion because little will hang on further views someone might have about how to further characterize normative reasons or their relationship to other kinds of reasons.

With these terminological clarifications in hand, let’s return now to the discussion of deep disagreement. I said above that it is not a coincidence that when Fogelin gives specific examples of deep disagreement, these examples turn on the question of how a concept is understood. This is because there is a close link between normative reasons – reasons in favor of holding a belief or carrying out an action – and the concepts we have. One can only have a normative reason to \( \Phi \) or a normative reason to believe \( p \) if one also has the relevant concepts implicated in the act of \( \Phi \)-ing or in the proposition \( p \). If I encounter, say, a car but have no corresponding concept of a car, it is unclear in what sense I could be said to have a reason to treat it as such. I might of course have a reason to acquire the concept of a car, and post-acquisition of the concept, I will then have a reason to treat the object as a car. But prior to the acquisition, I simply have no such normative reason because I lack the concept in question that could give me this reason.
This close link between concepts and normative reasons is particularly apparent in the cases of deep disagreement analyzed in the literature influenced by Kuhn’s work on scientific revolutions. Bas van Fraassen sums up the questions this literature addresses and his own view as follows: “How are we to understand scientific and conceptual revolutions? Are there really such radical, deep-going changes as philosophers such as Norwood Russell Hanson, Paul Feyerabend, and Thomas Kuhn described? I can state my response quite simply. Yes, there are such changes” (2002, 64-65). Van Fraassen also contends that “[w]e should not think of these conceptual overturnings as peculiar to the empirical sciences. There have been great changes in our conception of what it is to be a person, or conscious, or moral” (70). The challenge posed by such “conceptual overturnings” for philosophy is that, if they are genuinely revolutionary, then they will (and do) show up to us as “irrational”, “absurd”, or “nonsensical”; how, then, could such proposals ever be rationally endorsed? Van Fraassen helpfully describes a crucial temporal dimension to the epistemological challenge posed by these cases: “[They] are characterized by a remarkable historical asymmetry. From the posterior point of view, the prior can be made intelligible and the change ratified. From the prior position, however, the posterior view was absurd and the transition to it possible but incapable of justification” (65). That is to say, retrospectively, after we have acquired the relevant concept or set of concepts, we may well feel – and often do – that this was not only a fully intelligible proposal, but the correct view. Prospectively, however, prior to acquiring the proposed concepts, it is unclear how we could ever have the necessary normative reasons for making the transition to the novel view that we lack the necessary concepts to make sense of.

Consider, for example, William Magie’s 1912 Presidential Address to the American Association for the Advancement of Science that van Fraassen cites. Magie entreats proponents of Einstein’s special theory of relativity as follows: “A theory becomes intelligible when it is expressed

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3 I cite a different excerpt from Magie than van Fraassen. Van Frassen’s discussion of Magie can be found on (2002, 68).
in terms of the primary concepts of force, space and time. When a physical law is expressed in terms of those concepts we feel that we have a reason for it, we rest intellectually satisfied on the ultimate basis of immediate knowledge” (1912, 293). How then can this view be endorsed “until [these scientists] succeed in explaining the principle of relativity by reducing it to a mode of action expressed in terms of the primary concepts of physics?” (293). Prospectively, Magie is not willing to make the transition because the view in question departs from the reigning understanding of the relevant “primary concepts” and so he and other researchers do not have a “reason” for making the transition. Retrospectively, however, once the revised understandings of these concepts became widespread, “within a very few years [researchers] relinquished that opposition to relativity” (van Fraassen 2002, 68).

Whatever one thinks of this Kuhn-inspired line of thought and the treatment of this case, van Fraassen’s discussion makes the connection between normative reasons and concepts clear: absent the relevant concepts or shared understandings of these concepts, I seem to lack corresponding normative reasons to endorse a view that implicates these concepts (or novel understandings of these concepts). In light, then, of Fogelin’s own examples, the general considerations concerning normative reasons I have raised, and the considerations that arise in the parallel literature concerning cases of (purportedly) radical conceptual change, I suggest that we focus our attention on cases of conceptual deep disagreement. This approach offers us a more precise way of understanding why deep disagreement seems to pose a unique epistemological challenge than the “principles” and “propositions” about which Fogelin tells us little.

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4 An approach to deep disagreement that Godden and Brenner (2010) also take.
5 To be clear, I am not committing myself to the strong claim that deep disagreements only ever involve conceptual disagreements. But for the purposes of sharpening the epistemological challenge posed by deep disagreement, I think we are well served by focusing on cases where we do not share an understanding of the concept in question with our interlocutors. When we do not have the same understanding of the concept, it may well seem that we do not have the corresponding normative reasons this understanding generates for its users.
c. Deep disagreement and concepts that play a constitutive role

In the previous section, I forged a link between deep disagreements and concepts, arguing that deep disagreements are usefully understood as conceptual disagreements. Now I want to further specify the kinds of conceptual disagreements that are relevant to deep disagreement. To do this, I adapt Michael Friedman’s account of the “constitutive” role or function of certain concepts in inquiry. Friedman’s notion of a constitutive role for concepts is, in my view, well-suited to help clarify the distinction between deep and non-deep disagreement.

While I have argued so far that deep disagreements are usefully understood as disagreements over how to understand concepts, this does not imply that all conceptual disagreements should be thought of as deep disagreements. Some conceptual disagreements clearly do not demonstrate the kind of apparent justificatory exhaustion Fogelin and others are interested in. Consider the following two cases:

**Shoulder Roll (SR):** Nora and Debbie are training together at a boxing gym they have been attending for several years. They are discussing whether or not the “shoulder roll” in boxing is a purely defensive maneuver or whether it also has an offensive component. Debbie says the shoulder roll is purely defensive because its purpose is to help a fighter avoid punches and because it is associated with the sport’s best defensive boxers. Nora says that it also has an important offensive component because it allows the boxer to counter missed punches especially well. They decide they will ask their trainer to settle the debate. Their trainer tells them that Nora is right: the shoulder roll also has a crucial offensive component because it sets up counter punches effectively. This is why many professional boxers who have employed the shoulder roll effectively have also been very good offensively as well as defensively. Nora nudges Debbie, who concedes that she was wrong.

**Personhood (PH):** Expert legal theorists Peter and Linda have just heard that an animal rights group is arguing before a court that a chimpanzee is being wrongly imprisoned in a research facility – an argument that will require showing that the chimpanzee counts as a person. Peter explains that he has a great deal of sympathy for the position of the animal rights group. The chimpanzees clearly are persons, he says. “[I]n science fiction movies,” Peter points out, “we have no difficulty in grasping that aliens like the extraterrestrial in ‘E.T.,’ or the Na’vi in ‘Avatar,’ are persons, even though they are not members of the
species Homo sapiens” (Singer 2014).\textsuperscript{6} To be a person, Peter says, is simply to be something that is capable of feeling pain and capable of at least a certain degree of thought. Linda says that this view cannot be right. She and Peter have argued about the moral status of nonhuman animals many times before, and Linda says that if Peter is right and chimpanzees and many other nonhuman animals are persons, then we have a moral obligation to protect them in the way we would any other person – by, for example, providing them with healthcare. But actively intervening in the wild to protect chimpanzees and other nonhuman animals is absurd, Linda argues. To be a person, she adds, is to be capable of sophisticated, reflective thought and deliberation. Nonhuman animals are therefore ruled out. Peter says that Linda’s view also rules out human beings who have severe cognitive disabilities. She says she is willing to accept this consequence because the alternative is Peter’s view, where we have to intervene in the lives of nonhuman animals in unacceptable ways.

In SR, Nora and Debbie are engaged in a conceptual disagreement, but it is not deep. They begin with different understandings of the concept of the shoulder roll: for Debbie, it is a purely defensive maneuver, while for Nora, it also has an important offensive component. But they have an agreed-upon method for resolving their disagreement: they will check in with the experienced expert in this area who can settle the question of how the concept is to be understood. Such an agreed-upon method for resolving the disagreement means Nora and Debbie’s disagreement does not count as “deep” in Fogelin’s sense.

On the surface, PH similarly turns on the question of how a concept is to be understood – the concept of personhood. But there is no similarly obvious method or procedure for resolving the disagreement between Peter and Linda. Each takes themselves to be accurately representing the concept of personhood. They are both experts in the field, and neither takes existing collective usage to be decisive for making sense of the concept. Lack of an agreed-upon method for resolving a disagreement, however, would not be sufficient for the disagreement to count as deep. There might,

\textsuperscript{6} The character of “Peter” here is of course based on Singer – hence the use of text from a piece of his – but I intend Peter to be taken as a fictional legal theorist for the purposes of the case and not as the real-world philosopher. (Making Peter and Linda legal theorists is intended to make clear that the kind of conceptual disagreement at stake in PH is not the exclusive province of philosophers, as McConnell-Ginet (2006), Plunkett and Sundell (2013), Thomasson (2017), and Cappelen (2018) have argued. I return to this issue in both Chapter 3 and 4.)
for example, be no agreed-upon method for resolving a disagreement over a concept whose importance is nonetheless trivial to both speakers. In order to distinguish deep from non-deep disagreements, then, we have to consider what generates this lack of an agreed-upon method – its source. Fogelin tell us that deep disagreements stem “from a clash in underlying principles”. The fact that the concept of personhood plays a specific, seemingly fundamental role in how Peter and Linda make sense of a particular domain (here, moral and political life) is therefore what seems to generate the lack of an agreed-upon method and so what makes their disagreement count as deep. 

But we now face the question Feldman raises: what does it mean exactly for a concept to play a “fundamental” role in how we make sense of a certain domain? Here Michael Friedman’s account of the “constitutive” role or function of specific commitments in inquiry can be particularly helpful. In Dynamics of Reason, Friedman is concerned to argue against what he views as the orthodoxy of Quinean epistemological holism in philosophy of science (2001). Our commitments are not distinguishable only in terms of their proximity or distance from the “tribunal” of the empirical world, as Quine argues; they often have fundamentally different roles or functions that they play for us (Quine 1980, 41). Friedman develops an alternative neo-Kantian and neo-Carnapian view according to which certain commitments play the role of enabling the very possibility of various empirical judgments. Friedman calls these commitments “a priori constitutive principles”, but, unlike for Kant, Friedman’s principles are dynamic, changing over time.

I cannot do justice to Friedman’s full account here. What I want to adapt for the purposes of this discussion is Friedman’s view that certain commitments can play a “constitutive” role in inquiry. As I will understand it, a commitment is constitutive if it indicates how “the meanings of the [key] terms of any paradigm or framework” should be understood (2001, 60). Audrey Yap, who similarly advocates for a neo-Carnapian distinction among constitutive and non-constitutive roles for our commitments, explains that an understanding of a concept that plays a constitutive role “does not
just mean [it is] ‘more epistemically entrenched.’ The constitutive…principles are those upon which the very meanings of other sentences in the language depend” (2010, 446).

A concept that plays a “constitutive” role, as I will understand it, helps to define how other key concepts or terms of that inquiry are to be understood and how further, less fundamental concepts or terms implicated in that inquiry are therefore also to be understood. With these constitutive concepts defining the inquiry’s key vocabulary, first-order empirical claims become felicitous and intelligible. These claims count as ‘first-order’ because they utilize, but do not define the key concepts or terms at stake in the claim, as opposed to the ‘higher-order’ function of concepts that play a constitutive role. For example, in the context of aesthetic judgments, the concept of art can be said to play a constitutive role. If I understand the concept of art as picking out objects that aim to be beautiful and represent the world accurately, then this will affect how I make sense of further downstream concepts, such as good and bad art or different genres of art. Given this constitutive understanding of art, I will also be able to make first-order judgments about, for example, what does or does not count as a work of art.

A feature of Friedman’s account I want to highlight here is that it allows us to appreciate the distinction between the role a commitment plays that is separate from the content of that commitment. This is a crucial point because, as I see it, this distinction is compatible with Quinean skepticism of analyticity. The fact that there are constitutive roles that commitments can play does not entail that any particular content must play this role: different content can be swapped into and out of these roles at different times and for different reasons – which is precisely why Friedman argues for a “dynamical” account of constitutive principles. In this sense, because Friedman’s account does not say that any particular content must occupy a constitutive role, it does not covertly
smuggle in a conception of analyticity that good Quineans ought to reject. Friedman thus preserves the notion that there are meaning-constituting roles that certain of our commitments play without endorsing the idea that any particular commitment or content must, analytically, play this role. I want to highlight this point because the view I defend, especially in Chapters 3 and 4, is that the speech act of stipulation is what equips us with the necessary linguistic autonomy to “swap” or “move” different content into and out of constitutive roles. More specifically, I will argue that stipulative acts allow us to establish different or novel inferential connections for understanding those concepts that play a constitutive role for us.

This notion of a “constitutive” role that concepts can play provides us with a helpful way of more precisely identifying what distinguishes deep from non-deep disagreement. Consider, in this light, the disagreement in PH. Plausibly, the concept of personhood plays a constitutive role for both Peter and Linda in how they make sense of moral and political life. It allows them to make meaningful first-order truth claims about particular cases – for example, that a chimpanzee does or does not count as a person. We can also easily imagine that their respective understandings of personhood in part determine how they understand other concepts they use to make sense of moral or political life but which do not play the same constitutive role as the concept of personhood – such as, say, the concept of vegetarianism. How Peter and Linda understand vegetationism – whether, for example, they think it corresponds to an ethically obligatory practice – will be downstream from, and informed by, how they understand the concept of personhood. By contrast, Nora and Debbie’s disagreement concerning the concept of a shoulder roll is circumscribed: it does not affect their judgment that they have the same understanding of the sport and the vast majority

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7 Friedman also emphasizes this point: “Carnap is able to accept the basic idea lying behind Duhemian holism without dissolving the desired distinction between conventional and factual, constitutive and empirical” (1999, 70). I came across this passage thanks to Yap’s citation of it in her (2010, 445). I return to the question of analyticity in Chapter 3.
of concepts and practices that make up the sport. This concept does not plausibly play a constitutive role for them.

That the concept of personhood plays a constitutive role for Peter and Linda also explains why they would have no agreed-upon method for settling their disagreement and why their normative reasons might appear to run out in the course of their disagreement. Because the concept of personhood plays this constitutive role in making sense of moral and political life for these speakers, there is no clear further commitment to appeal to in order to move one another. Their understanding of other concepts for making sense of moral and political life will be informed by their understanding of personhood, and their other commitments within this domain will be downstream from their understanding of these concepts. This is why, for example, Linda’s point that the positive provisions owed to persons should preclude nonhuman animals from this category does not move Peter: it reflects an understanding of persons he does not share, and so he ascribes far less weight to this consideration. The same holds for Peter’s emphasis on the shared capacities of humans and nonhuman animals. These are not the capacities reflected in Linda’s understanding of personhood, and so she remains unmoved. Their disagreement is therefore deep because it concerns a concept that plays a constitutive and so fundamental role in their sense-making practices within this domain. There is no further, “more” constitutive concept or commitment either speaker can appeal to in this context to move the other, and so their reasons appear to run out. Peter and Linda therefore seem to simply dig in their heels and insist that personhood be understood as they understand it; they seem to be at an epistemological deadlock.

There are two clarifications about the approach to deep disagreement I have recommended in this section that are important to mention at this point. First, I do not want to give the impression that each speaker’s inferential life consists in anything like a pristinely regimented structure – where there are, say, a determinate number of concepts playing constitutive roles, another determinate
number occupying various non-constitutive roles, and a determine set of corresponding commitments that do not concern concepts at all but are first-order claims. First, I am with Friedman in thinking that we need a dynamic account of how our commitments shift over time, and this dynamism will make any such mapping for any particular speaker or community always provisional. Second, no matter how reflective an agent might be, simply given the constraints of our cognitive and epistemic resources, it cannot be the case that we have investigated all of our commitments and intentionally placed them into a determinate role where they, in turn, have only a precise, circumscribed impact on our other commitments. In fact, that there is any determinate organization to our commitments may well be an artifact of exchanges such as cases of deep disagreement where we are put in the position of giving our commitments a more determinate organization. Of course, in some cases, there will already be an antecedent determinate structure to our commitments, but it is likely that these exchange or disputes are what prompts an agent to introduce structure to their commitments that was not there previously.  

With these caveats in place, we might start to worry that the notion of a constitutive role for a concept is too slippery to be useful. But this worry would be overblown. What I am suggesting with these qualifications is only that we take care when switching from a certain Quinean picture of the structure of our commitments to one closer to the Kantian-Carnapian-Kuhnian picture that Friedman suggests. As Friedman puts it: “In place of the Quinean figure of an holistically conceived web of belief…I would like to suggest an alternative picture of a thoroughly dynamical yet nonetheless stratified or differentiated system” of commitments (2001, 45). It is this “stratified or

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8 Also relevant here is that I have often talked so far of one’s commitments with respect to a certain “domain”. I have left my formulation of the notion of a domain quite vague. This is intentional. I do not want to commit myself to any specific carving up of our activity that gives the impression that this categorization is not itself equally subject to change and revision over time. “Domains,” as I want to understand them, are contextually defined, such that, in certain circumstances, we can talk about the domain of boxing and the concepts we bring to bear on understanding this sport (and the relative status of these concepts as constitutive or not), whereas in other contexts we may talk about the domain of sports in general or the domain of practical versus theoretical activity, and so on.
differentiated” vision of the structure of our commitments – where commitments differ in terms of
the role or function they play – that can be particularly useful for illuminating the phenomenon of
deep disagreement. This picture is useful, I am suggesting, even if we must be careful to keep in
mind that this “stratified or differentiated” structure is not as neatly or simply organized as we might
like.

Second, I have emphasized throughout my discussion that my account can explain why it
appears to speakers that their normative reasons run out in the context of deep disagreement. The
reason I use this language is that I want to emphasize that my account only aims to explain speaker
phenomenology here, but does not necessarily aim to vindicate it. Chris Ranalli helpfully points out
that we should not endorse an understanding of deep disagreement according to which such
disagreement is necessarily rationally irresolvable “because it’s an open and interesting question
whether deep disagreements are rationally resolvable…Presumably, it requires a non-trivial argument
to show” that these disagreements cannot be rationally resolved (2018, 3). Although my account
offers an explanation of why it would appear to speakers that their normative reasons run out in the
context of deep disagreement – i.e., because they are disagreeing over how to understand a concept
or concepts that play a constitutive role for them – the account is silent on whether speakers’
normative reasons have in fact run out in this context. It may not be obvious what other sources of
normative reasons speakers might point to in order to justify their understanding of the relevant
concepts on my account (hence, the appearance of justificatory exhaustion), but the difficulty of this
epistemological task does not entail that these reasons therefore do not or cannot exist. To make this
distinction clear in the subsequent discussion, let’s call someone who is convinced that our
normative reasons in fact run out in the context of deep disagreement ‘the insolubility defender’. My
account of deep disagreement certainly offers grist for the insolubility defender’s mill, but it also
does not settle the question of the epistemological challenge posed by deep disagreement in favor of their view (or against it, for that matter).

Let me summarize the discussion so far. I have suggested that we take deep disagreements to turn on concepts because this gives us a clearer sense of why reasons appear to run out when we encounter these disagreements. We seem to lack normative reasons for shifting our understanding of a concept if we do not have a shared understanding of this concept with our interlocutor or if we are not yet in possession of the alternative concept being proposed. I then pointed out that further nuance is called for here because, as the contrasting SR and PH cases show, not all conceptual disagreement is deep disagreement. Deep disagreement, I argued, can usefully be viewed as disagreement over how to understand concepts that play a constitutive role for speakers. Our reasons therefore appear to run out in cases of deep disagreement because we have different understandings of what the constitutive concept in question consists in. In disagreeing over a concept that plays a constitutive role, speakers cannot obviously appeal to any further grounds to resolve their disagreement and therefore face the serious epistemological challenge to which Fogelin draws our attention.

II. Epistemic conservatism

With this clarification of deep disagreement in hand, we can now turn to the dominant philosophical views for approaching the apparent epistemological challenges posed by such disagreement – Epistemic Conservatism and Epistemic Rejectionism. The Epistemic Conservative argues that, regardless of how deep disagreements phenomenologically show up to speakers from the inside, we should not be misled by these experiences to conclude that we thereby lack normative reasons to defend our views. According to the Conservative, the wide-ranging consequences of a
proposal do not change the fact that we can epistemically assess this proposal in the way we would any other claim or set of claims made about the world.

I borrow the terminology of ‘conservatism’ here from Bas van Fraassen, who describes a “conservative” approach that discerns “a purely rational, rule-governed hidden process underlying…the endorsable changes in science. That conservative view would relegate trauma and discontinuity to the realm of appearance alone” (2002, 66). According to this approach, we should not over-estimate the significance of first-person reports where inquirers describe communication breakdowns and other forms of epistemic disorientation during periods of conceptual change. The temptation is to extrapolate from such reports that there really is an irreconcilable epistemic “discontinuity” among inquirers and therefore a corresponding sense in which rationality breaks down in these cases.

How, then, should we epistemically address cases of deep disagreement according to this approach? Richard Feldman provides a representative account of what I take to be the Epistemic Conservative’s approach to deep disagreement:

Either one’s overall evidence supports the proposition [at stake in a deep disagreement], or it goes against the proposition, or it is neutral. If this is right, then framework propositions have a rational status for individuals. Belief, disbelief, and suspension of judgment are the epistemically appropriate responses. In that case, however, people who disagree about a framework proposition can compare their evidence and, if they are rational, come to an agreement about it. As a result, there is a rational resolution of their disagreement available. Of course, it may be that suspension of judgement is the proper resolution, and thus, though there is a rational resolution of their disagreement, there may be no resolution of the issue (2005, 19).

The Epistemic Conservative argues that we should evaluate the claim or claims at stake in a deep disagreement in the way we would any other claim about how the world is: either our evidence supports the claim and so we should believe it, our evidence does not support the claim and so we shouldn’t believe it, or, if the evidence is not decisive one way or the other, we should suspend judgment concerning the claim. The fact that the content of a claim at stake in a deep disagreement may be disorienting for inquirers because of its radical import does not change the fact that it is still
a truth-apt claim about the world that should be evaluated as such, i.e., according to our best
epistemic practices for gathering evidence about the truth or falsity of a claim. The Conservative
must be committed to some version of this view because if there is any instance of deep
disagreement that is not appropriately subject to this kind of assessment, then the insolubility
defender will win out: there will then be cases where we lack normative reasons for believing,
disbelieving, or holding any view with regard to commitments of fundamental importance.

Now it is important to note that how I construe deep disagreement in the first section of this
chapter – as turning on conflicting understandings of concepts that play a constitutive role for the
speakers – is not necessarily the sense of deep disagreement Feldman has in mind in the above
passage. We have already seen why this is the case: in section (Ia) I referenced Feldman’s claim that
he is not exactly sure how to make sense of what Fogelin calls “framework propositions”. This was
why I advanced my conceptual reading of deep disagreement. I argued that my reading gives us the
clarity we need to properly assess what distinguishes deep disagreement and what its consequences
might be. But now consider the Epistemic Conservative’s approach to deep disagreement in this
light. The Epistemic Conservative is saying that “[b]elief, disbelief, and suspension of judgment are
the epistemically appropriate responses” to the question of how a concept that plays a constitutive
role for speakers is to be understood. But, with this further clarification in mind, it is not at all clear
that these responses are appropriate in this context.

This is because deep disagreements, as I am construing them, do not concern what is the
case within the world; they concern how we will, and ought to, go on to make sense of the world.
On the standard philosophical picture of belief, however, doxastic categories are the wrong
vocabulary to address this kind of normative question. Here is a typical formulation: “Beliefs have a
‘mind to world’ direction of fit; they aim at fitting the world, at being true” (Price 1989, 120). There
is certainly evidence and facts we can cite concerning how speakers in fact understand and use a
concept or term, but this descriptive question is not the one at stake in deep disagreement. Speakers are arguing about how weought to understand the concept in question, not how we already do. This is particularly clear in cases where speakers are defending a novel understanding of the concept in question, one that speakers are already aware departs – perhaps radically – from how the concept is typically used or understood. The problem, then, is not just that any evidence we might invoke in the context of a deep disagreement risks being viciously circular (since such evidence will rely on the very constitutive concepts we are arguing about); the problem is that speakers engaged in deep disagreements do not seem to be defending views that “aim at fitting the world, at being true”. Speakers are arguing over how to make sense of the very categories (the constitutive concepts) that will allow us, once we have sorted out how to understand these categories, to then make truth claims about the world.9

Interestingly, Friedman himself reaches for a specific term to describe what speakers are doing when they attempt to articulate a novel understanding of a concept: he consistently refers to such acts as ones of researchers ‘elevating’, for example, “an empirical law to the status of a convention – or, as I myself would prefer to put it, to the status of a coordinating or constitutive principle” (2001, 102). Each time Friedman refers to ‘elevation’, however, he surrounds it in scare

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9 Feldman might push back against being taken to have this view of belief ascribed to him. But several points are relevant here. First, I am focused here on Epistemic Conservatism as a general philosophical view, rather than Feldman’s specific articulation of this view. Second, Feldman consistently refers to the content of deep disagreements in his (2005) in a way that is seemingly in line with this view of belief. Referring to Fogelin’s original example of a deep disagreement, Feldman writes, for example, that the question here turn on whether the claim “‘Groups have moral standing’ is true” (20). Third and finally, were Feldman to opt for a non-traditional, more capacious sense of belief here, it may be closer to the view I advocate for in Chapter 5 (that complicates any straightforward distinction between theoretical and practical reasons). If, then, you think I am being unfair to Conservatism in this chapter, hold fire. My own view of how to address the epistemological challenge of deep disagreement in fact ends up closer to Epistemic Conservatism than Epistemic Rejectionism.

10 It is striking how close Friedman’s view is here to many of Wittgenstein’s reflections in On Certainty. For example: “Isn’t what I am saying: any empirical proposition can be transformed into a postulate – and then becomes a norm of description” (1969/1972, §321, 41e). But Wittgenstein goes on to say, against any general account of such an act of ‘transformation’ (similar to the one Friedman gestures at and what I will call a stipulative speech act): “I am suspicious even of this. The sentence is too general. One almost wants to say ‘any empirical proposition can, theoretically, be transformed…’, but what does ‘theoretically’ mean here? It sounds all too reminiscent of the Tractatus” (41e).
quotes (e.g., 88, 90, 102). I do not think this is simply a stylistic flourish on his part. Friedman’s hesitation here points to a philosophical question he is struggling with: how exactly should we characterize the speech act a speaker is performing when they say they have a distinctive understanding of a concept, especially in cases where this concept plays a constitutive role for that agent? Friedman cannot construe the relevant acts exclusively as a series of assertions or truth claims because his view is that our constitutive commitments are what enable the felicity and intelligibility of truth claims in the first place; the speech acts proposing such commitments therefore cannot themselves only be truth claims – hence the need to reach for another term (“elevate”).

The problem, then, facing the Epistemic Conservative is that their attempt to treat instances of deep disagreement according to the same epistemic standards and practices that we would use to assess any truth claim about the world presupposes that what speakers are doing in both contexts has the same pragmatic structure – that the speakers are making claims that aim “at fitting the world, at being true”. But, first, this approach does not seem to help us with the epistemological challenge posed by deep disagreement. Reporting how we in fact use or understand a concept or term only seems to provide us with the kind of “spade”-turning, non-justification Fogelin and Wittgenstein are worried about: “This is just what concept X is”. But why ought we continue to understand it in this way?

Second, the Epistemic Conservative’s approach to deep disagreement seems to make something like a category mistake. Speakers are not making routine assertions here, even if the surface grammar of their utterances seems to suggest that they are. There are at least two reasons to question this assertoric reading of deep disagreement. First, conceptual disputes concern the very concepts/terms by which we go on to make assertions and truth claims, and so it is not at all clear – absent further argument or clarification – that the disputes can themselves involve speakers issuing a series of assertions. Second, we have good reason to think speakers are aiming to answer a
normative question when they engage in deep disagreement; they are aiming to understand how we should or ought to understand the constitutive concept in question. A doxastic vocabulary therefore seems to be the wrong one for making sense of what speakers are up to. If, however, the Epistemic Conservative’s invocation of our standard and best epistemic practices to handle instances of deep disagreement is misplaced, then the insolubility defender will argue that this supports their conclusion – that deep disagreements do not only appear to be, but in fact are rationally insoluble.\textsuperscript{11}

III. Epistemic rejectionism

At this point, the insolubility defender will likely insist that we should opt for one of their preferred positions for making sense of the epistemic consequences of deep disagreement – a position such as the one I will call ‘Epistemic Rejectionism’. The Epistemic Rejectionist claims that when concepts that play a constitutive role for us are challenged and alternative understandings of these concepts or alternative concepts are proposed, there is no meaningful sense in which we can say we have “reason” to abandon or retain one understanding over another or one set of concepts over another.\textsuperscript{12}

\textsuperscript{11} The third option Feldman outlines of suspending judgment does not seem to be a viable possibility on the Friedman-esque reading of deep disagreement I have suggested. If speakers are disagreeing over how to understand a concept that play a constitutive role for them, this concept will indicate how other non-constitutive concepts within this domain are to be understood and will allow for meaningful assertions to be made that utilize these concepts. To suspend how one will make sense of a constitutive concept is therefore not a seemingly viable possibility if one wants to continue to make any sort of claim within the domain in question. Something must occupy this constitutive role in order for inquiry within this domain to proceed. In the context of non-deep disagreements, we can of course suspend judgment (and should) if the evidence points equally in incompatible directions. It is also worth noting that in Chapter 5, the epistemic attitude I discuss of open-mindedness does not involve suspending judgment on one’s own view, but instead involves considering and allowing for the continued development of opposing views while also allowing for the continued development of and preference for one’s own view. In future work, it would be interesting to compare these two epistemic attitudes and reactions more closely.

\textsuperscript{12} I want to distinguish between the insolubility defender and the Epistemic Rejectionist for two reasons. First, one might think that deep disagreements are rationally insoluble without endorsing Epistemic Rejectionism, at least as I am explaining it here. Rorty’s Rejectionism, for example, openly and optimistically embraces the phenomenon of the rational insolubility of deep disagreement. Rorty thinks that recognizing that we cannot rationally justify our fundamental commitments should motivate us to abandon the theological project of getting at the world as it is, shorn of all human influence, in order to once-and-for-all legitimate our fundamental commitments. But one might well be an insolubility defender and lament the fact that deep disagreements cannot be rationally resolved. Second, the insolubility defender will be an important interlocutor for me in Chapter 5. The defender will continue to raise questions about the viability of my
Richard Rorty is an unabashed defender of Epistemic Rejectionism. For Rorty, “all reasoning, [whether] in physics [or in] ethics, is tradition-bound” (2000, 20). What counts as a reason for belief shows up to us as such as a result of the different communities we are inducted into (whether that is, for example, a scientific or moral community). We can, of course, revise and alter these commitments, but, Rorty claims, we can never step completely outside of these commitments to compare them to the world as it really is because they are what allow us to make sense of the world in the first place. Given that there is no such God’s-eye view we can occupy, then whenever we are evaluating a particular proposal for making sense of things, we are inevitably doing so in a way that is in part tied to the traditions we inherit. Again, there does not exist a tradition-free vocabulary we can translate all competing proposals into that would allow us to then weigh the advantages and disadvantages of each proposal and provide us with reasons to endorse one over another. Every such apparently neutral vocabulary and every such judgment is necessarily indexed to at least some existing set of traditions. This is especially clear, Rorty thinks, from the fact that epistemic criteria that attempt to transcend any particular vocabulary or tradition can only be made sense of when they are elaborated via a specific tradition. What counts as “parsimonious” or “accurate” or “consistent”, or whatever the purportedly universal criteria might be, will always depend on the particular tradition or traditions we inhabit: “A small part of [an inquirer’s] vocabulary is made up of thin, flexible, and ubiquitous terms such as “true,” “good,” “right,” and “beautiful.” The larger part contains thicker, more rigid, and more parochial terms, for example, “Christ,” “England,” “professional standards,” “decency,” “kindness,” “the Revolution,” “the Church,” “progressive,” “rigorous,” “creative.” The more parochial terms do most of the work” (1989, 73).

own preferred epistemological approach to deep disagreement and will raise these questions without necessarily endorsing the specific view of Epistemic Rejectionism.
Because all of our reasoning is “parochial” in this sense and we therefore do not have access to any tradition-transcendent vocabulary, there will inevitably be contexts in which our reasons run out, according to the Rejectionist. These will be contexts where our fundamental commitments within the traditions we inhabit are challenged and alternative commitments and views proposed. Because we cannot retreat to a neutral, tradition-transcendent perspective to evaluate these proposals and challenges, an inquirer will have “no noncircular argumentative recourse. Those [existing concepts] are as far as he can go with language; beyond them there is only helpless passivity or a resort to force” (73). I may of course change my commitments in these contexts, but when I do so, Rorty and the Rejectionist claim that it cannot be the result of my having “reason” to do so. My reasons stem from the tradition or traditions I inhabit. Because the proposal in question challenges my fundamental commitments with respect to these traditions, there is no sense in which I can have normative reasons for abandoning them and endorsing something else. I can causally make the transition, but normatively, I will never have any reason to do so: “[O]nce we raise the question of how we get from one vocabulary to another, from one dominant metaphoric to another, the distinction between reasons and causes begins to lose its utility” (48). Any view that endorses this repudiation of the vocabulary of rationality for evaluating potential changes to our constitutive concepts is a form of Epistemic Rejectionism.

The space of reasons, according to the Rejectionist, therefore has a fundamentally limited purview, and the space of causes has the final say. This causal story, however, does not require abandoning the view that there can be striking conceptual transitions or innovations. It entails only that we should not fall prey to the illusion that these transitions or innovations were endorsed as a result of anything have to do with (normative) “reasons”:

For genuine novelty can, after all, occur in a world of blind, contingent, mechanical forces. Think of novelty as the sort of thing which happens when, for example, a cosmic ray scrambles the atoms in a DNA molecule, thus sending things off in the direction of the orchids or the anthropoids. The orchids, when their time came, were no less novel or marvelous for the sheer contingency of this
necessary condition of their existence. Analogously, for all we know, or should care, Aristotle’s metaphorical use of *ousia*, Saint Paul’s metaphorical use of *agapē*, and Newton’s metaphorical use of *gravitas*, were the results of cosmic rays scrambling the fine structure of some crucial neurons in their respective brains (17).

The mechanical causes Rorty identifies here as responsible for the emergence of these novel ways of understanding should also be understood to include the enormously complex set of social and historical causes that happen to allow some views to catch on and others not. There has, in fact, been excellent philosophical work in recent years on the various social and cognitive mechanisms involved in shifting our understanding of concepts and our commitments over time. Nancy Neressian, Cristina Bicchieri, and Paul Thagard have all done substantial work on various causal processes that are involved in instances of conceptual and normative innovation (Neressian 1984 and 2008; Bicchieri 2006 and 2017; Thagard 1992 and 2012).

The Conservative, however, will push back against the Rejectionist’s insistence that we simply must accept that our reasons run out when we disagree over the commitments and concepts that matter most to us. For one, the notion that we do not have anything like normative reasons for taking up the commitments that matter most to us or for preferring them to possible rivals seems to indict *any* normative practice we might have – any form of saying we ought to act or think one way rather than another. There can simply be no decisive justification for acting or thinking in a given way if the vocabulary of rationality runs out. Rorty openly confronts these consequences: “I cannot take [morally repugnant views] seriously, but I do not think that there is anything self-contradictory in the Nazi’s refusal to take me seriously. We may both have to reach for our guns” (2000, 14). In turn, Rorty wants philosophers to stop what he views as the anti-naturalist project of searching for mysterious universal epistemic criteria that would somehow allow us to step outside of ourselves to directly compare our claims to the world.

The Epistemic Conservative will now point out that, in addition to the worryingly revisionary consequences of Rejectionism, few philosophers have been willing to follow Rorty down
this road. It is easy to appreciate why Rorty’s defense of Epistemic Rejectionism serves, for many philosophers, just as much as a *reductio* of the position: to say we ultimately have no reasons for taking up one view over another seems just obviously wrong. The Conservative will insist that given the consequences of Rejectionism we should endorse it *only* as a last resort, once we have exhausted all other philosophical options. The search for criteria of epistemic rationality that will cover all cases of deep disagreement may be a daunting task, but it is worth undertaking to avoid the disastrous consequences of Rejectionism.

**IV. A middle ground view?**

Bas van Fraassen attempts to take up a middle ground position with respect to the epistemic consequences of deep disagreement. On the one hand, he thinks the Epistemic Conservative downplays the challenge posed by instances of deep disagreement and the epistemically disorienting experience of hitting bedrock in attempting to justify our commitments. Such disagreements *do* pose a genuine challenge to rationality, on his view. On the other hand, he does not simply want to follow Rorty in biting the bullet and switching to a purely causal register to make sense of any shifts in our commitments in the face of deep disagreement. Van Fraassen thinks we can talk about the rationality of our decisions in these circumstances, but that to do so, we have to broaden our account of rationality.

His own account here, however, is unclear. He argues for a non-Quinean view of epistemology that takes into account the role of value judgments and emotion in arriving at rational, epistemic judgments. Once we appreciate this role for emotion in our epistemic lives, van Fraassen claims, we can begin to solve the puzzle:

There is a logical gap between the prior and the posterior epistemic states when they differ on what counts as intelligible. Something is needed to play a certain role in the transition...When emotion has the problem-transforming function that Sartre described, it plays precisely that role. Thus Sartre’s description gives phenomenological reality to that something. That something is not a postulated
hidden variable but something encountered in experience[...] Somehow, the emotional transformations we have envisaged change how one sees the outcome of conversion to the new world picture (2002, 108).

He takes up a similar line later in the book: “Hence the change that makes changes possible goes so deep that it foregoes any prior rationale. It is a change through (some analogue of) emotion, playing the role Sartre described, in which old values and views are let go” (151). Notice, however, van Fraassen’s hesitation here: “[s]omehow” this transformation that involves emotion – or “some analogue of” emotion – allows for a rational conversion to the novel understanding of the issue or domain in question. In addition to the account being quite vague here, it is also unclear how exactly it addresses the question of rationality that van Fraassen views as the key philosophical question at stake in deep conceptual disagreement: “Why is our problem a philosophical problem and not simply the difficulty of understanding an opaque psychological transition? The reason is that these changes comes with explicitly posed calls for decision – to accept the new theory, conceptual frame, world picture, or to reject it” (67). More specifically: “The question for the philosopher does not concern psychological possibility but rationality. Is there any rational way I could come to entertain, seriously, the belief that things are some way I now classify as absurd?” (73). It is unclear, however, how van Fraassen’s Sartrean account of emotion is not simply an account of an “opaque psychological transition”. And even if we reject, with van Fraassen, the idea of “dispassionate deliberation” in these moments of crisis and take there to be a crucial role for emotion in shifts to a new way of understanding a set of concepts or domain, it is unclear why we would not simply interpret these phenomena as just one more of Rorty’s causal contingencies. That is, it remains unclear why we would not simply takes these phenomena to be a product of the space of causes that push in one direction rather than another and therefore phenomena that do not have any bearing on questions of “rationality” that van Fraassen thinks should be the philosopher’s primary concern here.
V. The declarative fallacy

We therefore seem to be at an impasse. The Epistemic Conservative seems to utilize the wrong vocabulary to make sense of deep disagreement and therefore does not offer us a way to defuse the epistemological challenge of this disagreement. The Epistemic Rejectionist, however, in simply conceding that this epistemological challenge cannot be answered, presents us with a seemingly unacceptable bullet to bite. The Conservative will reply that this pessimism is overstated, while the Rejectionist will continue to insist that the Conservative has not provided us with any plausible positive views to justify their confidence. Round and round proponents of both views go.

Is there, then, any way to break out of this deadlock? When we are faced with unappealing philosophical options, it is always helpful to take a step back and ask whether there is not some underlying assumption at stake in the discussion that is warping how we understand the question or issue we are addressing. If there is such an assumption and if it turns out that this assumption is not obligatory, then perhaps we will be able to overcome the resulting impasse. I think the debate over the epistemological consequences of deep disagreement that I have sketched so far in fact has just such a background assumption that risks narrowing and skewing the terms of the debate.

On my reading, the shared assumption of Epistemic Conservatism and Rejectionism as they have been articulated so far is that what speakers are doing when they engage in deep disagreement is making a set of truth claims or assertions. We observe this, for example, in Feldman’s discussion of deep disagreement. He consistently refers to the content of deep disagreements as propositions that are asserted by one speaker and denied by the other. It is also helpful here to consider the views of Thomas Kuhn because Kuhn is likely to be enlisted by proponents of both Conservatism and Rejectionism. Now, at first, it might seem strange to enlist Kuhn on the side of Epistemic Conservatism. Kuhn’s influential arguments concerning the incommensurability of different
scientific paradigms or lexicons are taken by philosophers like Rorty and critics of Kuhn to entail that there is no meaningful sense in which we can have reasons for preferring one paradigm or lexicon over another: we simply shift from one to another, but there is no way of saying that there is “reason” for an endorsement because there is no neutral vocabulary into which we could translate the two competing paradigms or lexicons to assess the considerations in favor of each.

But Kuhn himself insists that there is indeed a set of paradigm and lexicon-independent criteria that allows us to rationally decide whether to endorse a scientific proposal, no matter how revolutionary that proposal might be. He consistently affirms that “[a]ccuracy, precision, scope, simplicity, fruitfulness, consistency…simply are the criteria” by which we can judge whether a scientific proposal should be endorsed (2002, 251). Our understanding of these guiding categories certainly changes, but “the criteria…are themselves necessarily permanent, for abandoning them would be abandoning science together with the knowledge which scientific development brings” (252). As Kuhn puts a similar claim in the “Postscript” to Structure: “I have no doubt that [such a list of criteria] can be completed. If [it] can, then scientific development is…a unidirectional and irreversible process” (1970/2012, 205).

Regardless of how we read Kuhn on the Conservatism-Rejectionism debate, what is striking is that the arguments he makes that are relevant to this debate are all framed by the following underlying assumption – that speakers are either making “declarative statements” that are rationally evaluable or engaging in some other kind of linguistic activity that is therefore not obviously rationally evaluable (2002, 100). Kuhn writes:

[T]he evaluation of…[a] statement should be conceived as comprising two seldom-separated parts. First, determine the status of the statement: is it a candidate for true/false? To that question…the answer is lexicon-dependent. And, second, supposing a positive answer to the first, is the statement rationally assertable? To that question, given a lexicon, the answer is properly found by something like the normal rules of evidence (99).

Note the appearance of “fruitfulness” in Kuhn’s list. This makes the more Epistemically Conservative aspects of Kuhn’s views congenial to the account I develop in Chapter 5.
Kuhn makes two important points that I want to highlight here. First, he claims that an utterance can only count as truth-apt if the terms it utilizes are defined by a particular lexicon. Using my preferred terminology, Kuhn’s point is that a claim can only become truth-apt when the terms it utilizes are defined by a set of constitutive concepts. Second, a statement only has the potential to be “rationally” evaluable insofar as it is ultimately formulated (or re-formulated) as a truth claim. If the speaker were not making a truth claim or carrying out a speech act not ultimately reducible to a truth claim, then the content would not be “rationally assertable”. Perhaps, for example, this non-assertoric speech act would involve merely expressing or projecting a speaker’s purely conative states, as expressivists argue. This view of the relevant pragmatics does not necessarily favor the Conservative or the Rejectionist, but is instead seemingly presupposed by both views. The Conservative will agree with Kuhn’s characterization of how to assess truth claims and argue that the content of deep disagreement turns on conflicting truth claims that therefore can be addressed by the “normal rules of evidence”. The Rejectionist will deny that the content of a deep disagreement can be a genuine “candidate for true/false” because such disagreements concern the nature of lexicons or paradigms themselves. The Rejectionist will agree, however, that insofar as speakers are not making truth claims in the context of deep disagreement, what they are saying therefore fails to be “rationally” evaluable.

This assumption that what a speaker is doing is either making a truth claim and so introducing content that is rationally evaluable or not making a truth claim and so failing to introduce rationally evaluable content is also apparent in Rorty’s Rejectionism. Rorty argues that there are three ways in which we can acquire a new belief that will, in turn, prompt us to revise our other beliefs: they are “perception, inference, and metaphor” (1991, 12). Via perception, I can gain empirical knowledge. I can, for example, observe a sign listing the hours I am allowed to park in a spot and learn that I had the hours wrong, revising my beliefs accordingly. Inference, by contrast,
“changes our beliefs by making us see that our previous beliefs commit us to a belief we had not previously held” (12). For example, after seeing the sign, it might occur to me that it is near a high school. I recall that during this time of year, the students often carry out pranks, such as changing the information listed on local signs. I infer from these facts that I ought to withhold judgment on whether I have violated the parking rules. According to Rorty, these first two sources of belief revision operate in importantly similar ways: “Both perception and inference leave our language, our way of dividing up the realm of possibility, unchanged. They alter the truth-values of sentences, but not our repertoire of sentences” (12). Rorty wants to contrast perception and inference in these respects with what he calls “metaphor”.

Rorty turns to a reading of Davidson’s account of metaphor for inspiration here. On Rorty’s reading of Davidson, metaphors are best construed as literally false. Metaphors do not contain within them some kind of “embryonic” or “latent” meaning that should be distinguished from the kind of meaning at stake in our non-metaphoric utterances. Metaphors, for Rorty, are utterances that have no place in our existing language games. They are “ways of producing effects on your interlocutor or your reader, but not ways of conveying a message. To none of these is it appropriate to respond with “What exactly are you trying to say?” If one had wanted to say something – if one had wanted to utter a sentence with a meaning - one would presumably have done so” (1989, 18). Because metaphors aim to move beyond how the terms and concepts they implicate are understood relative to an existing lexicon or tradition, they are in no way truth-apt (a vocabulary that applies only to terms or concepts defined by an existing lexicon or tradition). Metaphors are instead purely causal forces that prompt wide-ranging revisions in our truth-apt inferences and perceptions: “A metaphor is, so to speak, a voice from outside logical space, rather than an empirical filling-up of a portion of that space, or a logical-philosophical clarification of the structure of that space. It is a call to change one’s language and one’s life, rather than a proposal about how to systematize either”
(1991, 13). Rorty would agree, then, that for an utterance to be rationally evaluable it must be truth-apt and is only a candidate for truth-aptness insofar as its terms are defined by an existing lexicon. Because metaphors aim to transcend and alter the terms within a lexicon, they therefore cannot be “rationally” evaluable; they exist purely within the space of causes.

Rorty’s view of metaphor is a natural extension of his Epistemic Rejectionism. Because there are contexts in which our reasons run out and the space of causes take over – i.e., contexts of deep disagreement – we need some way of characterizing our linguistic activity in these exchanges. We cannot be making truth claims because the dispute we are having concerns the very terms in which truth claims can be made. We are therefore producing something else, what Rorty calls “metaphors”, which are peculiar noises that can only be characterized in causal terms and prompt wide-ranging revisions in the rest of our commitments. As Rorty puts the point elsewhere: “Uttering a sentence without a fixed place in a language game is, as the positivists rightly have said, to utter something which is neither true nor false - something which is not…a “truth-value candidate.” This is because it is a sentence which one cannot confirm or disconfirm, argue for or against” (1989, 18). A certain metaphor, however, may prove useful and so “may be repeated, caught up, bandied about. Then it will gradually require a habitual use, a familiar place in the language game. It will thereby have ceased to be a metaphor - or, if you like, it will have become what most sentences of our language are, a dead metaphor. It will be just one more, literally true or literally false, sentence of the language” (18). Qua metaphor, however, it is not a truth-value candidate.

Both Epistemic Rejectionism and Conservatism therefore seem to share this assumption that if the salient speech acts at stake in instances of deep disagreement are not truth claims or not finally reducible to truth claims, then the content of these speech acts will not be rationally evaluable. For the Conservative, this means the speech acts at stake in cases of deep disagreement must be truth claims, or else our hope of vindicating the rationality of our commitments will never be realized
because we will not be able to bring to bear the “normal rules of evidence”. For the Rejectionist, the speech acts at stake in cases of deep disagreement are clearly not truth claims because they are arguments over the very language in terms of which we go on to make truth claims. But because the relevant utterances are not truth claims, they are also not rationally evaluable. So, for advocates of both views, either we are making truth claims and producing something rationally evaluable, or we are not making truth claims and so failing to produce something rationally evaluable.

Now the notion that either our utterances are truth claims or else they can be analyzed only from the perspective of the space of causes represents a vision of pragmatics that various philosophers have attempted to diagnose and move beyond. Nuel Belnap, for example, argues that the uncritical privileging of truth claims (or assertions/declaratives) should be diagnosed as a philosophical fallacy: “[W]hen a logician, or nearly any trained philosopher, says ‘sentence,’ what is meant is a declarative sentence, a sentence capable of having, as they say, a truth-value…This is what is to be rejected. This is the Declarative Fallacy” (1990, 1). Rebecca Kukla and Mark Lance note that this fallacy continues to insidiously shape contemporary philosophy of language: “[A]nalytic philosophers, of any stripe, act as though the most fundamental, important, and common thing we do with language is use it to make propositionally structured declarative assertions with truth-values” (2009, 10). Key to Austin’s original vision for speech act theory was the hope that it would offer a way to overcome just such a monochromatic view of language: “We have not to go very far back in the history of philosophy to find philosophers assuming more or less as a matter of course that the sole business, the sole interesting business of any utterance – that is, of anything we say – is to be true or at least false” (1970, 233). Instead, he tells us, “[w]hat we need to do for the case of stating, and by the same token describing and reporting, is to take them a bit off their pedestal, to realize that they are speech-acts no less than all these other speech-acts that we have been mentioning and talking about as performative” (249-250).
Keeping these general methodological observations about speech act theory in mind, my aim in the following three chapters will be to consider what happens to our analysis of cases of deep disagreement if we expand our pragmatic imaginations – our sense of what we might be doing, what non-assertoric speech acts we might be performing, when we engage in deep disagreements. We saw above that Friedman gestures in this direction in his discussion of cases of revolutionary scientific change. Rudolf Carnap, who Friedman takes as one of his forerunners in this respect, similarly argues in his influential “Empiricism, Semantics, and Ontology” that proposals for adopting a different or novel set of concepts or linguistic framework “cannot be judged as being either true or false because it is not an assertion. It can only be judged as being more or less expedient, fruitful, conducive to the aim for which the language is intended” (1950, 31). As I noted above and in the introduction, while Friedman, Carnap, and other philosophers offer tantalizing suggestions about what such non-assertoric speech acts might be or consist in, they do not develop their views in detail. The following three chapters will aim to take up this task head on. Once we have abandoned the declaratival lens that both Epistemic Conservatism and Rejectionism share, the hope is that our epistemological options will open up as well: a pluralized pragmatics may perhaps lead to novel epistemological options – that is, further options for how we might act in epistemically responsible ways in cases of deep disagreement. In the fifth and final chapter of the dissertation, I argue that my alternative pragmatic account of what we are up to linguistically in cases of deep disagreement has precisely this effect: new epistemic options can come to light for negotiating deep disagreement that a declaratival reading of such disagreement risks obscuring.
CHAPTER 2

I concluded Chapter 1 by arguing that the literature concerning the epistemological consequences of deep disagreement has passed over the question of what exactly speakers are doing linguistically in these disagreements – what speech acts they are engaging in. If it were to turn out that these acts are not just a series of assertions, then it seems that we might not be forced into choosing between the two unappealing options of Epistemic Conservatism and Epistemic Rejectionism, at least as these views are typically explained. I also argued in Chapter 1 that we were best off construing deep disagreements as instances of conceptual disagreement. I suggested this gloss as a way of giving a more precise characterization of why deep disagreements seem to pose the epistemological worries they do. But this gloss also has the advantage of providing us with a jumping off point for squarely facing the question of what the pragmatics of deep disagreement might look like. This is because, in recent years, following the work of Sally Haslanger, philosophers have started to pay more attention to metaphilosophical questions concerning the status of conceptual analysis. In this chapter, I begin by examining some of the work that has followed Haslanger’s discussion of an “ameliorative” view of conceptual analysis, in particular the work of David Plunkett and Tim Sundell on metalinguistic negotiation (2013). I argue that while there are important insights to be gleaned from Plunkett and Sundell’s views for developing a richer pragmatics of conceptual disagreement, there are also important and instructive limits to their account. In particular, their view of metalinguistic “negotiation” and “advocacy” leaves unexplained precisely what such acts consist in. Despite being at the heart of their view of conceptual dispute, the pragmatics they offer are left as something of an unexplained explainer.

In the second half of the chapter, I turn to a different source for clues for getting at what the pragmatics of conceptual articulation and disagreement might look like. I examine various metaphilosophical reflections where philosophers address the kinds of speech acts they and their
peers are carrying out in instances of conceptual disagreement. In the examples I will look at, philosophers consistently return to characterizing one another's arguments as acts of stipulation. This description is generally intended in a pejorative sense: when a philosopher stipulates that a concept is to be understood in a certain way, they are thereby talking about something other than the actual concept at stake in a particular philosophical context. Because this metaphilosophical move often hovers in the background in the discussions in which it figures, my goal in the second half of this chapter is to bring this move to the fore and to consider exactly what the implied view of stipulation consists in. I call this the stipulation-as-fiat view. According to this view, when someone engages in the speech act of stipulating that a concept is to be understood in a certain way, this speaker has a unilateral semantic authority to settle what the term in question means for that speaker, but the resulting stipulation is thereby stripped of any genuine normative force; there is no reason anyone else needs to take the resulting stipulation seriously. While I believe these philosophers are right to characterize one another's speech acts as involving acts of stipulation, I will argue that they are wrong in their characterization of stipulative acts. In Chapter 3, I will turn to my alternative view of the pragmatics of stipulation.

I. Plunkett and Sundell on metalinguistic negotiation

Plunkett and Sundell (2013) trace a widespread tendency among philosophers to use intuitions about whether an exchange reflects a genuine disagreement to constrain how we approach the semantics of the terms or concepts implicated in that disagreement. Philosophers tend to assume that if there is a genuine disagreement at stake in an exchange between two speakers, then it must be the case that there is sufficient overlap in the semantic content of the terms or concepts used by those speakers to ground their disagreement. If, however, it turns out on reflection that the speakers do not have in fact have a shared understanding of the key terms or concepts at stake in the
exchange, then we ought to say – according to the line of thought Plunkett and Sundell want to challenge – that the speakers do not count as samesaying and, as such, cannot count as engaged in a genuine disagreement. Consider the following case:

Andrea and Drew have just heard that Bob Dylan has won the Nobel Prize in Literature. Andrea, a fan of Dylan’s music, is ecstatic. Drew, however, says that Dylan’s work is clearly not literature. It is music, not literature, and so the award is undeserved. Andrea says that Dylan’s work clearly is an example of literature. Plenty of works of literature, she says, do not fit the mold of the traditional novel or poem.

Andrea and Drew certainly take themselves to be engaged in a genuine disagreement. But, according to the philosophical dogma Plunkett and Sundell draw our attention to, it must be the case that there is overlap in the core semantic content speakers associate with the key terms or concepts at stake in their exchange for their disagreement to count as genuine; absent this overlap, we should issue the revisionary verdict that they are in fact talking past one another. A defender of the dogma, for example, might read Andrea and Drew as understanding the concept LITERATURE in fundamentally diverging ways. For Drew, whatever content constitutes his understanding of this concept, it unequivocally rules out cases such as Dylan’s work, whereas whatever content constitutes Andrea’s understanding allows for much more latitude in counting works as falling under the concept LITERATURE. Their understandings therefore do not differ merely at the periphery, according to this reading. Whatever core or central properties they associate with this concept are different, and Andrea and Drew are therefore best construed as talking past one another, regardless of how their exchange phenomenologically shows up to them. Proponents of the dogma will argue that there is Andrea’s concept (say, LITERATURE\(_A\)) and Drew’s concept (say, LITERATURE\(_D\)), but no concept of literature simpliciter that is shared by both Andrea and Drew that could ground a genuine disagreement here.

Plunkett and Sundell, however, want to approach these cases differently. Rather than simply abandoning the judgment that there is any kind of genuine disagreement in exchanges such as the
one between Andrea and Drew, Plunkett and Sundell argue that we should not immediately assume that a disagreement counts as genuine only if there is sufficient semantic overlap between the speakers concerning the key terms at stake in the exchange. It may be the case that the parties to a disagreement do mean something different by the terms they use, but are engaged in a genuine disagreement nevertheless. This disagreement, however, should be located at an evaluative, rather than a purely semantic, register: “We argue that speakers can, and often do, genuinely disagree with each other even while in the disputes reflecting those disagreements, those speakers do not mean the same things by their words. How is disagreement reflected in such a linguistic exchange? Via a largely tacit negotiation over how best to use the relevant words” (2013, 3). On Plunkett and Sundell’s reading of disagreements where conflicting understandings of a key term or concept are at stake, we should say that speakers utter truths relative to their own idiolects and are therefore, in a purely semantic sense, talking past one another. But, even if they are unaware of it, they are simultaneously engaged in the project of ‘negotiating’ or ‘advocating’ for how best to use the term or concept in question. It is here – over the question of how to optimally use a key term or concept – that the speakers genuinely disagree.

Take Andrea and Drew’s exchange. It is true that, for Andrea, given her understanding of the concept LITERATURE, Bob Dylan’s work counts as falling under the concept. It is also true that, for Drew, given his understanding of LITERATURE, Bob Dylan’s work does not count as falling under the concept. In this sense, it seems they do not overlap semantically in such a way that could ground a genuine disagreement. But what they are also doing, on a metalinguistic reading of the exchange of the sort Plunkett and Sundell would offer, is negotiating over and advocating for what they take to be the best use of the concept. Andrea advocates for a more capacious use, while Drew advocates for a more restrictive one. As Plunkett and Sundell point out, these are not trivial disagreements. In Andrea and Drew’s case, they are arguing here because the concept at stake matters to them: how
we agree to use this term will decide, for example, who is eligible for prestigious awards; it will
decide how we will make sense of artistic genres; it may decide how we rank the artistic merit of
these genres, and so on. These are disagreements worth having.

There are two main contributions from Plunkett and Sundell’s discussion I want to highlight
here. First, they helpfully draw our attention to the complex pragmatic mechanisms that may be at
stake in cases of conceptual disagreement – mechanisms that may directly conflict with speakers’
own self-conception or self-description of their linguistic activity. While speakers will likely take
themselves – as philosophers often take themselves – to simply be making a series of truth claims in
cases of conceptual disagreement and analysis, Plunkett and Sundell show that such a view will likely
fail to capture the full scope of what transpires in these exchanges. Second, their discussion
highlights an important connection between pragmatics and metalinguistic activity. We have the
linguistic ability to engage in higher-order commentary on and the restructuring of our linguistic
practices. We should think hard about how precisely to characterize this ability.

Despite Plunkett and Sundell’s emphasis on the pragmatics of conceptual disagreement,
however, they do not provide any detailed account of the speech acts that are central to their
account. They do not explain what it means for an act to count as a form of ‘negotiation’ or
‘advocacy’. But we should not simply assume that it is transparent what these speech acts involve
nor should we assume, especially absent an account of what these acts consist in, that they
straightforwardly capture what occurs pragmatically in these cases. Why, for example, should we
adopt this language to describe the relevant pragmatics rather than something more combative or
adversarial? Perhaps it is not the case that we are engaging in negotiation and advocacy in these
cases, but are instead seeking to impose our understanding on others or bully them into our way of
seeing things. On this alternative reading, we would be engaging in something closer to linguistic
battle rather than the seemingly more diplomatic act of negotiation. As it turns out, I do think that
negotiation and advocacy are generally more useful categories for making sense of these cases, but this is something that needs to be argued for rather than simply assumed.

The details Plunkett and Sundell do provide concerning their favored pragmatics seem to vaguely point in a neo-Gricean direction: speakers conversationally implicate information concerning what they take to be the optimal usage of the term or concept in question over and above the literal content of their utterances. This Gricean gloss, however, puts significant stock in how speakers themselves would characterize their utterances in these cases. If we take conversational implicature to be importantly tied to speaker intention, then our account of what transpires pragmatically in these exchanges will depend on whether the speakers would agree that they are engaged in this metalinguistic project, rather than carrying out a series of straightforward assertions. We might worry, however, that speakers will not agree to this description of their linguistic activity.

Rather than pursuing something like a knockdown objection against this more Gricean approach, Amie Thomasson explains that there is available to us an alternative view of how to characterize this metalinguistic activity: “[T]here are some reasons for doubting that the pragmatic point of the utterances in metalinguistic negotiation is to pragmatically communicate any additional informational content at all, rather than to do something else – something along the lines of influencing the linguistic behavior of others, or altering the boundaries of what is acceptable or unacceptable in language use” (2017, 23). Here is Thomasson’s suggestion for how we might start to think about the kinds of speech acts at stake in these exchanges:

We often use language with a view to modifying, resisting, or (re-)enforcing the norms governing its usage. The point of the utterances, in these cases, can best be understood pragmatically. In these cases, too, we often can’t make sense of the utterance in terms of the additional function of communicating semantic content (which often would be obviously true or false)…Simple correction of the utterance (as if the speakers were just making a mistake) would miss the point…[T]he point may be to reinforce or modify the rules in questions – not to communicate the speaker’s belief about how the term should be used (though the hearer may nonetheless legitimately
infer those beliefs). For communicating such beliefs often is not the best method of effecting the relevant change (25).

I want to take up Thomasson’s suggestion that we pursue a non-Gricean account of what speakers are doing when they engage in conceptual disagreement. And while I think that Thomasson’s view that in these cases we are “modifying, resisting, or (re-)enforcing the norms governing” our linguistic practices is very much on the right track, I also want to double down on the question of what engaging in the speech acts of “modifying, resisting, or (re-)enforcing” our linguistic practices consist in exactly. These are complex acts, and an in-depth analysis of them is needed.

In the following section, I suggest that there is an important clue in various moments of metaphilosophical reflection for getting a clearer sense of how exactly to characterize the speech acts involved in conceptual articulation. If some philosophers are right that they specialize in the project of conceptual analysis, then it will be helpful to consider philosophers’ own reflections on the nature of this project and what it is to ‘modify’, ‘resist’, or ‘re-enforce’ how we understand the concepts we find ourselves with.

II. Stipulation in metaphilosophy

Consider the following discussion from Laurence BonJour, in which he criticizes externalist accounts of knowledge, such as David Armstrong’s, for granting knowledge to agents who have no ability to access this knowledge – where to ‘access’ knowledge involves being able to defend the belief in question via normative reason-giving (1979). According to Armstrong’s externalism, an agent can count as having knowledge that \( p \) insofar as she stands in the ‘right relation’ to \( p \), where a right relation is one that involves having a belief that \( p \) and having this belief caused by a “law-like” route that guarantees, or nearly guarantees, the truth of \( p \). Standing in this ‘right relation’ does not require that the agent herself be able to articulate and defend that this relation is a truth-generating
Among his criticisms of this externalist view of knowledge, BonJour argues that the externalist ends up changing the subject from what is actually at stake in this philosophical context. Whether or not they realize it, the externalist is now talking about something else; they are not talking about the concept of knowledge. It is worth looking at the full passage where BonJour makes this case:

…[I]t finally seems possible to make sense of externalism only by construing the externalist as simply abandoning the traditional notion of epistemic justification and along with it anything resembling the traditional conception of knowledge…Thus consider Armstrong's final summation of his conception of knowledge:

Knowledge of the truth of particular matters of fact is a belief which must be true, where the ‘must’ is a matter of law-like necessity. Such knowledge is a reliable representation or ‘mapping’ of reality.

Nothing is said here of reasons or justification or evidence or having the right to be sure. Indeed the whole idea, central to the western epistemological tradition, of knowledge as essentially the product of reflective, critical, and rational inquiry has seemingly vanished without a trace. It is possible of course that such an altered conception of knowledge may be inescapable or even in some way desirable, but it constitutes a solution to the regress problem or any problem arising out of the traditional conception of knowledge only in the radical and relatively uninteresting sense that to reject that conception is also to reject the problems arising out of it (8).

There are two features of BonJour’s discussion I want to highlight here. First is his general claim that Armstrong is no longer talking about the subject matter of the “western epistemological tradition”, where the concept KNOWLEDGE is understood as constitutively tied to “reflective, critical, and rational inquiry”. All of this has “vanished without a trace”. It is worth noting the specific language Bonjour uses in making this claim. The externalist has “simply” abandoned “the traditional notion of epistemic justification”. This seemingly “radical” move of rejecting this notion is actually a “relatively uninteresting” defining away of the relevant “problems arising out of” this tradition. To paraphrase BonJour here: by merely stipulating a different understanding of KNOWLEDGE, the externalist has simply changed the subject from what is at stake in the original debate. The
externalist is welcome to explore what follows from their stipulated understanding, he says, but there is no reason anyone concerned with the original debate needs to take it seriously.

There is, however, a second feature of Bonjour’s discussion where he seems to consider a different possibility for what the externalist may be up to. The externalist may be proposing “an altered conception of knowledge [that] may be…in some way desirable”. Proposing this “altered conception of knowledge” seems to be importantly different, in BonJour’s view, from merely stipulating a conception of knowledge. But what is the relevant distinction between these two projects? BonJour does not tell us. He suggests, however, that an alteration of our concepts can be justified on the basis of demonstrating that such an alteration would be “desirable”. The approach Bonjour hints at here comes quite close to a central aspect of the positive view of the pragmatics of conceptual disagreement I defend in this dissertation – that articulating a view of a concept is a primarily ends-directed project. My position, though, will be that this project is itself a form of stipulation.

It is worth considering a second example of this pejorative sense of stipulation invoked by a philosopher. As part of his general attack on what he characterizes as “analytic metaphysics”, Bas van Fraassen develops an account of what a metaphysical account of the concept of world might look like in the analytic tradition in an effort to expose what he takes to be misguided in this methodology. As a starting point, he suggests that we might think of this concept along the following lines: the world is a whole that contains within it all parts but that is not itself a part of anything further. Any metaphysical account here will therefore have to say something about what it means for something to be a ‘whole’ or ‘part’. This presents an immediate problem because, van Fraassen points out, our ordinary usage of the term ‘part’ is not transitive in the way such an account requires: “After all, we philosophers are an important part of the university faculty, but are our knees
part of the faculty?” (2002, 25). To avoid this problem, van Fraassen’s analytic metaphysician makes the characteristic move of introducing concepts that they dub ‘Sworld’ and ‘Spart’:

1. If A is a part of B, then A is a Spart of B;
2. Spart-of obeys the axioms of basic mereology;
3. a Sworld is, by definition, something which is not a Spart of anything else (25).

But what is the precise relationship between the metaphysician’s concepts of Sworld and Spart and our original concepts of world and part? Van Fraassen suggests that there are two possibilities here. A first approach might have it that the relationship is simply one of homophonic resonance; the metaphysician preserves this resonance between ‘world’ and ‘Sworld’ in order to give their concepts a sense of familiarity. But, he says, this “sense of familiarity is a delusion” (27). The concepts expressed by the words ‘Sworld’ and ‘Spart’ are unique to the language that the metaphysician has built, so this gesture at familiarity belies the fact that the metaphysician has changed the subject – that they are talking about a different concept altogether.

A second approach to the metaphysician’s project here would be to insist that there is indeed a genuine continuity between the two sets of concepts – a continuity that does not just consist in being expressed by similar word strings. On this view, van Fraassen writes, the metaphysician would be claiming “‘Sworld’ is intelligibly related to ‘world,’ taking over a carefully selected family of uses, regimenting them, and is then used to make new, logically contingent, fully intelligible assertions. If we are careful not to let other usages of ‘world’ creep back into our professional discourse, then ‘the world exists’ is a perfectly good way of saying ‘the Sworld exists’” (27). The problem with this approach, however, according to van Fraassen, is that “it is very easy, all too easy…We can sit in our closets and in a perfectly meaningful way, kneading and manipulating language, create new theories of everything and thereby important contributions to ontology. In other words, to put it a little more bluntly, this ‘world play’ we engaged in here is but idle word play; although shown to be meaningful,
it is merely idle word play nevertheless” (27). That is to say, the metaphysician’s claim to continuity with our original concept of world here cannot be sustained. Absent clarification of what these acts of “taking over” and “regimenting” our concepts consist in exactly, the metaphysician is simply talking about something other than our original concepts because they are generating their own idiosyncratic languages. The metaphysician has therefore not told us anything about the original concepts we cared about; they have only showed us what follows from the artificial conceptual language they have themselves fabricated.

How exactly should we characterize this criticism BonJour and van Fraassen make of other philosophical views that articulate or defend a distinct understanding of a concept? It does not quite capture the criticisms to say that they are taking other philosophers to task for proposing a revisionary understanding of the relevant concept that results in these philosophers talking past the original users of the concept. Not only are the externalist and the metaphysician talking about something altogether different from what BonJour and van Fraassen have in mind; the externalist and the analytic metaphysician, in the very act of stipulating their different understandings of the concepts in question, are now talking about something that fails to matter. The original concept inherits its value and importance from its circulation in our collective lives and traditions, BonJour and van Fraassen seem to be saying. Because the philosophers they target are, however, analyzing artificial concepts of their own stipulative making, they cannot claim this heritage, and they therefore cannot blithely claim that their enterprise is getting at something that matters. Exploiting a similarity in word string to establish continuity with the original concepts is a rhetorical sleight-of-hand that obscures the fact that these philosophers are not providing us with insight into what we care about, but simply playing with their own toy languages.
III. **Mere stipulation**

Marian David helpfully synthesizes these worries concerning speech acts of stipulation that we have just seen play out in various metaphilosophical contexts:

Analytic philosophy has not done too well when it comes to explaining the nature and value of definitions...[Definitions], it seems, are either “lexical” or “stipulative”. But the former are not genuine definitions at all; they are merely empirical hypotheses about the actual uses of words. And the latter, although genuine definitions, seem arbitrary and therefore theoretically irrelevant; they are merely devices for saving ink. A preoccupation with stipulative definitions loses sight of the main value that definitions are supposed to have. They ought to embody the answers to questions of the form “What is an F?”. But how could a mere stipulation ever address any serious concern of this nature? Carnap offered “explicative definitions” as a third alternative. But they look suspiciously like a mixture of the lexical and the stipulative variety, and it never became quite clear how they would slip between the horns of the dilemma (1993, 111).

There certainly are contexts where we say we have an understanding of a concept and are pursuing the “lexical” approach David describes here. We do this whenever we are trying to convey how we think a particular concept or term is typically used or understood in a community. In philosophy, we might be exclusively concerned with “lexical” definitions when carrying out experimental work designed to figure out how speakers generally understand or use a particular concept or term. But these are not the contexts I am focused on. I am interested in contexts and disagreements where speakers are not trying to report on how we in fact understand a particular concept, but are trying to articulate or defend their view of how we ought to understand that concept. A lexical approach, descriptive by its very nature, does not capture this metalinguistic activity.

A stipulative approach, however, where we single out among the various uses of some term or concept X what we take to be the correct ones, also faces a serious worry: it seems to be necessarily “arbitrary”. What constraints would or could there be on such an act? If I can stipulate that concept X is to be understood as thus and such, then I could just as easily stipulate some other understanding, or I could just as easily stipulate the negations of these views. Stipulative definitions therefore seem necessarily incapable of providing us with insight into what X really is – which is what we are seemingly trying to get at. Note that just like Bonjour and van Fraassen, David associates
stipulation with triviality: “But how could a mere stipulation ever address any serious concern of this nature?” (111). Stipulation is always at risk of being “mere” stipulation because it does not get us to what matters – to the “serious concern”, i.e., what x really consists in. David suggests that in order to avoid “the apparent irrelevancy of an arbitrary stipulation…a serious definition would have to define the meaning of the word itself, the concept that stands behind the word. And so definitions turn out to be [on this approach] analyses of meanings or concepts” (112). The problem, however, is that “conceptual analysis is in itself a puzzling enterprise” (112). We find ourselves circling back here to the question with which we began the previous section and this discussion of metaphilosophy: what exactly is it that a philosopher – or any speaker for that matter – is doing when they articulate or defend an understanding of a concept?

IV. Not merely ‘mere stipulation’

It is worth turning now to cases where philosophers do not view stipulation as merely trivial – where they in fact embrace the stipulative dimension of their methodology. Consider, for example, the following passage from Quine:

…[This is] what we are most typically up to when in a philosophical spirit we offer an “analysis” or “explication” of some hitherto inadequately formulated “idea” or expression. We do not claim synonymy. We do not claim to make clear and explicit what the users of the unclear expression had unconsciously in mind all along. We do not expose hidden meanings, as the words ‘analysis’ and ‘explication’ would suggest; we supply lacks. We fix on the particular functions of the unclear expression that make it worth troubling about, and then devise a substitute, clear and couched in terms to our liking, that fills those functions. Beyond those conditions of partial agreement, dictated by our interests and purposes, any traits of the explicans come under the head of “don’t-cares” (§38). Under this head we are free to allow the explicans all manner of novel connotations never associated with the explicandum (1960/2013, 238).

It is interesting how close elements of Quine’s account here come to van Fraassen’s analytic metaphysician. Recall one of van Fraassen’s characterizations of the metaphysician’s methodology:

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14 I came across this passage thanks to Herman Cappelen’s citation of it in his (2018, 12).
the analytic metaphysician is engaged in “taking over a carefully selected family of uses, regimenting them, [which are] then used to make new, logically contingent, fully intelligible assertions”. This is very close to Quine’s account here of what a philosopher is up to in analyzing a concept – devising a “substitute, clear and couched in terms to our liking”. Van Fraassen, however, would likely reject Quine’s cavalier embrace of this project of re-formulating an understanding of a concept. The fact that this re-formulation is based on the philosopher’s own idiosyncratic “interests and purposes” and dispenses with any content associated with the concept that does not serve these ends (that therefore fall “under the head of ‘don’t cares’”) would worry van Fraassen. It means that the philosopher is now talking about something that has nothing to do with the original concept that launched our philosophical inquiry to begin with. But, as Quine openly and happily concedes here, the concept fabricated by the philosopher may well have no meaningful continuity with the original concept beyond this superficial, homophonic similarity.

Quine suggests here that whatever investment ordinary speakers may have in the concept in question, it is the inquirer’s specific goals that matter most for figuring out how best to formulate an understanding of this concept. Quine, I imagine, would reject the characterization that such goals, because they are idiosyncratic, are necessarily trivial. He would likely argue that the goals guiding a particular theoretical research project are often idiosyncratic (given the specific nature of the project), but that does not entail that the project is therefore of no value. Granted, it may not be the value that non-researchers would associate with the concept in question, but it is unclear why we should then draw the conclusion that the project does not matter tout court.

We can view Quine, then, as arguing for an embrace of stipulation as a – if not the – crucial tool of philosophical analysis. According to Quine, our ability to stipulate is what allows us to re-formulate an understanding of a concept based on our particular goals and aims we have as an inquirer.
Turning to the scene of contemporary philosophy, Sally Haslanger’s account of the “ameliorative” project comes quite close to Quine in this regard. On Haslanger’s ameliorative approach

...questions [such as] “What is gender?” or “What is race?” require us to consider what work we want these concepts to do for us; why do we need them at all? The responsibility is ours to define them for our purposes. In doing so we will want to be responsive to some aspects of ordinary usage (and to aspects of both the connotation and extension of the terms). However, neither ordinary usage nor empirical investigation is overriding, for there is a stipulative element to the project: this is the phenomenon we need to be thinking about. Let the term in question refer to it. On this approach, the world by itself can’t tell us what gender is, or what race is; it is up to us to decide what in the world, if anything, they are.

Note that, like van Fraassen’s metaphysician, Haslanger wants to bridge the gap between actual usage of a certain concept and a revisionary, prescriptive account of that concept: an ameliorative approach aims to be “responsible to some aspects of ordinary usage”, but it does not treat this usage as decisive. Instead, it utilizes a “stipulative element”: it departs, where necessary, from ordinary usage to clarify how we should understand the term or concept in question based on our specific goals, based on the “work we want these concepts to do for us”.\(^\text{15}\) Again, this attempt to balance a certain accountability to ordinary usage with, at the same time, a departure from such usage raises a red flag for philosophers like van Fraassen. As we have found, he thinks this is a balance that will be difficult, if not impossible to strike. Either we are attempting to capture our original concept in our philosophical analysis of this concept, or we are not. The “stipulative element” Haslanger gestures at here shows that she is not, according to a van Fraassen-style criticism. It shows that she is ultimately changing the subject. The risk of the ameliorative project becoming trivially idiosyncratic is perhaps

\(^{15}\) It is perhaps not surprising that Haslanger openly declares her Quinean sympathies in the introduction to *Resisting Reality*. Haslanger is more interested in being responsive to ordinary usage than Quine, but this seems to be a product of the specific concepts Haslanger is interested in exploring. It is part of her ameliorative approach to the concepts of race and gender that she thinks we ought to be more accountable to ordinary usage than we would be in other contexts – for example, the kinds of scientific contexts that Quine seems to have in mind: “In science it is commonplace to define or redefine terms in whatever way suits the theory at hand (e.g., ‘atom’, ‘mass,’ ‘energy,’ ‘cell’), without much concern with the ordinary meanings these terms have or the political import of stipulating new meanings. But semantic authority cannot be granted to the biologist in considering a term like ‘race’ that plays such a major role in our self-understandings and political life” (2012, 304).
most apparent in Haslanger’s final line: “it is up to us to decide” how to understand the concept in question. This is the kind of move van Fraassen wants to reject. We are (or should be) constrained by our collective sense of what matters about the concept in question; we should not merely stipulate how a concept is to be understood if we want what we are talking about as philosophers to matter.

Like Quine, Haslanger will likely argue that the idiosyncrasies of the theorist’s aims and goals for their project in which this understanding of the concept is embedded – aims and goals that may well depart from communal usage – do not entail triviality or irrelevance. On the contrary. Because the aims and goals Haslanger has in mind are specifically politically emancipatory ones – a theoretical agenda in the service of an anti-racist, anti-sexist egalitarian politics – the ameliorative project is constrained in ways that deeply matter and depend in part for their mattering precisely on their dissent from patterns of communal usage (which are shot through with the very racism, sexism, and forms of oppression that Haslanger wants to combat). There is therefore an important ambiguity in Haslanger’s final line. In one sense, the “stipulative element” of the ameliorative project is, contra Haslanger’s own view, not simply “up to us” – if this means it lacks accountability to anything beyond how the theorist chooses to articulate the concept. The theorist is accountable to the world – to, in Haslanger’s case, the aims and goals of a specific politics that will demand that this stipulative reformulation of our understanding of the concept plays out in certain ways rather than others. In another sense, however, this stipulative element is indeed “up to us”: we are able to re-formulate our understanding of the concept and break from communal usage (and, in this sense, the “world”) because we can deploy this act of stipulation. Stipulation, that is to say, equips us with a unique and crucial linguistic autonomy.

This ambiguity in the notion that conceptual understanding may be in some sense “up to us” brings us, I think, to the heart of the worries about stipulation we find in BonJour, van Fraassen, and
David. When the latter describe or hint at stipulation being “mere”, or being “arbitrary”, or resulting in “idle word play”, the central concern is not just that the concept articulated by the philosopher results in a change in subject or a different concept altogether. The central worry, as I read these metaphilosophical criticisms, is that there is a lack of accountability in how the philosopher goes about the project of conceptual articulation. The stipulator in these cases, the criticism here seems to be, is accountable only to themselves, only to their idiosyncratic concerns. Armstrong’s externalist, for example, is no longer accountable to the concerns of the epistemological tradition to which any analysis of knowledge within this tradition, BonJour believes, must be accountable. Van Fraassen’s analytic metaphysician’s account of the concept of the world fails to be accountable to the ordinary contexts from which this concept emerges and in terms of which it matters to us.

If all the speaker carrying out this act of stipulation managed to effect were a change in the meaning of a term or the introduction of a different concept, these philosophers might not be particularly perturbed. After all, the introduction of this separate, novel concept might strike us as quite significant. What the worry at the heart of this objection seems to be is that the shift in meaning effected by the act of stipulation results in a term or concept that fails to matter. A stipulated understanding of a concept, according to this view, need not be taken seriously because it is not accountable to anything other than the stipulator themselves. And if the stipulator is accountable only to themselves, then there is no meaningful sense in which we can say their stipulation is ‘right’ or ‘wrong’, ‘correct’ or ‘incorrect’ because there is no independent standard by which we could ever make such assessments. Whatever the stipulator says is what goes. This is the view of stipulation I call the stipulation-as-fiat view.

It is important to distinguish two versions of this view – one more general, the other more specific. The more general version of stipulation-as-fiat treats stipulative speech acts as acts where a speaker is able to settle what is the case merely by her utterance, regardless of what the content of
her stipulation is. The more specific version of stipulation-as-fiat – the one that arises in
metaphilosophical contexts – concerns the stipulation of an understanding of a concept. According
to this version of the view, speech acts of stipulation grant us the unilateral semantic authority to
settle what a term means for us, but the resulting stipulation is stripped of any genuine normative
force; there is no reason anyone else needs to take the idiosyncratic meaning that the speaker
introduces seriously. I will be concerned with both versions of the view.

While the conceptual version of the stipulation-as-fiat view seems to be the dominant, if
implicit view among philosophers, Quine and Haslanger’s observations begin to point to a different
way of approaching stipulative acts. For Quine and Haslanger, our ability to stipulate is what allows
us to transform an understanding of a concept – to depart from and reformulate a concept that in its
communal usage is mired in a problematic web of collateral commitments from which it can be
extricated. They would also likely object to the notion that stipulation implies only self-accountability.
As we have observed, both Quine and Haslanger emphasize that there are specific ends to which the
theorist’s stipulative act must be accountable, ends that may not be globally shared or even shared by
many but are not thereby only idiosyncratic. This connection between stipulation and ends offers a
crucial clue for thinking about what a more detailed pragmatics of stipulation might look like.

One of the aims of the next two chapters is to challenge and offer an alternative to the
stipulation-as-fiat view in both its general and more specific guises. My position is therefore not that
philosophers who pejoratively describe their opponents as merely stipulating their own
understanding of a certain concept are simply misguided. On my reading, these philosophers have
found the right category for referring to the metalinguistic activity their opponents are engaged in,
but they have wrongly characterized this activity. According to my account, these philosophers are
wrong to think that stipulation grants speakers any sort of unilateral authority to settle what is the
case (at the cost of stripping their stipulation of normative force). As Quine and Haslanger show,
stipulation equips us with the curious ability to ‘modify’, ‘resist’, or ‘re-enforce’ our linguistic practices (to borrow Thomasson’s trio) in ways that are often crucial for both our theoretical and practical projects. In the following chapter, I build my own detailed positive account of the pragmatics of stipulation.
Let’s review where things stand. We began by considering the following question: can we rationally resolve deep disagreements? Deep disagreements, I suggested in Chapter 1, are best construed as disagreements that turn on conflicting understandings of particular concepts – concepts that play a “constitutive” role for us. I then sketched two prominent philosophical positions that confront the epistemic consequences of deep disagreement. I showed that despite the important differences between these positions, they nonetheless share a lens through which they make sense of what speakers are doing when they engage in deep disagreements – that either speakers are issuing felicitous assertions in these contexts and so the content of their claims are rationally evaluable, or they are not felicitously issuing assertions and so their claims are not rationally evaluable. I suggested that a richer pragmatic account of what speakers are doing when they engage in deep disagreement may open up alternative ways of making sense of our epistemic options when faced with such disagreements. To get a better sense of what this richer pragmatics might look like, I turned in Chapter 2 to the general question of what speech acts are involved in a speaker articulating or defending an understanding of a concept. Here we found certain clues in how philosophers describe one another’s attempts to engage in conceptual analysis: they often describe one another as undertaking acts of stipulation. The implicit view here often seems to be that when a speaker stipulates something, they are thereby settling what is the case. This unilateral authority, however, often comes at the cost of stripping the resulting stipulation of any normative import: the audience to this stipulative act has no reason to entertain someone’s idiosyncratic stipulation. This is what I called the stipulation-as-fiat view.

While I believe this view of stipulation is misguided, I do not think it is a coincidence that philosophers have reached for the notion of stipulation to describe the speech acts involved in cases of conceptual disagreement. This is because at least one aspect of what a speaker is doing in cases
where they articulate an understanding of a concept is trying to change or in some way modify how we currently think about this concept. This is a speech act that therefore requires that we have a certain linguistic autonomy – an autonomy that allows us not just to represent existing usage, but to break from and change such usage. Advocates of stipulation-as-fiat, however, are skeptical that there can be anything meaningful that results from acts of stipulation because they are not normatively constrained. I suggested at the end of Chapter 2 that the linguistic autonomy we gain in acts of stipulation need not come with this cost. To make this case, however, we need to directly confront the question of what a speech act of stipulation is. This is a question that philosophers have – with a few exceptions – largely neglected to address head-on, despite often invoking this speech act in the context of metaphilosophical disputes. In this chapter, I set out a detailed positive view of stipulation and, in doing so, also show why I take the stipulation-as-fiat view to be misguided. Here is the overarching view I will defend:

A speaker who successfully carries out a speech act of stipulation engages in a meta-linguistic act that grants the speaker and audience a specific inferential entitlement, while also precluding both speaker and audience from denying this entitlement. Even if not explicitly, the speaker justifies their stipulation on the basis of whether it serves the shared ends of speaker and audience, and the act counts as justified on this basis only if it is taken to be by the audience.\(^{16}\)

The chapter will proceed as follows. In the first section, I make some general methodological observations about my approach to speech act theory. In the second and main part of the chapter, I lay out my positive view of stipulation in full and situate the view with respect to other potential contenders from the scene of contemporary speech act theory. In section three, I answer a variety of objections to my account. In the fourth and final section, I sketch what I take to be the relationship between my view of stipulation and the phenomenon of analyticity.

\(^{16}\) I defend this general account of stipulation in my (2018), but this chapter develops that account in much further detail.
I. Methodological preliminaries

In the subsequent discussion, I follow various philosophers and linguists in individuating speech acts according to the unique normative statuses they bring about for speaker and audience — that is, in terms of the obligations, entitlements, commitments, and other normative statuses they give rise to for speaker and audience (Austin 1975; Brandom 1994; Sbisà 2002; Kukla and Lance 2009; Lance and Kukla 2013; Witek 2015). The normative statuses uniquely brought about by a particular speech act only become fully apparent, however, when the speech act is successfully performed. A successful performance is not the same as a felicitous one.

On the traditional Austinian picture, I perform a certain illocutionary act by saying the right words in the right way and in the right circumstances. If, for example, I am a boss overseeing a meeting, and I want to adjourn the meeting, then in order to do so, I will say the right words (“The meeting is adjourned”) in the right way and in the right circumstances (as a boss, at the appropriate time in the meeting, etc.), and as such, I will have felicitously carried out the illocutionary act of adjourning the meeting. But this felicitous performance may be insufficient for the meeting to in fact be adjourned. Suppose, for example, the air conditioners in the meeting room are particularly faulty and start operating at full blast just as I say, “The meeting is adjourned”. In this version of the case, I will have said the right words in the right way and right circumstances, but, if no one hears what I say, my act will fail: the meeting will not have been adjourned. Similarly, suppose that I am a member of a minority group who has recently been promoted to a managerial position, and my new employees resent this fact. I attempt to adjourn the meeting by, again, saying the right words in the

17 Marina Sbisà has persuasively argued that this normative approach to speech act theory is the one Austin in fact defends in How To Do Things with Words (Sbisà 2002). Explaining how we can go about individuating different illocutionary acts, Austin writes: “The illocutionary act ‘takes effect’ in certain ways, as distinguished from producing consequences in the sense of bringing about states of affairs in the ‘normal’ way, i.e. changes in the natural course of events” (1975, 117; cited in Sbisà 2002, 464). Austinian illocutionary acts therefore “take effect” not just by generating a change “in the natural course of events but in norms, that is, in something belonging to the realm of social conventions; and it is an effect that comes into being thanks to the hearer’s uptake” (Sbisà 2002, 464).
right way, but everyone in the room decides to ignore my utterance and continues with the meeting. My speech act here fails despite its felicitous performance (Kukla 2014). Were we to consider speech acts simply in terms of their attempted – rather than successful – performances, we would not be able to individuate them because different kinds of speech acts could, in failing, bring about the very same consequences. A failed request and a failed order, for example, despite being two different kinds of speech act, may well have indistinguishable consequences in a particular context.

I therefore follow Lance and Kukla (2013) in analyzing the pragmatic structure of a given speech act in terms of its successful performance. For a speech act to be successfully performed in this sense means the speaker is entitled to perform the act (i.e., the act is felicitously performed), the act is given uptake by the appropriate corresponding audience, and the speaker and audience then comport themselves in accordance with the normative statuses brought about by the act. At any of these stages, a speech act can fail.18

II. The positive view

a. The different components of the view

I want to flag the three main planks of my overarching view of stipulation, which I previewed at the beginning of this chapter:

A speaker who successfully carries out a speech act of stipulation engages in a meta-linguistic act that grants the speaker and audience a specific inferential entitlement, while also

18 In his account of stipulation, Horwich points to an ambiguity over the question of whether someone can perform a stipulation without doing so successfully: “Some stipulations are successful and others are not…Now one might be tempted to respond that any genuine stipulation must succeed…[But it does not] on reflection…seem at all deviant to say of a stipulation that it was not realized” (2005, 138). It is worth clarifying a small, but subtle difference in my approach from Horwich’s. In a particular case and for a particular utterance, it may be completely fine to describe someone as stipulating, even if their stipulation ultimately ends up failing or did in fact fail. I have no interest in prescribing correct usage for ordinary language contexts. My methodological point here is rather that, in order to analyze the pragmatic structure of the speech act of stipulation (or of any speech act), we are best off looking at cases where a stipulation is successfully performed (in the sense specified above). I agree that failed or frustrated stipulations are still a form of stipulation, but my view is that that in order to isolate what makes a failed stipulation nonetheless appropriately characterized as a form of stipulation, we must first figure out what it is for a speech act to be a stipulation. And to do this, we should look to contexts where stipulative speech acts are successfully performed in order to properly individuate and distinguish them from other acts.
precluding both speaker and audience from denying this entitlement. Even if not explicitly, the speaker justifies their stipulation on the basis of whether it serves the shared ends of speaker and audience, and the act counts as justified on this basis only if it is taken to be by the audience.

To explain why I think this is the right view of the pragmatic structure of speech acts of stipulation, I need to spell out each plank. Here is each one rendered individually and, in some cases, with additional detail:

S1: Stipulations are meta-linguistic acts.

S2: Successful stipulations give both speaker and audience a shared inferential entitlement, while also precluding speaker and audience from denying this entitlement.

⇒ Corollary to S2: Successful stipulations in turn give rise to further, downstream novel linguistic moves (such as further inferences and speech acts) that may have previously been blocked in the relevant context.

S3: Even if not explicitly, the speaker justifies their stipulation on the basis of whether it serves the shared ends of speaker and audience, and the act counts as justified on this basis only if it is taken to be by the audience.

⇒ Corollary to S3: Assertoric negations of stipulations are infelicitous.

To defend and draw out this account, I will begin by analyzing examples of stipulation where speakers are not stipulating an understanding of a concept, but a different sort of content. I begin with these simpler cases and then build up to cases where a speaker stipulates an understanding of a concept.

b. Initial examples to help draw out the positive view

I am playing a game of basketball with friends. In last week’s game, we ran into a problem because we didn’t clarify beforehand when a team would win. I say to my friends that for this game,

(1) “I'm going to stipulate that whoever scores 11 points first wins”.
Suppose further that my friends signal their agreement with this rule, and we begin to play with the rule in place. (I will have more to say about what such “agreement” looks like shortly.) We have an example here of a successful stipulation. Let’s analyze what I have done here via (1). To begin with, we can say that I have performed a meta-linguistic act: I have directly shaped the terms in which we will make sense of the relevant context. If I get uptake for (1), I will not have changed something about any of the facts concerning the basketball or court qua physical objects; I will have changed how we talk about and make sense of our context. My act is therefore directly about the relevant communicative context and only indirectly about the world (e.g., the basketball or the court). This is S₁ in my account of stipulation.¹⁹

Once (1) is given uptake by my friends, what I have also done is grant myself and my friends a specific inferential entitlement – that whenever we refer to our game, we are entitled to infer that it is won when someone scores 11 points. Conversely, as long as the audience is giving uptake to (1), no relevant speaker can deny this inference and suddenly operate with a different understanding of the game (unless they are thereby migrating to an objection to (1) – a possibility I explore just below).²⁰ Allowing for this inferential entitlement opens up, in turn, various other inferential and pragmatic possibilities. For example, I can now infer who will count as a winner and loser of the game; I can infer when someone is close to winning or close to losing, and so on. I can also now carry out certain speech acts, which may not have made sense prior to (1) and its uptake. For

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¹⁹ Despite our different accounts of stipulation, here Lycan and I are in agreement: “Stipulatives are metalinguistic” (1991, 127).

²⁰ In their (1997), Lance and O’Leary-Hawthorne argue for a similar view of the function of utterances where a speaker defines a term or concept: “(1) Meaning claims function as inference licenses; to say that P means Q is to endorse the inference from P to Q…(2) Meaning claims functions as censure licenses; to say that P means Q is to license censure of those who refuse to endorse the inference from P to Q” (124). Their account here is very close to S₂ in my account of stipulation. Despite this similarity, there are at least two key differences between their account and mine. First, whereas Lance and O’Leary-Hawthorne focus on meaning claims, I think this inference license and censure is implicated in all stipulative acts, not just stipulations that involve the meaning of a term or an understanding of a concept. Second, I take stipulative acts to be structurally and necessarily ends-directed, which is not a feature of Lance or O’Leary-Hawthorne’s account.
example, I can now invite someone to play who thought we were going to have a longer game that they couldn’t participate in, or I can congratulate someone on winning and console someone who loses. This is $S_2$ in my account of stipulation: a stipulation grants the speaker and audience a shared inferential entitlement. This inferential entitlement, in turn, opens up further, novel inferential and pragmatic possibilities – the corollary to $S_2$ in my account.

Importantly, the inferential entitlement I impart via my stipulative act need not be one that has ever occurred to my audience. It might, for example, never have occurred to any of the players to play until 11 before. Of course, it might also have been a rule we have played with previously, and that might be part of the reason I think we ought to use it – because it worked well in previous games. But, on my account of stipulation, the inferential entitlement that is imparted by the stipulative act to all relevant speakers may be entirely novel for these speakers. The inference may represent a way of making sense of the relevant context that has never occurred to any of them before. This will be an important point when we turn to cases where speakers stipulate an understanding of a term or concept.

$S_2$ has certain important resonances with Robert Brandom’s account of assertion. For Brandom, to assert that $p$ is to undertake a commitment to $p$, which means both presenting $p$ “as fodder for inferences leading to further assertions” as well as defending $p$ if challenged (1983, 640). There is, on the one hand, a sense in which stipulations share elements of this structure. Like assertions, stipulations provide fodder for further inferences and other speech acts, as we have just found. This point is easier to appreciate if we consider a stipulation with a different input. Rather than an example where a speaker stipulates a rule, consider an example where a speaker stipulates that something should be treated as a fact. Suppose, for example, I am having an argument with a friend over who is the best rock group of all time. My friend argues that it is the Rolling Stones, and they keep returning to the fact that, they say, the Stones have sold the most albums of any group. I
think they are wrong about this, but I also think that, more importantly, album sales do not settle the question of who should be viewed as the best group. So I utter the following:

(2) “For the sake of argument, I will stipulate that the Rolling Stones hold the record for selling the most albums of all time”.21

Suppose as well that, unsurprisingly, my friend signals their willingness to go along with this stipulation. On the one hand, what I have done by my stipulation in (2) is present a certain proposition as “fodder” for further inference and speech acts – just as in the case of Brandomian assertion. I am imparting an entitlement to myself and my friend to infer that whenever the “Rolling Stones” are now referred to in our conversation, we can say that they hold the record for selling the most albums of all time. But, on the other hand, I am not undertaking a commitment to defend this proposition. In fact, in this case, I do not even believe the proposition in question (and I happen to be right).22 I am instead saying that we can both utilize this proposition as input for further inferences and speech acts in our conversation without needing to defend its truth. In the context of speakers stipulating how a term is to be understood, Lycan makes a similar point that “when a person utters (tokens) an explicit stipulative definition, one cannot at all appropriately respond, “That’s false.” (Lucy: “Here’s my first definition: A ‘freebish’ is a dog eating pizza.” Linus: “That’s false, Lucy, because…”” (1991, 125). Lycan continues: “The reason “That’s false,” uttered in response to a stipulative definition, is inappropriate or sounds funny or whatever is…[that they] are barred from falsity in the trivial sense of being truth-valueless by virtue of their syntax. In the same

21 It is worth noting that the word “stipulate” need not have appeared in (1) and (2) to analyze these cases, pragmatically, as instances of stipulation in my sense. In (1), for example, I might have said to my friend, “Whoever scores 11 points first wins” or “Let’s say whoever scores 11 points first wins”. In (2), I might have said: “Say, for the sake of argument, that the Rolling Stones hold the record for selling the most albums of all time”. Because I do not take surface grammar to be a decisive indicator of underlying pragmatic structure, the fact that the word “stipulation” does not appear in these versions of the cases has little bearing on how these utterances should be analyzed pragmatically. What matters is the characteristic, normative difference such speech acts make when they are successful. This point will be important when we consider examples of speakers stipulating an understanding of a concept – an analysis at odds with speakers’ own immediate self-descriptions and therefore not straightforwardly reflected in the surface grammar of their utterances. I discuss this latter point in more detail below.

22 This record is held by the Beatles.
sense they cannot-be-true” (127). Stipulations, then, do not call for (assertoric) defense; they in fact characteristically absolute speakers from an obligation to provide any such defense.

But while I do not take on a burden to defend the truth of what I stipulate, I nonetheless do incur a certain justificatory burden: when I stipulate, I have an obligation to show that the stipulation will be useful for the context in question. In (2), for example, I stipulate a particular proposition for our conversational context because I think our conversation or argument will go better or well if we do so: I am stipulating “for the sake of argument”, i.e., for the sake of having a productive argument. My friend might felicitously object, however, that there is no point in stipulating this proposition because, in their view, our very disagreement turns on whether this proposition is true. In other words, there is no utility to our stipulating the proposition in question: our conversation or argument will not go better if they give uptake to this stipulation.

Similarly, it would not make sense in response to (1) to object that the rule I am attempting to stipulate fails to represent how we already play the game because, via (1), what I am in part saying is that we ought to play the game in this way, not that we already do. A felicitous criticism of my stipulation, by contrast, might be that we shouldn’t use this rule because it will, say, make the game too short or too dull. In other words, my attempted stipulation should not be given uptake because it will not promote the end of having a good or challenging game – which is what the stipulation aims to do. A speaker who stipulates therefore does not incur any obligation to assertorically justify the stipulation – i.e., they do not have a burden to show that the content of the stipulation is true. The objection that a stipulation or the content of a stipulation is false is, we have found, infelicitous. Someone who stipulates instead incurs a different justificatory burden: they have an obligation to show that the stipulation will be useful for the context in question.

Judgments concerning this utility implicate the other relevant speakers in this context who can, in turn, felicitously object that a speaker’s attempted stipulation fails to be useful and thereby
potentially block the stipulation from taking effect. The felicity and blocking potential of such end-oriented objections is apparent from the fact that, once such an objection is raised, I cannot simply act as though my mere utterance of a stipulation entails that the content of the stipulation is now in place. Consider (1) again. Were I to utter (1) and immediately start playing as if this rule were in place, the other players would be rightly confused about what I was doing or assume that I simply had not heard the objection: we have not yet settled what the rules for our game would be, and so I cannot act as though my utterance has somehow made it the case that this rule is now in place.

This is S₃ in my account of stipulation: the speaker justifies their stipulation on the basis of whether it serves the shared ends of speaker and audience, and the act counts as justified on this basis only if it is taken to be by the audience. The corollary to this dimension of stipulation is that assertoric negations of stipulations are infelicitous. To say, “That’s false…” or “It’s not the case that…” in response to a stipulation is infelicitous because it mischaracterizes what I am trying to do with my words – which is not to make a truth-apt claim, but to shape or establish how we will understand a particular context (via shared inferential entitlement on my account) because it will be useful to do so.

I cannot leave my account of S₃ here, however. A key part of the disagreement between my account and advocates of the stipulation-as-fiat view will turn on the degree to which other speakers can appropriately challenge a stipulation. Before turning to this further discussion of S₃, however, I want to clarify an important dimension of my account. Stipulations, as I argue we should understand them, are not required to take a specific kind of content as input. I can, for example, stipulate whether something will count as a fact (as (2) shows), whether something will be a rule (as (1) shows), or I can stipulate how a term or concept is to be understood (as Lycan’s example, and later examples in the chapter, show). In addition to the variability in the content stipulated, there is also an important variability in the kinds of ends that speakers can (in most cases, implicitly) utilize to
justify their stipulation. In (1), for example, I appeal to what I take to be our collective end of having a good game; in (2), I appeal to conversational or argumentative utility. The ends speakers utilize to justify their stipulative acts will therefore vary depending on the specifics of the case.

This variability in content and ends for stipulative acts means that nothing about my account limits stipulative acts to being performed in ephemeral or provisional contexts. I can, for example, stipulate that a rule hold for all future games we play, I can stipulate that something count as a fact from now on, I can stipulate that a term or concept is to be understood in a certain way not just in one transient conversational context, but in all linguistic contexts where that term or concept might be invoked. Of course, the more sweeping my stipulation, the less likely I am to receive the kind of uptake I am seeking. But nothing in principle rules out these possibilities on my account. The fact that, according to my account, stipulative acts are always open to the possibility of felicitous challenge and defeat does not mean that these acts are therefore necessarily limited to provisional contexts. Such objections may never be raised or may be successfully answered. I will return to this point when I consider the relationship between stipulation and analyticity in the chapter’s final section.

c. More on objections to stipulations and speech acts generally

In drawing out S3, I argued that certain objections are appropriate to stipulations while others are not. But this formulation requires further clarification. What does it mean exactly for a certain type of objection to be appropriate to a specific kind of speech act? It might seem obvious that speech acts are appropriately objected to when we point out infelicities or misfires in their performance. This is how Austin originally explained how speech acts could be criticized. For example, consider an attempt to divorce one’s spouse by standing them “in front of [you] squarely in
the room and saying, in a voice loud enough for all to hear, ‘I divorce you’. Now this procedure is not accepted. We shall not thereby have succeeded in divorcing” our spouse (1970, 238).

But shortly after these observations, Austin cites what he views as a more complex example: “Suppose that you are just about to name the ship, you have been appointed to name it, and you are just about to bang the bottle against the stem; but at that very moment some low type comes up, snatches out of your hand, breaks it on the stems, shouts out ‘I name this ship the Generalissimo Stalin’, and then for good measure kicks away the chocks” (240). While Austin thinks we will “agree that the ship certainly isn’t now named the Generalissimo Stalin…we may not agree as to how we should classify the particular infelicity in this case” (240). Now this might seem confusing. As Austin himself says, the naming clearly does not succeed because the person who attempts this naming does not have the authority to do so, and having the authority to name seems necessary for a felicitous naming – regardless of whether one is a “low type” or not. I, for example, do not get to name someone else’s child – unless they ask me to do so, in which case I have a “derived” or inherited authority to carry out the naming (Maitra 2012). But what seems to trouble Austin about this example is that there is something about the name itself that may be related to the misfire – which would be a surprising result.

To draw this out, imagine a different version of this case. Suppose that someone is having a naming ceremony for the boat that they own and thinks it would be provocative and amusing to name it “Generalissimo Stalin”. Unknown to the owner, however, it turns out that the community where the boat is docked is one where many people were wiped out in Stalin’s purges. Someone comes forward to the owner and says:

(3) “You can name your ship ‘Generalissimo Stalin’ if you want, but I don’t think you should. You may not know this, but many people in this community were killed during Stalin’s purges, and those wounds have not healed”.
The objection raised in (3) fundamentally differs from Austin’s objection that a non-owner does not have an entitlement to name the boat. The latter objection points to a violation of the rules constitutive of the act of naming, which in turn generates a straightforward misfire. But in (3), the objector accepts that the act can or will come off (“You can name your ship that if you want…”), but is nonetheless trying to raise considerations against the owner carrying out the naming. The considerations raised in the objection are therefore *external* to the rules constitutive of the speech act.\(^{23}\) To make this contrast explicit, let’s call this kind of objection “external” and an objection that points to a violation of rules constitutive of a speech an “internal” objection.

It is worth looking at a further case to clarify the distinction. Two faculty members are in the audience for a philosophy conference that has been designed to encourage undergraduates who are interested in pursuing graduate work in the discipline. An undergraduate talk has just finished, and one of the professors, Lisa, turns to the other professor, Paula, and whispers that there is a gaping flaw in the paper that she plans to mention during q&a. Paula says:

(4) “I’m not sure that’s a great idea. We’re trying to encourage the students here to consider pursuing philosophy professionally. That criticism is pretty devastating, and I worry it will discourage this student and maybe the other students in the audience as well”.

How should we characterize the objection in (4), assuming Lisa was going to make an assertion or series of assertions in q&a explaining the flaw in the paper? Suppose as well that there are in fact certain norms constitutive of the speech act of assertion.\(^{24}\) Whether the relevant norm is a knowledge norm, belief norm, or another candidate explored in this literature, this is not the relevant target of Paula’s objection to Lisa’s assertion. It is not that Lisa will be asserting that there is a flaw

\(^{23}\) Lance and Kukla make a similar observation about how a speech act “may conflict with other social or moral norms that are in place” and may therefore ultimately fail (2013, 467). For example: “My spouse might ask me to come home early from a dear friend’s birthday party in order to fold laundry, or my boss may order me to take a visiting dignitary to a strip club. These calls violate broader social or moral norms, even when they are in good order when it comes to their performative structure, entitlement, and recognition” (467).

\(^{24}\) For skepticism that there are such norms with respect to assertion, see Cappelen (2011).
in the paper when she does not believe that this is the case or does not know that this is the case. Paula is rather invoking a separate commitment that she thinks ought to outweigh Lisa’s desire to carry out the assertion, i.e., Lisa’s commitment to having the event go well for the students and thereby encourage them to pursue further work in philosophy. This exchange therefore represents another example of an external objection, this time directed at an act of assertion.

It is important to note, though, that the kinds of considerations raised by (3) and (4) differ, despite both being examples of external objections. In (3), the objection invokes various deontological considerations in favor of the idea that I ought not perform – or ought to retract the performance of – this act of naming. It is not that, or not just that, things will go badly if I carry out this act of naming; the problem is mainly that I will violate various basic ethical principles that I ought to abide by (to be kind to one’s neighbors, for example). In (4), however, the considerations Paula raises are not primarily deontological, but consequentialist: the event will not go well if Lisa issues her assertion, and therefore she ought not issue it.

This difference between the two examples suggests a way of schematizing the various objections that can be made in response to a speech act:
Internal Objection | External Objection
---|---
Internal Deontological Objections | External Deontological Objections
Citing the norms constitutive of a given kind of speech act to object to an attempted performance of that act | Deontological considerations (i.e., certain determinate norms or principles) raised to outweigh the value of performing the speech act
Example: Pointing out that someone is attempting to divorce someone outside of the relevant legal/institutional context | Example: Pointing out that naming a ship 'Generalissimo Stalin' in the wake of Stalin's purges violates a norm/principle of respect for others

Internal Consequentialist Objections | External Consequentialist Objections
| Consequentialist considerations raised to outweigh the value of performing the speech act
Example: Arguing that someone should refrain from an assertion that a paper is flawed to make sure an event goes well

Now we could easily add further sub-divisions here. The examples of external objections I have given so far, for instance, differ along several further axes. The considerations raised by the objector in (3) are distinctly moral objections, whereas, plausibly, the considerations raised by Paula seem to be closer to prudential ones.\(^\text{25}\)

\(^{25}\) Marina Sbisà has also helpfully distinguished at least three types of norms that can be used to evaluate speech acts: constitutive norms, maxims, and objective requirements (2018). Sbisà’s constitutive norms correspond to what I am now calling the internal norms that constitute a particular speech act. Maxims, by contrast, “encode advice for optimal communicative behavior from the point of view of the subjects involved” (29). Sbisà cites Grice’s conversational maxims, Searle’s sincerity conditions, and Austin’s Γ1 and Γ2 as examples of maxims: they are all ways for a speaker to maximize the possibility of a successful speech act performance. For example, it is not necessary for me to perform the speech act of ordering that I make the order clear and easy-to-follow, but following this maxim will increase the likelihood that the speech act succeeds in bringing about its characteristic effects. But beyond maxims that will help speakers secure uptake for their speech acts, there is the additional question of whether “the speaker was right in performing that speech act for those aims in that context, given how things are in the world” (34). This is the third set of norms we can bring to bear on speech acts, according to Sbisà. She calls them “objective requirements”. For Austinian verdictives, such as estimates and assessments, we treat them as “right or wrong, fair or unfair, [where] we have at least to consider: the speech situation, the situation in the world to which the speech act refers, the pertinent criteria of judgment and their application, possible application precedents and, finally, the aims for which the estimate or assessment was contributed. But we also have ‘good’ and ‘bad’ advice, ‘merited’ and ‘unmerited’ blame and (I would like to add) ‘just’ or ‘unjust’ orders” (34). The deontological and consequentialist external objections that I cite in the above
But we can bracket further distinctions for now because what is relevant for this discussion is already apparent once we carve up the terrain using the two distinctions of internal/external and deontological/consequentialist. What we find in the above schema is that there is a square here that cannot be easily filled – the square that represents the possibility of an internal consequentialist objection. Why does this possibility pose a unique challenge? Part of the reason is that the notion of an ‘internal consequentialist’ objection seems to be a contradiction in terms. If internal objections work by pointing to a failure of a performance to properly adhere to the norms constitutive of the relevant speech act, then they seem to be deontological by their very nature. Whether such a performance would nonetheless promote the speaker’s and audience’s ends would not suddenly transform the act into a felicitous one: the norms that constitute the act in question are the relevant norms regardless of whether an infelicitous performance would bring about a maximally good set of consequences. Even if, for example, someone’s attempt to divorce their spouse by saying outside of the appropriate legal context, “I divorce you!”, is an utterance that somehow – through a very peculiar causal chain – manages to bring about world peace, this would not make it the case that they had thereby, via their utterance, divorced their spouse.

We also find this when we consider an example from the opposite direction: just as an infelicitous performance is not made felicitous by promoting a maximally good set of consequences, a performance that clearly detracts from my or my audience’s ends does not make my performance somehow infelicitous. For example, if I promise to Φ, part of what I am doing is undertaking a commitment to Φ in the future, a commitment that the audience for my promise can hold me accountable for failing to meet. But whether this specific promise to Φ promotes or detracts from

schema come closest to Sbisa’s objective requirements. These objections do not challenge whether a certain speech act has in fact been performed, nor are they pointing to additional steps a speaker can take to ensure the success of their performance. These objections point to violations of the “objective requirements” on that act: what makes for a “good” naming, for example. The main point of my schema, though, is to point to the surprising lacuna when it comes to internal consequentialist objections to a speech act. We can arrive at this point without invoking the further, finer grain of Sbisa’s tripartite distinction.
my shared ends with another speaker has no bearing on whether I have felicitously promised. I can felicitously promise to do a favor for someone even if the relevant parties to my speech act strongly prefer that I not make this promise. Again, the fact that the felicity conditions for a speech act seem insensitive to the consequences of an attempted performance of that speech act suggests that internal objections can only be deontological. Any consequentialist considerations immediately seem to put us in the territory of an external objection.

But I want to argue that there is at least one type of objection that belongs here: objections to stipulative acts. Recall the example where my friend objects to my stipulation in (1) by arguing that this rule will not make for a good game. Let’s make this objection explicit:

(5) “I don’t think we should only play until 11 because the game will be over too quickly”.

What makes (5) an example of a felicitous objection, on my reading, is that it shows that the attempted stipulation does not promote the speaker and audience’s joint ends (e.g., of playing a good game). Now we might think that this example is very similar to the case of the two professors, where Lisa’s assertion is objected to by Paula who thinks the value of making the assertion is outweighed by the negative consequences of carrying out the act. But we took the latter to be a paradigmatic example of an external consequentialist objection, whereas here I am supposed to be providing examples of internal consequentialist objections. Why think, then, there is any difference between the case of the two professors and what transpires in (5)?

The crucial difference between these two cases, as I read them, lies in how the consequences are relevant in assessing the speech act. When Paula raises her consequentialist objections to Lisa’s assertion, these consequences, no matter how devastating, do not prevent Lisa from successfully carrying out an assertion; they may well give her an all-things-considered reason not to make this assertion, but the assertion can itself succeed qua assertion regardless. This is not the case for (5) as an objection to (1). The raising of the objection in (5) – all else being equal – prevents my stipulation
from going into effect, i.e., from being successful. Again, after the other player raises the objection in (5), were I to begin trying to play with the rule in place, the other players would be rightly confused by what I was doing.

Consider again the example of the Austinian exercitive where I, as the manager, adjourn the meaning. In this version, after I say the meeting is over, one of my employees says they think we should continue the meeting because we have yet to arrive at a consensus on important issues, and so the work we need to do will not go well. Suppose further that all the other employees in the room agree, and, further still, that as a matter of fact they are right: if the meeting ends now, the work will not go well. Here we have a consequentialist objection to a speech act, but what kind of consequentialist objection exactly? The answer becomes clear when we consider that even in the face of this consensus, I can still successfully adjourn the meeting. The employees’ objections, then, cannot prevent the act from bringing about its characteristics effects because they are external consequentialist objections.

When I stipulate, by contrast, raising consequentialist concerns about the act is not downstream from the question of whether the stipulation has come into effect. For stipulations, as opposed to other speech acts, these consequentialist considerations have a direct bearing on whether a stipulation will take effect. This is because, unlike many other speech acts, stipulation appeals as a matter of its own internal pragmatic structure to the (perceived) shared ends of speaker and audience.

This discussion of the different possibilities for objecting to different kinds of speech acts should, hopefully bring S3 into sharper focus. In turn, these clarifications should also go a long way towards debunking the entrenched view of stipulation-as-fiat. According to the latter view, as we found in Chapter 2, stipulative acts grant us the ability to settle various questions unilaterally (though they do so at the cost of stripping our act of genuine normative force). But if stipulations are, as a
matter of their own internal, pragmatic structure, responsive to our collective ends, then stipulation cannot be synonymous with settling questions by fiat. My stipulation will be successful only if it is justified on the basis of something others also have a say over. They can therefore felicitously block my act from bringing about its characteristic effects, and so my act cannot be a matter of fiat. I will return to this criticism of the view of stipulation-as-fiat throughout the subsequent sections of this chapter.

d. Example of a speaker stipulating an understanding of a concept

Now imagine a different case. Lindsay and Alex have just seen a video from a lab of a robot that is able to move in ways that strikingly mimic the movements of a dog. Lindsay asks Alex whether it would be wrong to go up and kick the robot since it would obviously be wrong to do that to a non-robotic dog. Alex says of course it wouldn’t be wrong because it’s just a robot. Lindsay says she isn’t so sure because it seems hard to distinguish a sophisticated robot from its non-robotic counterpart. Alex says he doesn’t get it. Lindsay says:

(6) “Let’s stipulate, just for the sake of argument, that a dog is something that engages in certain kinds of behaviors – moves in certain ways, has certain reactions to certain stimuli, produces various noises, interacts with other animals in specific ways, etc.”.

Alex agrees to (6). Lindsay then asks whether, given this understanding of a dog, there is any relevant difference between the robotic and non-robotic dog that would make it wrong to hurt the latter but not the former. Alex says he can’t think of a relevant difference and says that, strange as it seems to him, maybe there is a sense in which it would be wrong to hurt the robotic dog.

(6) and its uptake from Alex once again reflect the three planks of my account of stipulation. In terms of S1, (6) is clearly meta-linguistic: it is directly about the terms in which we should understand the conversation going forward and only indirectly about the extra-linguistic world (e.g.,

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26 This case is adapted from an exchange between students in my Summer 2015 “Ways of Knowing” course.
about robots and animals). As for S₂, in giving uptake to (6), Alex and Lindsay are both granted the entitlement to infer that they can treat the term ‘dog’ (or concept DOG) in the way Lindsay has specified. Once Alex has agreed to (6), he also cannot suddenly operate with a different understanding of what it is to be a dog – unless he is thereby migrating to an (internal, consequentialist) objection to (6). And as for S₁, Lindsay offers (6) and Alex gives uptake to it because they think it will be helpful “for the sake of argument” to consider the content of the stipulation.

The key difference between (6) and the previous examples we have considered, however, is that (6) involves stipulating how we should understand a certain concept, rather than stipulating, as in (2), a certain empirical fact about the world. One of the important implications of this switch to a conceptual register in (6) is the way in which this kind of stipulation affects the shape of the subsequent linguistic context. Giving uptake to (6) enables not only novel inferences; it also impacts other related understandings of concepts in a way that (2) does not. For example, if Alex gives uptake to (6) and to this understanding of the concept DOG, questions can now arise about how he and Lindsay will make sense of all sorts of related concepts – such as what it is to be an animal generally, what it is to be a human being, what it is to be alive, what it is to experience pain, what it is to act morally, etc.

Not all of these concepts will be taken to be immediately germane to the specific conversational context surrounding (6), but the point is that uptake for this stipulation implicates a whole further register of commitments (commitments that indicate how we think various concepts are to be understood) that (2), by contrast, leaves untouched. Of course, it is possible that in giving uptake to (2) I might also go on to correspondingly revise my understanding of certain concepts. But nothing about the stipulated fact in (2) puts necessary pressure on this kind of revision. In
stipulating an understanding of a concept, (6) does put this revisionary pressure on a whole range of related concepts.\footnote{27 Here I am of course committing myself to a certain form of semantic holism. Discussions of holism quickly get us into treacherous and well-trodden philosophical territory (e.g., Fodor and Lepore 1992). For the purposes of this discussion, however, I am endorsing a relatively weak form of holism. All I need for the claim that stipulating an understanding of a concept puts pressure on how one will understand other concepts is that an understanding of any concept depends on understanding various other concepts. But this dependence relation is quite weak: it does not mean that understanding any individual concept is possible only against the backdrop of all the other concepts I possess or that I understand the concept in question if and only if I possess a specific, determinate set of corresponding concepts. My position is only that the understanding of a concept implicates our understanding of other concepts – not that it necessarily depends on all other or on these specific concepts. This dependency means that we should expect that if we revise our understanding of a certain concept that similar revisions will follow in our understanding of surrounding concepts (but not that such revisions will necessarily, in all cases, follow). Herman Cappelen, a frequent co-author of Lepore’s, makes a similar set of observations: “There will no doubt be such interconnections. They will be many and complex. Your view of this will depend on your take on the atomism-molecularism-holism debate…[I]f you were to succeed in changing the extension and intension of, say, ‘woman’, the implications for other parts of language would most likely be massive. They would also not be calculable or predictable” (2018, 158).}

e. Further example of speakers stipulating an understanding of a concept and some clarifications

The examples of stipulation in (6) and (2) nonetheless have an important feature in common. The speakers appeal to the same end in both cases: giving uptake to their stipulation will be helpful for their conversation. This is perhaps the primary context in which we might expect to find stipulations, i.e., contexts where we are trying to overcome a certain conversational impasse. But note that there is no reason that conversational utility must be the end that speakers use to justify their stipulation, as I argued earlier.

When we keep in mind the central role that the speaker and audience’s shared ends play in acts of stipulation and the fact that the ends speakers appeal to need not involve conversational utility, it becomes easier to appreciate the stipulative structure of conceptual disagreement. Consider, for example, the following case. A group of directors and film scholars are on the jury of a film festival and are judging which submission should be awarded the title of ‘best documentary’. There is one submission that has been extremely well-received, but while the majority of the film seems to conform to the standard conventions of documentaries, many scenes are scripted and fictional.
debate ensures over whether the film should be eligible for the ‘best documentary’ award: some of the jury members argue that the film is not a documentary, while others argue that it is. The debate quickly migrates to the question of what exactly it means for something to be a ‘documentary’. An advocate of excluding the film as a candidate says the following:

(7) “How about this? A documentary is a film that aims to capture only those events that the filmmakers have no control over”.28

Several notes about (7). The fact that (7) begins with a question does not mean it is best analyzed as an interrogative. Again, surface grammar serves only as a highly defeasible indicator of an utterance’s underlying pragmatic structure. We want to consider instead what the speaker is doing via their utterance. Here the speaker is in part aiming to have an understanding of a concept taken up by others as the correct one, and they want to do this not because this understanding accurately tracks collective usage (which is hardly transparent in this case, as the example itself makes clear), but because it will be useful. In particular, the speaker utters (7) as a way of solving a problem or set of problems – as a way of trying to distinguish different films that they think should and should not fall under this concept and as a way of facilitating judgments for the sake of accolades and awards. These are ends that the speaker takes to be shared with their audience.

(7) therefore closely follows the account of the speech act of stipulation I have given: the speaker is aiming to get others to have a specific relationship to the language they will use in this context by giving themselves and their audience an entitlement to infer that a term or concept be understood in a certain way on the basis of their shared ends. The entitlement here is to infer that the concept of a documentary (or term ‘documentary’), whenever it is invoked in this context, should be understood in a certain way (i.e., as a film that captures events the filmmaker does not have control over). In turn, this stipulative re-articulation of the concept of a documentary opens up

28 (7) and (8) are adapted from Fitzen’s “When is a Documentary? Documentary as a Mode of Reception” (1995).
the felicity and intelligibility of novel inferences and speech acts. Speakers will now be able to infer that the candidate film does not count as a documentary. They will now also be able to perform various speech acts that were previously blocked in this context – for example, Austinian verdictive judgments about the best documentary at the festival.

Now it might be the case that the speaker actually has ulterior motives behind their stipulation – perhaps, for example, the speaker of (7) is in the middle of producing a documentary that they do not want to compete with films like the one currently under consideration and so they stipulate (7) as a way of excluding films like this one. But in order to secure uptake for (7), they will have to articulate it in a way that appeals to their audience, or else their stipulation will fail: it will not be treated as justified by the audience, and so the entitlement for the inference will not be granted – either to the speaker or to the audience. Success for (7), then, depends on appealing to the ends the speaker shares with their audience, whether they realize this or not.

I included this example to show that the apparent surface grammatical differences between cases of conceptual disagreement and stipulations are actually misleading, and they are partly misleading because of an assumed, but not necessary connection between stipulation and the specific end of conversational utility, as opposed to other forms of utility. But a reader might still be skeptical that there is an underlying stipulative pragmatic structure to speech acts in cases of conceptual disagreement where they seem to have a clear assertoric surface grammar. To test this, consider that an advocate of including the film in question for consideration as a documentary replies to (7): “No, that’s nonsense. Documentary filmmakers often have a lot of control over the events depicted in their films”. Then they say:

(8) “What a documentary is, is a film that makes an argument about an actual event”.

The speaker of (8) points out that, according to this understanding, the candidate film could count as a documentary because it is attempting to make an argument about an actual event, even though it uses some fictional devices to do so.

It is an utterance like (8) that can at first be difficult to read as a stipulation because (8), and utterances like it, seem clearly aimed at representing what is the case with respect to a certain term or concept and therefore seem straightforwardly read as assertions. But, despite the descriptive framing of the sentence, when we take a closer look at how this utterance alters the surrounding linguistic context, we find that this reading falls short. The fact that usage is divided even within the room makes it extremely unlikely that the aim of (8) can be to represent existing usage. (8) instead seems to be much closer to a Haslanger-style ameliorative project: the speaker is saying this is how we ought to use the concept, even though currently many speakers may fail to use it this way. Once we make this move – once we consider but do not take as decisive evidence from surface grammar or speakers’ own self-conceptions of their linguistic activity – we are then able to examine the role of this utterance in this linguistic context in full. My suggestion, of course, is that we analyze utterances like (8) in just the way we analyze utterances like (7), despite superficial differences, as stipulative speech acts.

What accounts, then, for the fact that speakers so often utilize an assertoric surface grammar when they defend or articulate an understanding of a concept? I will offer two diagnoses here. First, if we are committed to a form of speech act pluralism (as I am), then it will be hardly be surprising that speakers are carrying out various speech acts via even a single utterance (Lepore and Cappelen 2005). In (8), for example, the speaker is perhaps also attempting to make clear that they strongly believe that this is the correct understanding of the concept in question, rather than being hesitant in their assessment, as the speaker of (7) seems to be. Or perhaps the speaker of (8) has a theoretical axe to grind and is exasperated that their view is not more established. Or perhaps they are trying to
intimidate other speakers by displaying a clear confidence in their view that will dissuade others from challenging what they have to say. All of these additional layers to the utterance can help to explain why its stipulative structure might get obscured.

Second, more generally (and speculatively), what may be behind the fact that speakers often pragmatically package utterances where they articulate or defend an understanding of a concept as an assertion is that it provides their view with a seemingly definitive source of justification – namely, the “world” itself. As Haslanger emphasizes when she refers to the “stipulative dimension” of articulating or defending an understanding of a concept, the content and success of a stipulation is in an important sense “up to us”. This wording, however, gives rise to the worry and the view that stipulation is simply a matter of fiat. We have now started to find that this view is misguided – that a stipulation can never be successful simply because a speaker issues one. But the fact that stipulations are necessarily intersubjective linguistic phenomena illuminates a different sense in which they may still be said to be “up to us”: it is always a collective decision to give uptake to a particular, stipulative understanding of a concept.

When we stipulate an understanding of a concept, we have found that it is not just an individual speaker, but a speaker and audience who are engaged in the project of deciding how to think and use the language we will utilize to make sense of the world. While the extra-linguistic objects and states of affairs that this revised language will implicate are not something we can choose, “[t]he responsibility is ours”, as Haslanger puts it, in cases of conceptual disagreement and articulation, to decide what our language will look like and consist in. Rorty puts this point helpfully: “The world does not speak. Only we do. The world can, once we have programmed ourselves with a language, cause us to hold beliefs. But it cannot propose a language for us to speak. Only other human beings can do that” (1989, 6). But this picture of ourselves, at moments of conceptual disagreement or articulation, as responsible for the languages in which we go on to speak and think.
can be a distressing one. It leads to the vertiginous thought that we are unconstrained in our commitments, not accountable to anything over and above ourselves that could make our commitments count as genuinely right or wrong, correct or incorrect. This is the anxiety, as we observed in Chapter 2, that animates the view of stipulation-as-fiat.

Now, I have tried to show why this is not the case – that we are not simply spinning in a pragmatic or semantic void because we are always constrained, as Rorty points out here, by our fellows, by whether the content of our stipulation serves our shared ends. But it is perhaps existentially more palatable and more persuasive generally to outsource the normative grounding for our stipulative re-articulation of a concept to the world itself, rather than acknowledging that it is in fact a product of our collective agency.29 Amie Thomasson makes a similar observation:

Interestingly, this way of understanding metalinguistic negotiations also gives us a better way of accounting for why speakers would engage in this sort of metalinguistic negotiation in the object language, using the terms, rather than more transparently making recommendations in the meta-language. For if the goal is to modify the norms governing the use of the term, the best way to do that may be world to present themselves as making a discovery about the world…rather than presenting themselves as making their own recommendations about how to change how we use terminology (recommendations that might then be ignored or fail to find uptake) (2017, 25).

By packaging their utterance as assertoric rather than stipulative, the speaker is therefore able to present the utterance as having a definitive, seemingly non-agential source of normativity, i.e., the world itself. Such a move comes with many benefits. It allows the speaker to assume an air of certainty in their pronouncements; it makes giving uptake to the content of their stipulation seem non-optional; and it takes away the threat of the stipulated understanding seeming in any way “arbitrary” because it is linked not to our agency, but to the way the world simply is.

Whatever the motivations may be for tending to convey these stipulative speech acts assertorically, the important point for our purposes is that the mere fact that we opt for this

29 I am not, of course, claiming that any of this happens intentionally. I am offering here one possible diagnosis for why speakers in these cases seem to consistently misconstrue what they are doing linguistically.
formulation does not mean it should be decisive for how we choose to analyze these utterances. I have offered some suggestions in this section for what may be motivating our default to an assertoric framing for conceptual articulation, but it remains an interesting question – and an avenue of potential future research – exactly what these motivations might be.

f. Example of a speaker stipulating an understanding of a concept that plays a constitutive role

As a final example of a speaker stipulating an understanding of a concept in my sense, I want to return to an example from Chapter 1 that I discussed as an instance of a deep disagreement. Here is the case again:

Personhood (PH): Expert legal theorists Peter and Linda have just heard that an animal rights group is arguing before a court that a chimpanzee is being wrongly imprisoned in a research facility – an argument that will require showing that the chimpanzee counts as a person. Peter explains that he has a great deal of sympathy for the position of the animal rights group. The chimpanzees clearly are persons, he says. “[I]n science fiction movies,” Peter points out, “we have no difficulty in grasping that aliens like the extraterrestrial in ‘E.T.,’ or the Na’vi in ‘Avatar,’ are persons, even though they are not members of the species Homo sapiens” (Singer 2014). To be a person, Peter says, is simply to be something that is capable of feeling pain and capable of at least a certain degree of thought. Linda says that this view cannot be right. She and Peter have argued about the moral status of nonhuman animals many times before, and Linda says that if Peter is right and chimpanzees and many other nonhuman animals are persons, then we have a moral obligation to protect them in the way we would any other person – by, for example, providing them with healthcare. But actively intervening in the wild to protect chimpanzees and other nonhuman animals is absurd, Linda argues. To be a person, she adds, is to be capable of sophisticated, reflective thought and deliberation. Nonhuman animals are therefore ruled out. Peter says that Linda’s view also rules out human beings who have severe cognitive disabilities. She says she is willing to accept this consequence because the alternative is Peter’s view, where we have to intervene in the lives of nonhuman animals in unacceptable ways.

When Peter and Linda each say, “To be a person is…”, my position is they are each, among other things, engaged in carrying out an act of stipulation. Again, though, given that each speaker packages their utterance as an assertion, the most obvious route would seem to be to analyze their utterances
as such. But it is hard to see how this reading could be right. Neither Linda nor Peter is trying to represent collective usage with respect to this term or concept: they each accept, for example, that there is something deeply counter-intuitive about their understanding of personhood. They are both saying that we nonetheless ought to understand the concept in a particular way, despite the descriptive framing of their utterances and despite how this concept may be generally used. How, then, should we account for this apparent normativity? Given that it is not the “world by itself” settling the question of how the concept ought to be understood, as Haslanger puts it, it is tempting to assume that Peter and Linda are instead aiming to impose their understanding on others. Perhaps, then, they are issuing a kind of imperative: they are commanding others to understand the concept in their preferred way (Horwich 2005). But this approach also seems wrongheaded. To command or order others to understand the concept in their preferred way would involve accepting this understanding on the basis of the speaker’s authority, rather than accepting it because it is the correct understanding. But the latter is what Peter and Linda want.

Consider, then, an analysis of the case using my account of stipulation. Peter and Linda are clearly engaged in a meta-linguistic act: they are aiming to shape the language by which we will make sense of the world – $S_1$ in my account. Rather than reporting on existing usage, they want to articulate a different or novel understanding of the concept in question. They want to establish that whenever a speaker invokes the concept of personhood, they will be entitled to a specific inference. Peter wants speakers to be entitled to the inference that a person is “something that is capable of feeling pain and capable of at least a certain degree of thought”, whereas Linda wants speakers to be entitled to the inference that a person is something “capable of sophisticated, reflective thought and deliberation”. If these stipulated understandings are given uptake, then, conversely, no one would be

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30 I consider Horwich’s view of semantic stipulation in more detail below.
permitted to deny these inferential links: speakers would be censured for failing to understand the concept correctly. This is $S_2$ in my account of stipulation.

Analyzing PH using my account of stipulation, however, seems to run into trouble when we consider $S_3$. After all, neither Peter nor Linda explicitly says that they have ends in mind that justify their preferred understanding of personhood. But what we have found in this chapter is that the ends-directed structure of stipulations is often not apparent from how they are expressed in utterances. In (1), for example, there is no explicit mention of ends. The fact that I nonetheless implicitly justify my act on the basis of certain ends becomes apparent once we consider what a felicitous criticism of my stipulative act would look like (that, for example, (1) should be rejected because it will fail to make for a good game). When we look closer at PH, we similarly find that both Peter and Linda – whether they are aware of it or not – are utilizing certain ends to justify their preferred understanding of personhood. Linda, for example, believes that a concept of personhood must be answerable to the way persons are uniquely owed certain goods and services. She therefore prefers an understanding that draws a firm line between (certain) humans and non-human animals. Peter, by contrast, believes that any concept of personhood should be answerable to the end of maximizing inclusivity because, otherwise, we risk ruling out groups that we already consider to be persons. He therefore opts for a more capacious understanding of the concept of personhood.

Neither speaker in PH makes the ends they are using to justify their preferred understanding explicit. The fact that Peter and Linda do not explicitly articulate the ends they appeal to is reflective of the assetoric default we considered in the previous section: they are perhaps not even aware they are appealing to ends here. Another explanation is that they – and any speakers who defend or articulate an understanding of a concept – are simply assuming that their ends are shared with their immediate and potential interlocutors. Peter, for example, is simply assuming that Linda and other potential interlocutors will want an understanding of personhood that is answerable to the goal of
inclusivity. Linda is similarly assuming that Peter and other potential interlocutors will want an understanding of personhood that is answerable to the aim of providing persons with certain corresponding goods and services. They might be right, but they might also, of course, be wrong that these ends are shared or shared widely with respect to the concept of personhood. Each of these ends – maximizing inclusivity and ensuring certain positive provisions for persons – can easily become topics of additional debate and negotiation. And further stipulative acts may well be required to argue over how best to understand the various concepts implicated in these ends. The point here, however, is just that, whether or not speakers themselves are aware of it, they are justifying their stipulated understanding of the concept on the basis of what they take to be ends they share with their audience. This is S3 in my account of stipulation.

I want to make two further notes about this analysis of PH. First, a re-reading of Peter and Linda’s metalinguistic activity as stipulative speech acts seems to have brought to light additional resources for addressing and perhaps resolving their disagreement that were not otherwise apparent. Now, of course, this is in part because the example is mine, and I have written it in such a way that these further resources (i.e., the ends to which they take the concept of personhood to be answerable) were not immediately apparent from the original example. But this is not just a cheat on my part. Not only will we encounter a variety of non-toy, real world examples in Chapter 4 that have this same structure, i.e., this same obscuring of the ends to which speakers are implicitly appealing, but what this example helps to draw out is the specific role of assertoric surface grammar in obscuring these ends for speakers. I will return to this point in detail in Chapter 5.

Second, because I take PH to be an example of a deep disagreement, the concept at stake (PERSONHOOD) is one that plays a constitutive role for speakers. Because the concept plays this role,

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31 I will have more to say about this practice of taking other speakers to be invested in the same way in the target concept or subject matter in my discussion of samesaying at the end of Chapter 4.
the implications of either speaker generating uptake for their stipulative articulation of the concept will be maximally wide-ranging. A whole host of other concepts will likely have to be re-thought, and all kinds of novel inferences and truth claims will now be intelligible and felicitous that may not have previously made sense. For example, our judgments about who does and does not count as a person, what our subsequent moral practices look like, how our political institutions will be structured – all of these commitments may well need to be radically revised. In Chapter 4, we will consider more examples along these lines.

g. Stipulation-as-fiat revisited and speaker authority

To draw out a further feature of my account of stipulation that does not show up in the three-plank formulation I have been focusing on so far, it will be helpful to consider contrasting views of stipulation. Horwich (2005) and Lycan (1991), for example, both advocate for a version of stipulation-as-fiat. Horwich argues that “[t]o stipulate that something be the case is, in a sense, to ‘command’ that it is to be so – to state that it shall be so with the expectation of being able thereby to bring it about that it is so” (2005, 137-138). For example, “a teacher might stipulate which questions the students are to answer in order to pass his course; a dictator might stipulate who her successor will be; the owner of a dog might stipulate what it should be called; and we might for convenience introduce a new term, ‘autofanticide’, under the stipulation that it is to mean ‘the killing by a time-traveller of his infant self’” (138). Lycan similarly takes stipulation to be something like “an imperative telling us to do such-and-such under such-and-such conditions” (1991, 126). Suppose, to take one of Lycan’s examples, I want to coin a new expression to describe vegetarian cats, so I utter the following stipulation:

(9) Let ‘veline’ mean vegetarian cat.\(^{32}\)

\(^{32}\) This example is from Lycan (1991, 125).
Lycan explains that speech acts like (9) “cannot be true or false; they state rules, more or less in the form of commands from the Great Convention-Giver to her people” (125-126). Interestingly, despite their similar account of the pragmatic structure of stipulative acts, Horwich nonetheless believes that stipulation is a crucial semantic tool, whereas Lycan is skeptical that stipulation has any substantive semantic role to play. There are, however, two serious problems for their shared underlying approach and ones like it.

First, a defender of a stipulation-as-fiat/command view needs to explain why, if the speech act of stipulation is a command, we should – upon realizing this connection – retain the pragmatic category of stipulation at all. If stipulations are commands, then we should analyze their pragmatic structure as such, and there would seem to be no need (absent further argument) to continue to treat stipulation as a uniquely salient linguistic phenomenon or category. It may be the case that in ordinary language contexts it will make sense to continue to use the term ‘stipulation’, but if, on reflection, the pragmatic structure of stipulative acts is reducible to that of commands, then it is unclear why we should not simply view these ordinary language contexts as confused and conclude that any separate technical account of stipulative speech acts would be simply redundant.

Second, stipulation-as-fiat/command views, such as Lycan and Horwich’s, tend to leave unexplained the precise relationship between stipulation and speaker authority. On most views of commands, a speaker must occupy a formal position of authority in order to felicitously issue a command. This is why, to take the standard example, a general can felicitously issue a command to a private, but not vice versa. With this point in mind, consider Horwich’s first three examples of stipulation in the above passage. In these three cases, the speakers occupy a specific, formal position of authority: they are a dictator, a teacher, and an owner. The fact that they are able to settle what is the case within a particular context should therefore come as no surprise. They are able to do so as a
result of occupying this specific, formal position of authority, and what they are doing linguistically is therefore appropriately categorized as a (kind of) command. Lycan similarly links the capacity for stipulation to formal positions of authority: the stipulator occupies, in Lycan’s colorful turn-of-phrase, the position of the “Great Convention-Giver” who pronounces “to her people” what will be the case in a given context.

But note that Horwich’s final example of a speaker stipulating a meaning for the expression “autofanticide” and Lycan’s example of a speaker stipulating a meaning for “veline” do not involve speakers who occupy any formal position of authority. The speakers referred to here are simply speakers in general, not speakers who occupy any specific position of authority: “we,” Horwich tells us, “might for convenience introduce a new term”, but this is not a “we” that refers to a specific subset of speakers or speakers tied to specific positions of authority. If the previous observations are right, however, then commands can only be felicitously performed by speakers who do occupy formal positions of authority. This is why, for example, I cannot simply start issuing commands to other people I encounter on the street if I hold no formal position of authority over them; they would have no obligation to go along with any of my attempted, but infelicitous commands and would rightly be confused by what I was trying to do.\(^{34}\)

\(^{33}\) Horwich is in fact explicit about the link between speaker authority and stipulation: “One of the conditions of a person’s authority over others is that they follow her instructions; she is then in a position to stipulate that certain things are to be done” (2005, 139).

\(^{34}\) Maitra (2012) complicates this picture. Maitra is interested in cases where a speaker ends up with what she calls “licensed” authority. These are cases where speakers are able to felicitously perform speech acts that depend on having a certain authority, but where the speakers do not occupy any formal position that would grant them this authority prior to performing the act. Maitra offers, among others, the following helpful example: there is an accident on a highway blocking traffic. A driver realizes that someone needs to direct cars, and they get out and begin to do so; the other cars follow their directions. In both cases, Maitra points out that the speaker does not occupy any antecedent formal position that would grant them the necessary authority to perform these speech acts. Maitra’s speakers get their authority to nonetheless perform these acts from the fact that the audience goes along with the speaker’s directions: their authority is licensed to issue commands because the relevant audience “refrain[s] from challenging the speech” (107). There might be an interesting fictionalist view of stipulation-as-fiat to be developed using the resources of Maitra’s account that would argue that what we are doing as speakers when we stipulate is acting as if we occupy positions of formal speaker authority. But this is already a very different view from the one Horwich and Lycan defend, and such a view would have to be explained and defended in-depth before it could be properly evaluated.
The attempt to treat stipulations as commands therefore places proponents of a stipulation-as-fiat view in a double-bind. Either it is the case that stipulations are commands, in which case when speakers say a concept or term is to be understood in a particular way they are not plausibly issuing commands because these are not cases where speakers occupy the formal positions of authority necessary to issue commands, or stipulations are not constitutively tied to formal positions of speaker authority, in which case stipulations are not plausibly treated as commands. The first horn of the dilemma requires that Lycan and Horwich give up the claim that cases where speakers say a concept or term is to be understood in a certain way are examples of stipulations. But the latter cases of “semantic” stipulation, as Horwich calls them, are the cases they are most interested in. If they opt for the second horn, however, they will have to acknowledge that their account of stipulation is fundamentally misguided because it says that stipulations are not plausibly treated as commands.

These accounts therefore underscore the need for a more nuanced understanding of the relationship between stipulation and speaker authority. Again, the most straightforward relationship between speech acts generally and speaker authority is found in cases where the speaker must occupy a formal position of authority in order to felicitously perform the speech act in question, as in the case of orders. Assertions, by contrast, do not seem to require any special formal authority for their felicitous performance: everyone is entitled to perform an act of assertion. But the assertions and other speech acts that end up securing uptake will often turn on the kind of informal authority a speaker has in virtue of an advantageous social and material position and in virtue of other attributes the speaker may possess, such as a compelling or charismatic personality (Herbert and Kukla 2016; Barnes 2016). By the same token, the speech acts of those who are oppressed in virtue of their social and/or material position, even if felicitously performed, will often fail to secure the uptake the speaker is aiming for because they will not be heard or taken seriously by the audiences the speaker
is addressing (Kukla 2014). Privileged informal authority is therefore not a felicity condition for many speech act performances, but it does play a substantial role in their eventual success or failure.

My view is that stipulations are like assertions: one does not need any unique, formal speaker authority to successfully perform a stipulation. But the stipulations that get uptake – especially stipulations of an understanding of a concept – will likely track familiar informal sources of authority that are linked to a speaker’s social and material position. To have an advantageous social and material position will make it more likely that one gets uptake for this speech act and to lack such a position will make it less likely that one secures this uptake.\(^{35}\)

There is an interesting further wrinkle, however, in the relationship between stipulative acts and authority. Stipulations can prove successful even if they are issued by non-formally authoritative speakers and even if they conflict with the pronouncements of speakers who are formally authoritative within the relevant domain. Suppose, for example, I hold no official position of authority in the Jewish community, but am something of an autodidact. I spend a great of time learning about the concept of *kashrut* and then, in a publication that has a wide circulation among the relevant subset of the Jewish community, I stipulate (in the sense specified in this chapter) that we ought to understand this concept in a novel way – a way that substantially departs from how the concept is currently understood within the community, especially by figures in the relevant positions of formal authority.\(^{36}\) While it is still unlikely that my stipulation will prove successful, it is certainly not impossible. It will depend on how the stipulation is received by the relevant audience and whether they give it the kind of uptake it needs. If they do, then my stipulation will be successful and

\(^{35}\) Because I take up Lance and Kukla’s methodological orientation of analyzing speech acts via their *successful* uptake, my discussion of stipulation in this paper inevitably involves a certain degree of idealization that abstracts from the circumstances of informal authority attributions. But individuating stipulation as a speech act according to this methodology is compatible with accounting for and acknowledging such circumstances, as my discussion here shows and as Kukla’s own (2014) discussion shows.

\(^{36}\) “*Kashrut*” refers to the laws governing Jewish eating practices.
the community will have agreed to understand this concept in the way I have stipulated. This is, again, a very unlikely trajectory for my stipulative act, but, importantly, not an impossible one.

What this case helps to draw out is the potential egalitarian dimension to stipulative acts: they can in principle be successfully performed by anyone. For any case where someone or some group articulates or defends an understanding of a concept that cuts against the pronouncements of formally authoritative figures within this domain, my view is that such a change must be at least in part a product of a successful stipulative act. Consider, for example, feminist interventions that have legally and (in some cases) culturally transformed our understanding of the concepts of gender, harassment, and rape (see, e.g., Siegel 2004, Hasday 2000, MacKinnon 1979, Farley 1978). These novel understandings of concepts were stipulated by speakers facing enormous barriers to having their speech taken seriously, but were nonetheless, in many contexts, successful. This can only be the case if stipulations are not constitutively tied to speakers occupying specific positions of authority. In principle, then, stipulation is an egalitarian linguistic tool because it is not structurally tied to formal speaker authority for either its felicitous or successful performance. In practice, however, this egalitarian dimension of stipulation is rarely realized.37

III. Objections

I want to turn now to several objections readers might have to this account of stipulation and its role in conceptual articulation. Addressing these objections will also allow me to further clarify the account.

37 My account therefore has an explanation for why Horwich would opt for a general “we” that introduces a novel term. On my account, stipulation is not indexed to a formal position of authority for its felicitous performance. Because of this, any speaker can potentially carry out a successful stipulation. But severing stipulation from formal speaker authority means it cannot be a command or order (without a great deal of further argument) and that a view of stipulation that accounts for this egalitarian dimension of the act is needed – which my account provides.
a. A clear counter-example?

It might seem that even if I am right about certain examples of stipulation, there clearly are cases where a speaker, via stipulation, is able to settle by fiat what is the case. For example:

(10) “In this book, I will stipulate that ‘poverty’ means a condition where an individual’s income is insufficient to meet that individual’s basic needs”.

According to this objection, the author clearly settles what this term means or concept consists in within the context of their own book. My reply, however, is that the author will have carried out the stipulation in (10) because it serves a function within their book: they have stipulated this definition because it is, for example, conducive to the best discussion. But the author might be wrong in that judgment. Perhaps, for example, there is another definition that will work better: one that is clearer, more precise, one that better reflects the usage within the relevant scholarly community, etc. We can easily imagine that an editor or another reader could raise these criticisms, and the author might revise their stipulated definition accordingly. If this is right, then even in this supposedly paradigm case of stipulation-as-fiat a speaker does not get to unilaterally settle what is the case via their act of stipulation.

b. My account of stipulation is at odds with speakers’ own self-understanding

Someone might object that there is a clear disanalogy between cases of stipulation and cases of deep disagreement, especially as I have understood the latter. In the case of stipulation, we are putting forward something in a non-committal way. But in cases of deep disagreement, we are saying that this is the correct understanding of the concept in question. We cannot, then, re-cast cases of deep disagreement as stipulative acts, according to this criticism.

But note that this objection ascribes significant weight to speakers’ own immediate self-reports in order to figure out what sort of act or acts they are performing. We should, however, be
skeptical of this methodology. Amie Thomasson offers the following helpful guidance: “In general, when we interpret human intentions, we should give most weight not to what people say about their intention, but to what they do” (2017, 22). We have already found that in most cases, speakers simply cannot be making truth claims in cases of conceptual disagreement because they are not trying to capture how a particular term or concept is currently used; they are trying to say something about how this term or concept ought to be understood. They are also not, in general, issuing a command in these contexts. This is because speakers want others to endorse their stipulated understanding as correct, rather than just accepting it as a result of the speaker’s authority: the speaker takes themselves to be showing, and wants others to acknowledge, that their view of the concept in question is right and other views wrong. In Chapter 2, we found that Thomasson (2017) and Plunkett and Sundell (2013) have argued that in many cases of conceptual disagreement, speakers are often engaged in the project of metalinguistically “advocating” or “negotiating” over how to use a particular concept. I already registered my concerns about Plunkett and Sundell’s view: they do not, for example, give any extended pragmatic analysis of what a speech act of ‘advocacy’ or ‘negotiation’ involves, and we need this kind of analysis before we can decide whether this is what speakers are in fact up to in cases of conceptual disagreement. But what matters for our purposes here is that they present a pragmatic analysis that conflicts with speakers’ own immediate self-reports; they nonetheless endorse this analysis because they think it best captures what speakers are doing. My alternative view, of course, is that we are best off treating cases of conceptual disagreement as instances of speakers engaging in speech acts of stipulation.

Another good reason to consider speakers’ own self-reports in these contexts as highly defeasible pieces of evidence is Haslanger’s observation that philosophers themselves are often unaware of the kind of conceptual analysis they are engaged in, even though many of these same philosophers take their specialty to lie in conceptual analysis. If those who purport to specialize in
conceptual analysis lack a clear self-understanding of their own activity, then we should take all speakers’ avowals in these contexts with a grain of salt.

My claim in this chapter has also not been that the relevant speech acts at stake in instances of deep disagreement are only stipulations. My claim is that deep disagreements cannot be understood pragmatically without treating them as involving, in part, acts of stipulation. Because I endorse a form of speech act pluralism, this does not preclude viewing particular cases as involving and particular utterances as performing other speech acts in addition to stipulations: the relevant utterances may also function as demands, entreaties, requests, (in part) as assertions, among various other speech acts. These additional pragmatic layers, which will be more or less salient to speakers depending on the context, can easily occlude the fact that speakers are carrying out acts of stipulation when engaged in deep disagreements.

c. **Stipulation can be explained by McGowan’s conversational exercitives and Lewis’s rules of accommodation**

Someone might also object to my account that there is nothing particularly unique about stipulative acts. Mary Kate McGowan’s account of conversational exercitives, for example, might seem to comfortably account for the linguistic phenomena I have analyzed. McGowan takes her jumping off point from Austin’s exercitives, which are “speech acts [that] enact rules (or permissibility facts), thereby fixing the bounds of permissibility in a certain domain” (McGowan 2004, 93). But in order to felicitously carry out Austinian exercitives, the speaker must have the appropriate authority to do so. For example, to carry out an exercitive that would change the rules of the classroom, I need to be a teacher or administrator who has the appropriate authority to make these changes.

McGowan, however, wants to expand the scope of exercitive acts beyond those issued by speakers in positions of formal authority. She argues that “any conversational contribution that
invokes a rule of accommodation is an exercitive speech act…[because] such an utterance changes the bounds of conversational permissibility” (93). She turns here to David Lewis’s rules of accommodation. Lewis’s rules highlight the curious fact that in conversation “any presuppositions that are required by what is said straightway come into existence, provided that nobody objects” (Lewis 1979, 347). For example, if I come up to a friend and say, “I had too much to drink at Dew Drop bar last night”, then the fact that I went out drinking at Dew Drop bar last night “straightaway” becomes part of the common ground of our conversation (absent any objection). McGowan’s point is that the springing into existence of this presupposition will also change “the bounds of conversational permissibility” in a way that mirrors the characteristic effects of Austin’s exercitives. For example, it will now be appropriate for my friend to ask what time I went out or what kind of drinks I was having, and it will be inappropriate for them to ask whether I went out last night or whether I had anything to drink.

Now, McGowan is aware that if her account of conversational exercitives is right, then these acts will be pervasive: “many (perhaps even most) conversational contributions are conversational exercitives and thus have exercitive force in addition to whatever (surface) illocutionary force such utterances have” (2004, 102). Given that on my account of stipulation, the bounds of conversational permissibility are also importantly changed, we might think that we can account for the structure of stipulative acts by treating them simply as a form of conversational exercitive.

But there are important differences between McGowan’s capacious category here and my account of stipulation. Conversational exercitives do not involve speakers addressing the metalinguistic question of how to make sense of or structure the permissibility facts. When I perform a conversational exercitive, the permissibility facts change regardless of whether my aim is to change them: “That I did not intend to change the bounds of conversational permissibility is irrelevant to the exercitive force utterance. The rules of accommodation operative in the context of conversation
are sufficient to make my utterance change the bounds of conversational permissibility. Unlike Austinian exercitives then, conversational exercitives do not depend on the speaker’s illocutionary intention” (106). Now I need to be careful here. Unlike other theorists, I do not want to characterize stipulative speech acts as necessarily “intentional”, tempting though this is. As I have argued throughout this chapter, speakers are often unaware that they are engaged in stipulative acts. But, whether or not speakers themselves understand their acts in this way, they are addressing the question of how to make sense of and structure the common ground. Conversational exercitives, by contrast, simply add content to the common ground; they do not involve litigating how the common ground itself will be structured.

A further important distinction between McGowan’s conversational exercitives and stipulative acts is that stipulative acts do not “straightaway” alter the common ground. This is because they call for a specific kind of uptake. To appreciate this point, first consider the kind of uptake linked to conversational exercitives. These exercitives require a response on the part of the audience only if the audience wants to object to the content of the exercitive. This is why, for the most part (i.e., absent any audience objection), they straightaway alter the common ground. All stipulations, by contrast, require a specific response from the audience to be successful. As a result, they never straightaway bring about their characteristic effects. If, for example, I attempt to stipulate something, and no one signals their support for my stipulation, then I cannot start acting as though the stipulation has gone into effect and begin holding other speakers accountable accordingly. For

38 Traugott and Dasher refer to what I would call examples of stipulative speech acts as a form of what they call “objectification”. They characterize the latter by its link to intentions: “[O]bjectification is sporadic and largely irregular since it is the highly conscious and deliberately interventive sort of change that comes about when ordinary words are preempted for specific purposes…An extreme example of “objectification” is when lawyers seek to constrain interpretations of words. Another is the development of “technical jargon,” which involves the stipulative definition of terms by professionals, who seek to construct meanings in ways as immune as possible to personal interpretation” (2001, 32). I do not want to deny that there are cases of intentional stipulations; my view, though, is that these acts do not exhaust the scope of stipulative acts, not even for the subset of these acts that aim to establish a certain understanding of a concept. An important implication of my account is that stipulative speech acts are far more widespread than those who tie these acts to intentions may have thought.
the stipulation to take effect, it needs to secure uptake from my audience that goes beyond just the absence of an objection. But what kind of uptake exactly?

When I stipulate something, I am not just calling on other speakers to indifferently update their understanding of the common ground. The uptake called for is distinctively normative. So far in this discussion, I have not emphasized this feature of stipulation apparent in S₁ as much as the others – that a stipulation cannot successfully take effect unless the audience agrees that the stipulation is justified. This is perhaps most obvious when we consider uptake for a stipulation that goes awry. An audience signals that they will give uptake to my stipulation, but then act in a way that seems to ignore the content of the stipulation. If this happens, then I do not just indifferently change my expectations about their linguistic behavior: I will criticize them for failing to act in the way they agreed that they ought to act when they gave uptake to my stipulation. When I attempt to stipulate something, I am therefore calling on my audience not just to change their expectations or linguistic behavior in accordance with my stipulation; I am calling on them to agree that we ought to take up the content of the stipulation. To make this distinction clear, we can say that what are calling on our audience to do when we attempt to stipulate something is ratify my stipulation – to agree that the stipulation is justified and to therefore assume the corresponding inferential entitlement and other resulting normative statuses that come with treating this stipulation as binding.39

Of course, this ratification process may be extremely subtle and rarely show up to speakers as any kind of unique act or process. When someone attempts a stipulation like (1), the audience may signal their agreement verbally, or they may just nod their heads in approval and otherwise remain silent. But the audience will need to have some response signaling that they are agreeing to the

39 Lance and O'Leary-Hawthorne draw on a similar notion of ratification: “To accept a translation or other meaning claim is akin to ratification of a document, an act which makes it binding upon oneself and one’s fellows” (1997, 21). But I think this notion of ratification is an aspect of the more general speech act of stipulation. While making a “meaning claim” in the sense that Lance and O'Leary-Hawthorne have in mind involves, on my view, a stipulative act, it is not the only kind of content that can be stipulated, as I have tried to show in this chapter.
stipulation in order for it to take effect. Stipulations therefore cannot take effect “straightaway”, unlike conversational exercitives. They must first be ratified by the audience.

In addition to the various other arguments I have raised against stipulation-as-fiat, the fact that stipulations must be justified in the view of their audience in order to be successful is, in my view, a weighty consideration against this view. Stipulations structurally require ratification from their audience to prove successful; they therefore do not grant a speaker any kind of unilateral semantic authority to settle what a concept or meaning consists in. They are necessarily intersubjective linguistic phenomena.

d. Stalnaker’s view of assertion captures the phenomenon of stipulation

A reader might point to a different account of the pragmatics of assertion to argue that my attempt to distinguish stipulative speech acts from assertions is misguided. Stalnaker’s influential view of assertion, for example, seems to account for the same linguistic phenomena I am interested in because he builds the notion of a “proposal” into his view of assertion: “[T]he speech act of *assertion*…changes the context by adding the propositional content of the assertion to the common ground…So the assertion is, in effect, a proposal to change the context (the common ground) in a certain way, a proposal that takes effect if it is not rejected” (2014, 51). A full treatment of Stalnaker’s account of assertion would take us too far afield, but what I can say is that Stalnaker’s view is not fine-grained enough to capture the phenomena I am interested in. A proposal, for example, is an intersubjective speech act: I am calling on others to take up a particular proposition or course of action, for example. Assertions, however, are not intersubjective in this same way. If I assert that \( p \), I might know in advance that most people in the conversation will disagree with me. But I can be entirely indifferent to this anticipated disagreement. I cannot, however, be similarly indifferent if I am proposing something because, in proposing, I am dependent on others when I
perform this speech act: I am aiming to get their uptake for my proposal. Stipulations are much closer to proposals than to assertions in this regard. For certain theoretical and philosophical purposes, then, it can be fruitful to gloss assertion as a proposal to change the common ground. But because I am interested in the specific kinds of changes wrought by stipulations as opposed to assertions and other speech acts, Stalnaker’s view simply paints with too broad a brush for delineating the phenomena I am interested in.

e. Proposals, assumptions, and suppositions versus stipulations

My answer to the worry in the previous section points to a different set of concerns. We might wonder how my account of the pragmatics of stipulation relates to an analysis of what can appear to be kindred speech acts, such as proposals, assumptions, and suppositions. I will offer two points of clarification here. First, the label we give to the relevant linguistic phenomenon is not particularly important to me. As with all such analyses in speech act theory, I take ordinary usage as a jumping off point for thinking about a particular linguistic phenomenon, but do not take such usage to be decisive for a technical treatment of the phenomenon. If someone prefers a different label for what I am describing, then I will not get in their way.

Second, this methodological point aside, I think there may well be interesting and fruitful connections to consider in analyzing the pragmatic structure of these seemingly related and yet also seemingly unique speech acts. Consider, for example, Mitchell Green’s account of supposition

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40 See MacFarlane (2011) for an overall assessment of the advantages and disadvantages of Stalnaker’s view of assertion.
41 Bach and Harnish (1979) also briefly discuss what they call “suppositives” under which they list stipulations as an example. Someone carries out a suppositive if, first, their utterance expresses “the belief that it is worth considering the consequences of P” and, second, if their utterance expresses “the intention that [the hearer] H believe that it is worth considering the consequences of P” (44). As I explain throughout this chapter, my account of stipulation is not fundamentally linked to speaker or hearer intentions. I also do not view stipulations as a subset of constatives, as Bach and Harnish do (though they acknowledge on 45 of their (1979) that suppositives are also not a comfortable fit for their understanding of constatives). Bach and Harnish’s emphasis on how speakers appeal to the worthwhile “consequences” of supposing P is, however, congenial to my account.
(2000). For Green, the speech act of supposition involves “the acceptance of a proposition for the sake of argument” (2000, 376). Earlier in this chapter, I clarified that, on my account of stipulation, different content can be stipulated and various ends can be appealed to in a stipulative act. Green’s supposition therefore seems to be a specific example of a stipulative act in my sense, but it is only one example among many. My (2) in this chapter is, for instance, an example of a Green-style supposition.

Many aspects of Green’s account of supposition are congenial to my more general view of stipulation. Green offers what he calls an attitude externalist account of supposition, according to which supposition does not require “an internal physical medium for its realization” (393). Instead: “Like many other statuses, the state of supposition thus attained is to be understood in the first instance in terms of what one in that state is committed and entitled to do, and like many other statuses a state of supposition is not easily attained, but rather requires proficiency in the art of reasoning and an ability to “bracket” questions of the truth of propositions supposed for argument’s sake” (390-391). Green’s emphasis here on the unique normative statuses brought about by a successful act of supposition as the primary means of individuating the speech act, rather than turning to the instantiation of a specific mental state, is very much in line with my general methodological approach.

In Gilbert Harman’s analysis of Boghossian’s account of analyticity, he equates acts of stipulation with acts of assumption:

To put the point somewhat differently, stipulative definitions are assumptions. To give a definition is to say “Let’s assume for the time being that the following equivalence holds.” The epistemological force of a stipulative definition is the same as the epistemological force of an assumption. While an assumption is in force, it is impolite to challenge it; so too, while the stipulative definition is in force, it is impolite to challenge it. But, after a while, we can look at where we have got to and, at that point, we might very well give up any assumption, including stipulative definitions, without any more change in meaning than what is involved in any other change in view (1996, 399).
Harman’s larger point is that acts of stipulation are not helpful for the defender of analyticity since stipulative acts of definition and conceptual articulation are revisable in just the same way that all assumptions are revisable. I will have more to say about the relationship between analyticity and stipulation in the next section of this chapter, but what matters for our purposes here is that Harman gives us an alternative view of stipulation, a view according to which stipulation is helpfully analyzed as a subset of the speech act of assuming. Someone might wonder why we should opt for my account of stipulation over the one Harman outlines in this passage.

I want to make two points. The first is that absent a more detailed account of the pragmatics of assumption that Harman has in mind, we cannot properly evaluate the merits of this account. The pragmatic structure of the speech act of assuming is no more transparent than the structure of any other speech act. But this charge may strike some readers as something of a dodge. The second point I want to make, then, is that if we operate with a certain general understanding of the speech act of assuming, it seems that assumptions have their provisional nature built-in. If I am assuming something, then we know that I am entitled to revoke this assumption at any time and that, as an assumption, there is a way in which this speech act in fact aims to be revoked at a particular point within the relevant context – i.e., once it has served its function. By contrast, it is not clear to me that stipulation, at least as I want to understand this speech act, has this same to-be-revokedness built in to its pragmatic structure. Now we have to be careful here. I have argued at length in this chapter that stipulative speech acts are always subject to felicitous criticism and potential defeat. But the fact that stipulations can be felicitously criticized and defeated does not mean that they necessarily will be or that they structurally aim at being revoked. This is why, as I argued earlier in the chapter, there is nothing about stipulations that necessarily limits their effects to a provisional context. I can, for example, stipulate that, for all future games we play, a certain rule should be in effect. As long as the other speakers agree to this stipulation (and all else being equal), the rule will
remain in place. Assumptions, by contrast, seem to have their lifespan built-in: they aim to last only provisionally.

There is a second way we might begin to distinguish between assumptions, suppositions, and proposals as opposed to stipulations. I have argued throughout this chapter that the view of stipulation-as-fiat is misguided. But there is no denying that stipulative speech acts generate the appearance that a speaker is able to settle what is the case within the relevant context by stipulating. It is, I think, this appearance that makes the view of stipulation-as-fiat so tempting, even though I have argued that it is ultimately misleading. But it is striking that there is no parallel temptation to develop this kind of view of assumptions, suppositions, or proposals – to develop a view, for example, of assumption-as-fiat. Similarly, when I propose something, I am not performing a speech act that even appears to settle things by fiat: I am aiming to get others on board with whatever it is I am proposing. Assumptions and suppositions likewise do not seem to verge in any way into the pragmatic territory of commands. Again, my position is that stipulations also depend for their success on the uptake they receive from others, and this is why, among other reasons, I take the view of stipulation-as-fiat to be misguided. But the phenomenology of stipulation-as-fiat is not something that we encounter in these other speech acts that otherwise seem to be closely related to stipulation, and why this should be the case, is an interesting question I plan to explore elsewhere.42

IV. Stipulation and analyticity

In addition to metaphilosophical moments, stipulation is primarily invoked in one other philosophical context – in discussions of analyticity. This fact is, on reflection, perhaps not all that

42 I therefore leave open here the question of the exact relationship between stipulations and speech acts such as proposals, assumptions, and suppositions. I have suggested in this section that the latter acts might be viewed as subsets of stipulation, but have also suggested that there may be important differences between stipulation and these acts. Again, I plan on addressing the question of how best to think about the relationship among these speech acts in more detail in future work.
surprising. If one holds the metaphilosophical view that philosophy is importantly or uniquely
cconcerned with the project of conceptual analysis, then questions surrounding analyticity will quickly
become germane. Whether there is any genuine knowledge to be gained from “analyzing” our
cconcepts seems to depend on whether or not there is any content essential to or constitutive of a
pcparticular concept. If there is no such content (or no meaning essential to or constitutive of a
pcparticular term or expression), then there seems to be no knowledge to be gained from reflection on
the concept or term. What, though, would it mean for content to be “essential” to or “constitutive”
of a concept or a meaning to be “essential” to or “constitutive” of a given term? It would mean that
we could say something true on the basis of a concept’s content or a term’s meaning alone and so
without needing to turn to the empirical world. A claim that would be true in virtue of meaning or
content alone is analytic.43 If there are such analytic truths, then we can gain knowledge simply by
reflecting on our concepts and the meaning of our terms.

I have primarily focused on how stipulation is talked about in metaphilosophical contexts. In
these contexts, it is invoked to explain (either affirmatively or pejoratively) what philosophers are
doing when they articulate an understanding of a concept. But if stipulation can help to explain the

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43 This of course raises the question of what we mean by “meaning” and “content”. Gillian Russell’s (2008) helpfully
diagnoses what she calls the “language myth”, where we elide the many different things that might be at stake when we
talk about meaning and content. Russell distinguishes at least four: character (“the thing speakers must know (perhaps
tacitly) to count as understanding an expression”), content (“what the word contributes to what a sentence containing it
says”), reference determiner (“a condition which an object must meet in order to be the referent of, or fall in the
extension of, an expression”), and referent/extension (“the (set of) object(s) to which the term applies”) (45-46). The
language myth assumes that the same thing will play all of these different roles, whereas Russell wants to show how this
need not be the case (and, in turn, to offer a novel account of analyticity – truth in virtue of reference-determiner). In
this discussion, my sense of “meaning” and “content” is closest to what Russell describes as (Kaplanian) character. I
have remained intentionally abstract and non-committal in this discussion because as I make clear in this section and in
my discussion of Kripke in Chapter 4, I view my account of stipulation as complicating notions such as “reference
determiner”. McConnell-Ginet’s (2008) discussion of “lexical significance” (and corresponding tripartite discussion of
semantic representation, reference, and conceptual baggage) is also helpful here. My loose sense of “meaning” and
“content” in this discussion cuts across McConnell-Ginet’s notions of semantic representation and conceptual baggage.
Because I take my discussion to have certain metasemantic implications but do not want to incorporate these
implications at the outset (and so confuse matters), I have retained this looser terminology for the most part.
phenomenon of conceptual analysis, then given the connections just sketched, perhaps stipulation can also begin to explain the phenomenon of analyticity.

Here is the general line of thought: if I stipulate, to borrow Lycan’s example from above, that ‘veline’ means *vegetarian cat*, then it seems that I have made it the case that ‘veline’ means *vegetarian cat*. And if I have, then it seems I have also generated the following analytic truth – that it is true that a veline is a vegetarian cat, a truth that results exclusively from the meaning of the term ‘veline’. If this line of thought is right, then stipulation seems to be a tool capable of generating analytic truths. For those who follow in Quine’s influential footsteps in denying that there is any such thing as analyticity, this is a deeply worrying result.

In fact, however, as various commentators have noted, Quine in “Two Dogmas” makes a brief, but surprising concession to advocates of analyticity regarding stipulative acts. He writes:

There does, however, remain still an extreme sort of definition which does not hark back to prior synonymies at all; viz., the explicitly conventional introduction of novel notations for purposes of sheer abbreviation. Here the definiendum becomes synonymous with the definiens simply because it has been created expressly for the purpose of being synonymous with the definiens. Here we have a really transparent case of synonymy created by definition; would that all species of synonymy were as intelligible. For the rest, definition rests on synonymy rather than explaining it (1980, 25-26).

How, then, should those influenced by the arguments of “Two Dogmas” to be skeptics of analyticity react to this concession? Lycan is emphatic that “a good Quinean ought to argue as powerfully as possible against the possibility of creating genuine analyticities even by explicit stipulation” (1991, 121).

A full treatment of the relationship between stipulation and analyticity would likely be a dissertation unto itself. But in order to even go about fruitfully examining this relationship, we need what very few philosophers have provided, and that is an in-depth account of what exactly it is that the speech act of stipulation consists in. My project in this chapter has been to articulate just such

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44 Boghossian, for example, makes various references to stipulation in his influential (1996) discussion of analyticity, but does not provide much insight into what he takes stipulative acts to consist in.
an account. Among other avenues of possible future research stemming from this project, I hope to spell out elsewhere in full what I take to be the precise nature of the relationship between stipulation and analyticity. Here, though, I want to sketch the outline of my view – in particular, I want to consider what it means to say that speech acts of stipulation can “generate” or “create” analyticities.

Lycan notes in passing that we should be careful to distinguish between the speech act involved in stipulating an understanding of a term or concept and the subsequent (purportedly) analytic claim. Above I cited an example of an utterance that Lycan takes to be an instance of a stipulative speech act:

(9) Let ‘veline’ mean *vegetarian cat*.

Lycan says that we can also add utterances such as the following as examples of stipulative speech acts:

(11) ‘Veline’ shall denote vegetarian cats.45

Lycan explains that utterances such as (9) and (11) are not themselves “a straightforward indicative sentence alleged to be analytic” (125). Instead, “[i]t is the prior occurrence of one of these [stipulative speech acts] that is supposed to legitimize the imputation of analyticity to some later, distinct sentence: ‘All velines are vegetarian cats’” (125). Surprisingly, Lycan goes on to largely sideline this observation in his discussion, but I think it is key. What it suggests is that a claim is not analytic simply in virtue of the meaning of its terms – which is how analyticity is typically glossed. This approach instead suggests that a claim becomes analytic as a result of a prior meta-linguistic act on the part of speakers.

Now, many contemporary discussions of analyticity simply refer to purportedly analytic sentences in isolation. We are asked to consider sentences such as, ‘All cats are animals’ or ‘All

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45 This example is from Lycan (1991, 125).
bachelors are unmarried’, these sentences are then referred to as potential candidates for analyticity, and then arguments are given for or against the sentences counting as genuine examples of analyticity. But what Quine’s and Lycan’s discussions suggest is that sentences should not be treated as candidates for counting as analytic when they are viewed in isolation in this way; sentences are rather made analytic as a result of a broader linguistic context and prior acts taken by speakers.

This distinction between the speech acts speakers undertake that can give rise to analytic sentences and the analytic sentences themselves helps to clarify what I take to be the general relationship between stipulation and analyticity. According to S₃ in my account of stipulation, a stipulative act is successful only if it is taken to be justified by its audience. And to be taken to be justified in this way is, as I clarified earlier in this chapter, for the audience to ratify the stipulation. Once the audience has done so, the inferential entitlement brought about by the stipulative act is available to all relevant speakers, and, conversely (as per S₂), to deny this inferential entitlement will open someone up to appropriate censure. Now consider this dynamic in the context of someone stipulating an understanding of a concept. Suppose, for example, we are back at the film festival, and the stipulative articulation of the concept of a documentary in (7) proves successful – i.e., the rest of the room agrees to understand the concept of a documentary as a film that aims to capture only those events that the filmmakers have no control over. Were someone to subsequently start operating with a different understanding of the concept, other speakers would justifiably subject them to censure. They would, in other words, appropriately go about correcting them and explain how this concept is to be understood.

Once, then, a stipulative articulation of a concept or a term has successfully been ratified by the relevant audience, there seems to be a sense in which we have “created” or given rise to an analytic claim: it will now be the case that on the basis of the meaning of ‘documentary’ alone or on the basis of the content of DOCUMENTARY alone, it is true that a documentary is a film that aims to
capture only those events that the filmmakers have no control over. But note that, unlike in Lycan’s version of how stipulation might be related to analyticity above (which he eventually rejects as implausible), we do not have a single speaker settling by fiat how a concept or term is to be understood. Instead, the analytic claim only comes about as a result of a stipulative speech act being performed successfully, where this requires that the act be given uptake by – be ratified by – the relevant audience.

And yet this is not quite the whole story. In contrasting my account of stipulation throughout this chapter with the view of stipulation-as-fiat, I have aimed to show that stipulative speech acts are always felicitously subject to criticism and potential defeat. It is not the case, then, that the inferential entitlement that a stipulative act gives rise to is “immune to revision”, as Quine describes and we might expect for analytic sentences (1980, 43). A stipulative articulation of a concept can always be criticized and potentially defeated. For example, suppose the speaker in the previous paragraph does not just make a mistake in starting to use the concept of a documentary in a way that departs from how it is has been taken up by the rest of the room. Suppose this speaker is migrating to an (internal, consequentialist) objection to this understanding and stipulatively articulating their own different or novel understanding of the concept. Not only does my account not rule out this possibility, it in fact welcomes it. That we have the capacity for stipulation means we can always depart or dissent from how a concept is currently understood or used. There is of course no guarantee that our dissent or our alternative stipulative articulation will prove successful, but the point is that in principle it could be. On the one hand, then, the inferential entitlement that a successful stipulative act gives rise to on my account is seemingly “analytic” in the sense that it gives rise to claims that will be true on the basis of the meaning of terms or conceptual content alone. But,
on the other hand, stipulations in my sense fail to generate analyticities in that the entitlements are not “immune to revision” in the way philosophers typically expect of analytic claims.\footnote{An extended version of this discussion would argue that this sense of ‘analyticity’ is actually closer to Carnap’s (1950) understanding of it than Quine’s target in “Two Dogmas”. For Carnap, analytic claims are “trivial” because they are simply the residue of a successful collective decision by speakers to adopt a particular language. Here is a characteristic formulation of this point from Carnap: “A question like ‘Are there (really) space-time points?’ is ambiguous. It may be meant as an internal question; then the affirmative answer is, of course, analytic and trivial. Or it may be meant in the external sense: ‘Shall we introduce such and such forms into our language?’; in this case it is not a theoretical but a practical question, a matter of decision rather than assertion, and hence the proposed formulation would be misleading” (29). As with my account, then, “analytic” sentences result from a “practical question” and “a matter of decision” rather than referring to a property that sentences could have purely in isolation from the surrounding linguistic activity of speakers. Such sentences could therefore be in principle revised if we decided it were no longer useful to continue speaking or thinking according to the rules of this language. Thomasson (2015) develops a neo-Carnapian view of (easy) ontology that emphasizes similar aspects of Carnap’s (1950) account.}

To round out this discussion of stipulation and analyticity, I want to consider one final alternative view of stipulation in the literature – Juhl and Loomis’ (2010), which also emphasizes the seemingly close connection between stipulation and analyticity. Juhl and Loomis argue that Quine is on the right track in “Two Dogmas” when he seemingly concedes that the best candidates for genuinely analytic sentences are those that are “explicit stipulations of a particular sort” (2010, 214).

Here is the kind of example they have in mind:

The paradigm case that our account begins with is that of explicit stipulative definitions. Consider again the notion of a frenchelor…Suppose that we say, in the presence of a number of other English speakers, ‘Frenchelors are French bachelors.’ Suppose in addition that those present understand the statement as stipulative. Suppose further that no one has used the term ‘frenchelor’ before this occasion, and everyone agrees to use it to apply to all and only French bachelors. Finally, suppose that everyone takes it for granted that no empirical evidence counts against the statement ‘Frenchelors are French bachelors’ (214).

In this case, Juhl and Loomis claim, “Frenchelors are French bachelors” is analytic. They generalize from this example (and what they take to be kindred examples of mathematical stipulations) to provide the following account of what is involved in an act of stipulation: “Sentence $s$ expresses some true proposition $p$ (in our language $L$). Furthermore, the proposition $q$, that $s$ expresses a true proposition (in $L$), is empirically indefeasible. No empirical evidence counts in favor of or against the truth of $q$” (218). Applying this account to their example, we can say that when a speaker stipulates
that “Frenchelors are French bachelors”, this sentence expresses a true proposition, and this proposition is itself “empirically indefeasible”, i.e., no “empirical evidence counts in favor or against” its truth.

There is a great deal to say about Juhl and Loomis’ account here, but I will limit myself to contrasting my account with theirs and explaining where I think their account is lacking. I should note, however, that aspects of their methodological approach to stipulation and to the relationship between stipulation and analyticity are congenial to my own. For example, in eschewing a possible worlds approach to analyticity, they explain that “we think that [the] distinctiveness [of analytic sentences and stipulations is] best captured by appeal to the rules or conventions understood to govern their uses” (217-218). Their approach here therefore mirrors my own. But I want to point to what I take to be three flaws in their account of stipulation. First, it is worth highlighting the degree to which their account of stipulation centers almost entirely on the relationship between stipulation and truth. Stipulations, Juhl and Loomis argue, introduce propositions that are taken to be true in such a way that their truth is no longer subject to standard evidential norms of assessment. Now there is a sense in which I think this observation is right. But Juhl and Loomis’ account does not provide us with a clear explanation for this phenomenon. Stipulations are not felicitously subject to assertoric negation, as I have argued, because they are not assertions: it is not appropriate to respond that my stipulation is false. But this is not because, as Juhl and Loomis claim, I have generated a certain kind of truth. We have found that I can engage in an act of stipulation even if I think the proposition I stipulate is false. I might stipulate something I take to be false, for example, because I think it will lead to an illuminating reductio or because I do not think it is worth arguing over.

But even if I stipulate something I take to be false, Juhl and Loomis might protest that the content of this stipulation will nonetheless be treated as true in their specific sense, assuming I generate the right uptake for my speech act. But why insist on the language of truth here if we have
to concede the possibility that everyone in this context may well consider the content of the stipulation to be false and yet nonetheless, \textit{qua} stipulation, continue to give it uptake? To capture the way in which stipulations are not felicitously subject to assertoric negations, this speech act seems far better characterized as giving rise to a certain entitlement for the relevant speakers: an entitlement that may or may not be to something considered “true”, but is nonetheless not appropriately subject to the challenge that this content is false.

Furthermore, Juhl and Loomis’ account cannot explain why it is that stipulations are not appropriately subject to assertoric negation (or, as they put it here, subject to standard evidential norms). They simply note that the latter is a feature of stipulation. But my account helps to explain why this is the case. Stipulations are not subject to this kind of assessment because they are in fact subject to a different kind of assessment, namely, whether or not they serve the ends of the relevant speakers. The appropriate criticism of or objection to an act of stipulation is that it fails to serve these shared ends, as we have found in this chapter. And it is because this practical vocabulary is the right one for assessing stipulations that an assertoric vocabulary is inappropriate. But Juhl and Loomis insist that they “resist…the thought that stipulations require some epistemic or pragmatic justification in order to be a part of a coherent practice” (231). Their argument for this position, however, beyond the fact that it conflicts with their preferred account of stipulation, is not quite clear.47

The second misstep in their approach is that despite the general methodological similarity in our accounts noted above, Juhl and Loomis do not consider how the “rules or conventions understood to govern” analyticity and stipulation arise in part from the linguistic activity of speakers.

47 For example, they dismiss Kitcher’s discussion of the relationship between stipulation and utility in his (1984) without ever quite explaining why. One of the motivations here seems to be the fact that Juhl and Loomis think mathematical stipulations are good examples of the kinds of stipulations that will generate analyticities, and they do not want to subscribe to the kind of Quinean pragmatism about mathematical knowledge that Kitcher defends in his (1984). It is unclear to me, however, why our commitments in philosophy of mathematics should be such a decisive constraint here.
They analyze stipulation as a phenomenon in the abstract, rather than as something that speakers mainly do with their words. Their omission of an analysis of stipulation as a speech act leads to overlooking striking features of their own examples. Note that in their paradigm case of ‘frenchelor’ just above, the audience plays a crucial role in how this stipulation “governs” the subsequent linguistic context. The stipulation goes into effect, according to Juhl and Loomis’ own description of the example, because “everyone agrees” to take up the stipulation. But this intersubjective component of stipulation is not mentioned at all in their generalized formulation of stipulation. A more thorough treatment of the pragmatics of stipulation, however, as I have tried to show in his chapter, reveals that the way in which an audience “agrees” to a stipulation involves the very “pragmatic justification” Juhl and Loomis resist linking to stipulation.

The third and final aspect of their account I want to take issue with here is their own “paradigm case” of stipulation, which I am not convinced is even an example of stipulation! What exactly is the purportedly stipulative act a speaker performs regarding the term ‘frenchelor’ in their example? “A frenchelor, we stipulate, is a French bachelor” (190). As I read this example (at least by its letter), what the speaker is doing here is assigning a specific word string to a specific concept. The concept of a French bachelor itself is one we can readily understand (and may have already encountered) without having any corresponding, single word with which to express the concept. The speaker in this example, then, on my reading, is better interpreted not as stipulating anything, but as naming a particular concept. Now Juhl and Loomis will likely push back that naming is just a subset of stipulation: it is, they might say, a “referential” stipulation. But I do not think this move helps. First, Juhl and Loomis would have to clarify the distinction between referential and non-referential stipulation – a more difficult task than it might seem and, ultimately, I argue in the next chapter, misguided.
Second, as I will also argue in the next chapter, it is not at all clear that naming and stipulation are interchangeable speech acts. We have already found in this chapter that namings are importantly bound up with authority relations in a way that stipulative acts are not: parents, by virtue of being parents, have a unique entitlement to name their children, but no one seems to have a parallel (formal authority) entitlement to determinately settle how a concept should be understood.

Third, if Juhl and Loomis’ purported example of a stipulation does involve assigning a word string to a concept, it is unclear how this example or ones like it would be relevant to the question of analyticity. What exactly is the “true proposition” generated as a result of this act? That the word string ‘frenchelor’ applies to the concept of a French bachelor? But this is not an analytic claim. If this supposedly stipulative act involves linking a specific word string to a meaning, it does not change or affect this meaning, and so it is unclear how this act could therefore give rise to a novel truth in virtue of meaning.

I think we are better served here by opting for a more fine-grained pragmatics that carefully distinguishes namings from stipulations. There is the speech act involved in assigning a word string to a concept or entity and a very different speech act involved in changing how we understand a concept. It can be helpful here to recall Lewis Carroll’s character of Humpty Dumpty. Carroll’s Humpty tells Alice:

“…There’s glory for you!”

‘I don’t know what you mean by “glory”,’ Alice said.

Humpty Dumpty smiled contemptuously. ‘Of course you don’t — till I tell you. I meant “there’s a nice knock-down argument for you!”’

‘But “glory” doesn’t mean “a nice knock-down argument”,’ Alice objected.

‘When I use a word,’ Humpty Dumpty said, in rather a scornful tone, ‘it means just what I choose it to mean — neither more nor less’” (1871/2009, 210).
Although often cited by philosophers as an example of either the perils of or incoherence of so-called private languages, Humpty’s final claim here is, as I read it, interestingly ambiguous. In what sense might a speaker be able to “choose” what they mean by a word? On the one hand, Humpty can determine which word string he will assign to a particular meaning or concept. To the concept of nice knock-down argument, for example, he can choose to assign the word string ‘glory’. In a certain sense, learning different word strings to assign to concepts and meanings is just what is involved in learning another natural language. We therefore can choose what we mean by a word if, by this claim, we are saying we can choose which word string to use in order to express a certain concept or meaning. But if Humpty is trying to effect a conceptual change here, whereby the concept of glory will be revised and now understood as somehow equivalent or newly related to the concept of a nice knock-down argument, then he will not just be assigning a novel word string to a concept. He will be trying to change how a concept is understood. And to try and change how a concept is understood involves, according to my account, not the speech act of naming, but the speech act of stipulation. Such a speech act, we have found in this chapter, is not one we can successfully perform in isolation. In this sense, Humpty is wrong: we cannot simply choose what we will mean. Put another way: stipulation is not a matter of fiat.
CHAPTER 4

I now turn to a series of cases that will demonstrate how my account of stipulation applies to non-toy, real-world examples of conceptual articulation and disagreement.

I. Anderson on the concept of government

I want to begin with an example from contemporary philosophy to demonstrate how my account might be useful to ongoing philosophical projects. Elizabeth Anderson’s account of private government (2017), I will suggest, offers a helpful example of what stipulating an understanding of a concept looks like: Anderson stipulates (in my sense) an understanding of the concept of government. She argues that we should view government as something that “exists wherever some have the authority to issue orders to others, backed by sanctions in one or more domains of life” (2017, 42). Whenever the term “government” or concept GOVERNMENT is invoked, that is, we ought to make – we are entitled to make – the following inference: that it is something that has “the authority to issue orders to others, backed by sanctions in one or more domains of life”. We would, conversely, not be entitled to deny this inference were we to begin utilizing this understanding of the concept of government.

What is interesting about Anderson’s stipulative act here is that she is in fact widening the scope of the concept. She points out that “[i]n the impoverished vocabulary of contemporary public discourse, and to a considerable extent in contemporary political philosophy, government is often treated as synonymous with the state, which, by supposed definition, is part of the public sphere. The supposed counterpart private sphere is the place where, it is imagined, government ends, and hence where individual liberty begins” (41). The notion that government “exists wherever” agents have this authority over others is therefore crucial to the inference she wants to stipulatively link to the concept of government. The concept of government, on this understanding, is not analytically public:
“The modern state,” according to Anderson, “is merely one form of government among others” (42). A crucial implication of her stipulative act, then, is to sever any apparent analytic inferential link between the concept of government and the concept of the public. Anderson’s novel understanding of government applies to both the private and public domains (as we currently understand these domains).

But this stipulative rearticulation of the concept of government has further implications for how we make sense of the concepts of the private and the public. The focus of Anderson’s book is on what she calls “private government”: “By [private government], I do not mean merely that they are in the so-called private sector, and have some internal structure of authority – as specified, for instance, in the rules for corporate governance. I refer rather to a particular sort of constitution of government, under which its subjects are unfree” (41). For a government to be “public” on this understanding is for all parties within the relevant domain to have a say over that government, whereas

[a] government is private with respect to a subject if it can issue orders, backed by sanctions, to that subject in some domain of that subject’s life, and that subject has no say in how that government operates and no standing to demand that their interests be taken into account, other than perhaps in narrowly defined circumstances, in the decisions that government makes. Private government is government that has arbitrary, unaccountable power over those it governs (44-45).48

On the typical understanding of the private-public distinction, the “private” refers to the domain and activity of the market, whereas the “public” refers to the domain and activity of the state. This understanding of the distinction, however, loses its utility once we adopt Anderson’s stipulative rearticulation of the concept of government. It is not that we cannot distinguish between market and state activity on Anderson’s account, but that this reigning understanding of the private-public

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48 Anderson might disagree with how I have characterized her account: “I stress that the focus of my lectures is not government as such”; “My focus is private government – arbitrary, unaccountable authority” (126). But Anderson’s concept of private government can emerge only once she stipulatively rearticulates the concept of government. So while the vast majority of her account is indeed focused on the nature of private government, it is this initial move that is most important for the purposes of my discussion.
distinction depends on a specific understanding of the concept of government according to which we are only directly subject to government within the public domain. Because Anderson’s stipulative rearticulation of the concept of government does not limit the concept’s applicability to the state, the standard construal of the public as synonymous with the state no longer makes sense. A government is public, on this alternative, novel view, insofar as the governed have a democratic say over it, whereas a government is private insofar as the governed lack this say.

The fact that Anderson’s stipulation of a novel understanding of government has such wide-ranging implications for how we should make sense of other concepts – prompting further stipulative rearticulations of the concepts of the private and the public – is what we should expect if we endorse a Friedman-style picture of the different roles concepts can play. The concept of government plays a constitutive role in how we make sense of political life. A revision in how we understand this concept will therefore have an enormous impact on how we understand many of the other concepts we utilize within this domain. In turn, the possibility of wide-ranging, novel first-order inferences open up. For example, we can now talk about and understand one of Anderson’s central first-order claims – how American “workers are subject to their employers’ private government” (50). To say this and to think this is to say and think that the vast majority of American workers have no say over the government that rules over their working lives. This first-order judgment and inference is only possible once we have revised our understanding of “government” and, in turn, “private” and “public”.

Anderson is also clear that she is justifying her stipulative acts on the basis of a set of ends that she takes to be shared with her reader. In articulating her novel understanding of the concept of government, she explains that she is doing so in order to find “a better way to talk about the ways employers constrain workers’ lives, which can open up discussion about how the workplace could be designed to be more responsive to workers’ interests” (xx). Note that Anderson frames her
project in meta-linguistic terms: the goal here is to change the “way to talk about” the phenomena, rather than somehow directly alter the phenomena themselves (though they may of course change once we adopt this novel way of speaking and thinking). 49

To sum up: Anderson’s account of the concept of government involves engaging in a meta-linguistic speech act that says that whenever the concept of government is invoked, we are entitled to infer that it exists anywhere in our lives where “some have the authority to issue orders to others, backed by sanctions”; conversely, no one is entitled to deny this inference. This entitlement is justified because this way of construing the concept – this way of talking – is “better” for promoting and protecting the interests of workers. To give uptake to this stipulative reimagining of government will also likely require corresponding, cascading revisions among our understanding of many other related concepts and, in turn, many of our first-order commitments – for example, our judgments about which domains of life count as forms of government and which policies, businesses, and working conditions count as unjust.

Interestingly for my purposes, Anderson is aware that some readers might view her attempt to articulate a novel understanding of government as something like a Humpty Dumpty-esque move to unilaterally change the meaning of terms. This is because, as she points out, the “notion of private government may seem a contradiction in terms” to some readers (41). On this view, it is simply analytic that government corresponds to a public phenomenon. It is, in other words, true as a result of the very meaning of the term ‘government’ that it corresponds to the state, whereas the very meaning of the term ‘private’ precludes it from having anything to do with government. According to this line

49 It is worth noting that Anderson does sometimes frame her project in an assertoric key. Our current ways of talking about the American workplace, for example, “misrepresents the situation of workers” (119). But as I explained in Chapter 3, this assertoric surface grammar does not necessarily cut to the heart of what a speaker is doing when they stipulate an understanding of a concept.
of thought, Anderson therefore cannot, despite her attempts, settle by fiat a different or novel understanding of the concept.

But Anderson clearly does not think such purportedly analytic connections are immune to revision. In this case, “the association of the state with the public sphere is not inherent. It is a contingent social achievement” (44). And beyond this historical contingency, she explains that it remains our decision to “reject” the “narrowing of the scope of government to the state” and therefore remains our decision to widen, and so alter, our concept of government in order to “recognize that one’s liberty can be constrained by private governors in domains of activity kept private from the state” (48). The key question within the context of my discussion is how exactly we should characterize this ability to “narrow” or “widen” – to change – our concepts. My position is that this ability is, of course, best characterized as our ability to stipulate an understanding of a concept. Because we are able to stipulate an understanding of a concept, we are not bound to only representing or recapitulating the reigning understanding of that concept, no matter how entrenched or seemingly analytic that understanding may be. I always have the ability to stipulate a different understanding of the concept in question. Of course, as I have emphasized throughout my account, the fact that I attempt a stipulation is no guarantee of success. Stipulative acts require uptake and ratification from their audience in order to go into effect. But my ability to stipulate means that I can always dissent from some existing, even seemingly analytic understanding of a concept.

II.

Descartes on the concepts of nature and machines

The second example I want to analyze using my framework of stipulation is Descartes’s discussion of the concept of nature and the concept of machines in Part Four of his *Principles of Philosophy*. Here I will be largely relying on Daniel Garber’s account of the surrounding historical and intellectual context for Descartes's view. Garber explains that in order to fully appreciate Descartes's
account in the *Principles*, we need to understand how the natural/artificial divide was construed in sixteenth century European thought. According to Garber, the latter was dominated by an Aristotelian view of the divide: “For an Aristotelian physicist, natural philosophy is ultimately grounded in the irreducible tendencies bodies have to behave one way or another, as embodied in their substantial forms. Some bodies naturally fall, and others naturally rise; some are naturally cold, and others are naturally hot; some are naturally dry, and others are naturally wet” (Garber 2002, 185). This Aristotelian view of nature also importantly left room for the possibility of non-natural or artificial objects, and the study of these objects fell under the domain of mechanics – or the study of machines. Machines, on the Aristotelian view, are objects that we have created for our own particular purposes. Unlike those objects produced by nature, machines do not have “irreducible tendencies” because we are the ones who have formed them for our own ends. On this Aristotelian view, the strict divide between the natural and the non-natural corresponds to a split in how these objects are studied: physics studies the natural world and mechanics studies artificial objects or machines. Garber cites the following excerpt from Italian mathematician and philosopher Guidobaldo del Monte’s influential 1577 *Mechanicorum liber* as representative of the Aristotelian view of mechanics: “[M]echanics can no longer be called mechanics when it is abstracted and separate from machines” (cited in Garber 2002, 187). Importantly, then, Aristotelian science did have room for mechanics (a fact sometimes overlooked in historical accounts of the rise of mechanistic views), but this Aristotelian mechanics involved a sharp split between the concepts of the natural and the mechanical.

With this Aristotelian backdrop in mind, we can better appreciate Descartes’s discussion of how we should make sense of the natural world in his *Principles of Philosophy*:

I do not recognize any difference between artefacts and natural bodies except that the operations of artefacts are for the most part performed by mechanisms which are large enough to be easily perceivable by the senses – as indeed must be the case if they are to be capable of being
manufactured by human beings. The effects produced in nature, by contrast, almost always depend on structures which are so minute that they completely elude our senses (1644/2009, 288).

Descartes is articulating here a novel understanding of the concept of nature, according to which where there is no distinction between natural objects and “artefacts” or machines. The collapsing of this line between the natural and the mechanical represents, according to Garber, Descartes’s specific break from the Aristotelianism of his day. But what does it mean to “not recognize any difference between artefacts and natural bodies” exactly? According to Descartes, an artifact or machine should be understood as an object whose behavior can be fully explained by its underlying structure, where this underlying structure consists of “shapes, sizes and motions, and the rules in accordance with which these three things can be modified by each other – rules which are the principles of geometry and mechanics” (288). To understand a natural entity as if it were a machine, then, is to understand natural objects as entities whose behavior is fully determined by their underlying structure. Such entities therefore operate exclusively according to the principles of geometry and mechanics and, as such, make no appeal to Aristotelian “irreducible tendencies”.

Garber glosses this move as follows: Descartes’s “point in establishing a correspondence between the artificial machine and the natural body was that we can now explain everything that happens in the natural body in exactly the same way in which we explain what happens in the artificial machine” (2002, 198).

But, at first, it might seem that Aristotelianism is not incompatible with this collapsing of natural objects and machines. After all, the Aristotelian view of machines allows for an account of objects according to which we impose our own ends on those objects, and this imposition of ends seems generally in the spirit of an Aristotelian preoccupation with telos. But Descartes’s view that we should treat natural objects as we would artificial objects, on Garber’s reading, ultimately has little to do with the question of ends. Because ends are imposed by us, they are not intrinsic to the objects
themselves. “In an important sense,” Garber writes, the end we impose “isn’t really there” for Descartes (197). The link between our ends and a machine is therefore not essential to the Cartesian view: “we can bracket, or even eliminate” the end to which we are putting a given machine and focus simply on the underlying structure and causes of an object’s behavior (197). Here is how Garber sums up Descartes’s view of machines: “For Descartes, I suggest, *a machine has become simply a collection of parts whose states are determined by the size, shape, and motion of those parts, as well as by the collisions among them*” (198, italics in the original). To treat all objects in nature as machines is therefore to view all objects as exhaustively determined by their underlying structure and therefore to eliminate all “irreducible” tendencies of objects.

Garber highlights a passage from *Meditation VI*, where Descartes makes explicit that his understanding of the concept of machines is not fundamentally linked to their relationship to human ends. In this section of *Meditation VI*, Descartes argues that from the perspective of at least one understanding of the concept of nature, there is no relevant difference between a clock that is working well and one that isn’t: “[A] clock constructed with wheels and weights observes all the laws of its nature just as closely when it is badly made and tells the wrong time as when it completely fulfills the wishes of clockmaker” (1641/1999, 58). Descartes then takes this observation about clocks and applies it to human beings: “I might consider the body of a man as a kind of machine” (58). Descartes explains that if we compare an individual suffering from an illness to one who is not, we can nonetheless say that the makeup of each of these bodies “is just as natural” (58). He then acknowledges an important ambiguity in his formulation. When we talk about a badly made clock or an individual who acts in a way that is “not beneficial to its continued health” and say that they are “departing from [their] nature”, Descartes writes that he is

well aware that ‘nature’ as I have just used it has a very different significance from ‘nature’ in the other sense. As I have just used it, ‘nature’ is simply a label which depends on my thought; it is quite

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50 For sake of clarity, I am simplifying Descartes’s specific discussion of “dropsy” here.
extraneous to the thing to which it is applied, and depends simply on my comparison between the
idea of a sick man and a badly-made clock, and the idea of a healthy man and a well-made clock. But
by ‘nature’ in the other sense I understand something which is really to be found in the thing
themselves; in this sense, therefore, the term contains something of the truth (59).

The first sense of “nature” here refers to the end that we impose on objects that is therefore
“extraneous” to the object itself: a “nature” that is relative to our purposes and interests. It is the
second sense of nature that Descartes describes here that he is primarily interested in and that he
also articulates in Part Four of his Principles of Philosophy. As we found, Descartes in the Principles also
wants us to understand the concept of nature as “something which is really to be found in the things
themselves”. This involves treating the object like a machine and bracketing any external ends or
interests we have invested in the object that are irrelevant to its underlying structure (which is what
accounts for its behavior).

Now, I am not interested in litigating whether Garber’s exegetical claims about Descartes’s
views of the concepts of nature and machines are exactly right. My concern here is to analyze,
pragmatically, how we should make sense of what precisely (Garber’s) Descartes is up to in these
passages. According to the terms of my account, what Descartes is doing here is stipulating a novel
understanding of the concept of nature: he is stipulating that whenever this concept is invoked, we
should infer – we are entitled to infer – that it describes objects whose behavior is exhaustively
determined by their underlying structure, a structure that operates according to the principles of
geometry and mechanics.

Descartes’s stipulative act here fits particularly well with my Friedman-esque view of the
constitutive role certain concepts play and how revisions to concepts playing a constitutive role
work. When the Aristotelian understanding of nature plays a constitutive role for inquirers, this
framework entails a division of natural from non-natural objects and a parallel division of the
scientific landscape: physics becomes the study of natural objects, mechanics the study of artificial,
human-made objects. By stipulatively linking natural objects to machines, the Cartesian view therefore has wide-ranging and cascading effects. According to Descartes, it is now the case that, as a result of his novel understanding of natural objects, “my entire physics is nothing but mechanics” (cited in Garber 2002, 191, fn 18). This is because every natural object, as Garber puts it, “is explained as if it were a machine” and so “mechanics…subsumes physics: everything in physics now receives a mechanical explanation” (2002, 192).

A problem for my reading here is that in the passage I cited above from the Meditations, Descartes takes up an explicitly meta-linguistic approach to his discussion of the concept of nature, but he does not take this approach in the passage I cited from the Principles. Here he seems to simply assert that “I do not recognize any difference between artefacts and natural bodies”. Furthermore, on my account, stipulative acts are necessarily ends-directed. Descartes, however, at the very beginning of the Principles seems insistent that his account should be endorsed because it is true, not because it might be useful: “In order for this kind of knowledge to be perfect it must be deduced from first causes; thus, in order to set about acquiring it – and it is this activity to which the term ‘to philosophize’ strictly refers – we must start with the search for first causes or principles” (1644/2009, 179).

Instead of rehearsing my objections to speech act methodology that takes its cues from surface grammar, it is worth considering Descartes’s view in more detail here. Descartes is in fact much more circumspect about applying his deductive methodology when it comes to the specific question of how to make sense of natural objects. In particular, he explains, there is the challenge of how to account for “corporeal particles which cannot be perceived by the senses” (286).51 Because we cannot be certain about the structure of objects that are too small for us to have any direct

51 I have removed the italics here.
sensory experience of, Descartes justifies his understanding of natural objects-*qua*-machines in different terms:

No one who uses his reason will, I think, deny the advantage of using what happens in large bodies, as perceived by our senses, as a model for our ideas about what happens in tiny bodies which elude our senses merely because of their small size. This is much better than explaining matters by inventing all sorts of strange objects which have no resemblance to what is perceived by the senses <such as ‘prime matter’, ‘substantial forms’ and the whole range of qualities that people habitually introduce, all of which are harder to understand than the things they are supposed to explain> (287).52

We should endorse Descartes’s view of natural objects, in other words, not because of its deductive truth, but because it is a fruitful and useful way of thinking, an “advantage” over and “much better” than positing obscure metaphysical entities to account for the phenomena we encounter. After articulating his view that he does “not recognize any difference between artefacts and natural bodies”, Descartes is in fact explicit that “although this method may enable us to understand how all the things in nature could have arisen, it should not therefore be inferred that they were in fact made in this way” (289). We should adopt Descartes’s stipulative rearticulation of the concepts of nature and machine, then, not primarily because of their truth, but because of how well it fits in with other conclusions Descartes takes himself to have derived and because of its fruitfulness in accounting for actual empirical phenomena (which much of the Principles is dedicated to giving an account of).

Descartes’s discussion here presents us with a helpful, non-toy example of the relationship between stipulation and analyticity. Friedman, in analyzing this case, might say that Descartes “elevates” an understanding of machines and mechanics, which played a downstream, subordinate role in Aristotelian natural philosophy, to now play the constitutive role of defining natural objects generally. Consider in this regard Guidobaldo’s pre-Cartesian, Aristotelian view of mechanics cited earlier: “[M]echanics can no longer be called mechanics when it is abstracted and separated from

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52 The brackets here represent text from the Latin edition of the Principles. See Cottingham’s “Translator’s preface” on page 177 for discussion of this notation.
machines”. There is, in other words, according to this Aristotelian view, an analytic connection between mechanics and the study of machines. It is essential to the concept of mechanics that it correspond to the study of machines. To sever this relationship would be to talk and think about something else entirely.

But Descartes’s stipulative rearticulation of the concepts of nature and machines allows us to challenge and revise this seemingly analytic connection between mechanics and machines. Garber explains that for Descartes, “mechanics becomes not the science of machines, artifacts made to help us do things we want done, but the science of things that operate through the physical configuration of their parts” (2002, 199). Descartes has therefore “produced a mechanics without machines in the sense that Guidobaldo and his contemporaries would have understood the term” (199). Descartes’s stipulative act therefore allows him to challenge and revise a seemingly analytic claim: he has articulated an understanding of mechanics that is not analytically tied to machines, but to all objects. This is one of the striking features of stipulation I highlighted in the previous chapter. Our capacity for stipulation allows us to dissent from and revise even a seemingly analytic understanding of a concept or set of concepts. At the same time, stipulative acts, if successful, forge inferential connections that result in what appear to be novel analytic claims.

III. The concept of an incel

I do not want to give the impression, however, that philosophers have an exclusive monopoly over performing stipulations in my sense. It is therefore important to examine a case of a speaker stipulating an understanding of a concept outside the world of academia and formal scholarship. This example will help to bring to light both the widespread nature of stipulative acts and the complexity of how uptake for such acts can play out.
The concept of an incel was first introduced and articulated online in 1993 by a queer woman, who publicly wants to be identified as ‘Alana’ and who created a website (“Alana’s Involuntary Celibacy Project”) explaining the concept in order to share reflections about her romantic life and resources for individuals facing similar challenges to her own. A section of the website was dedicated specifically to the question of how to understand the concept of an incel called “Possible Definitions of Involuntary Celibacy”. The following account was featured in this section of the site:

An involuntary celibate is someone who is unable to initiate or sustain an intimate relationship, s/he has the desire to experience such a relation, and there are no external circumstances preventing such a relation.

In this definition, an “intimate relation” is one that involves emotional, physical and sexual contact between the two partners…

“External circumstances” include any legal, social or religious rules that would pose a penalty on the relation. IMHO, psychological issues should not be considered as “external”. On the other hand, purely medical conditions might.

This definition would include married celibates (since they lack the sexual - and sometimes the emotional - component in their marriage) as well as most singles on this list (AFAIK).

There are three features of this account that are noteworthy for my purposes. First, this understanding of the concept of an incel is articulated by an anonymous user: they are simply identified as a “list member”. We do not know the gender, racial, religious, or any other information about the speaker other than that they are a member of this cyber community. Despite this anonymity, the understanding stipulated (in my sense) by this speaker secures significant uptake from the community. It is prominently featured on the “Possible Definitions” page of the website and is the most detailed account listed. The account is thus a helpful illustration of my view that

53 The site no longer exists. I have accessed this material via the Internet Archive, which archives material from the public web: https://web.archive.org/web/19990501071801/http://www.ncf.carleton.ca:80/~ad097/definitions.htm. The definition itself is in italics on the website, but I have removed them here to make the account easier to read.
stipulative acts are not structurally tied to either formal or informal authority for their success. If an anonymous user is able to successfully generate uptake for their stipulative articulation of a concept, then it cannot be the case that a necessary condition on successful stipulation is that a speaker has specific formal or informal authority. But, as I noted in Chapter 3, there are nonetheless certain “maxims” (in Sbisà’s sense) that will generally contribute to the success of a stipulative speech act. Clearly, in many circumstances, a stipulation will successfully achieve uptake and ratification as a result of the informal authority the stipulator possesses or is attributed.

A second important feature of the above account of the concept of an incel is that it provides an example of how instances of conceptual articulation can have multiple pragmatic functions simultaneously. For example, this account of the concept of an incel is clearly in part aiming to make an empirical claim about how this concept is used and understood by this linguistic community. This pragmatic dimension of the account can comfortably be accounted for by standard views of assertion. But there is also clearly a normative dimension to the speaker’s account: the speaker is explaining that this is how the concept of an incel ought to be understood. We know this because all of the speakers providing definitions on the site are aiming to bring clarity to what many in this community view as a disparate usage that could use with standardization. This normative dimension of the account is also apparent in how the above understanding of the concept aims to capture specific examples – examples that not only help to further clarify the concept, but that also represent key cases that any definition ought to be able to capture. The understanding, for example, distinguishes among individuals who are involuntarily celibate as a result of factors having to do with coercive circumstances (who therefore would not count as falling under the concept) and those who are not subject to such circumstances (and therefore do count as incels). Applying the framework of my account, we can say that the speaker here is stipulating an understanding of the concept of an incel: they are saying that whenever the concept of an incel is invoked, you are entitled to infer that
it be understood in this way. You are entitled to this inference because it is useful – because it brings clarity to communal usage and because it helpfully captures distinctions that matter to users of the concept.

A third important feature is that this case illustrates that a stipulative speech act and the speech act of naming are in fact distinct. In this case, we have a speaker carrying out a speech act that aims to articulate how a concept is to be understood. But this concept could easily have been articulated in the same way while nonetheless being given a different name – perhaps, for example, it could have been called “icel” or “involc”, etc. The word string we associate with a given concept can, in other words, be changed without in any way impacting or changing our understanding of the concept expressed by that string. The speech act of naming and the speech act (of stipulation) involved in conceptual articulation are therefore, it seems, importantly distinct.

Part of the reason for the distinction between these two acts is that an act of naming is, as I argued in Chapter 3, importantly bound up with formal authority relations in a way that stipulative acts are not. In Austin’s famous example of a speaker baptizing a boat, for example, the speaker who carries out this act of naming is able to felicitously do so because it is their boat. As the owner, they are entitled to this act of naming. When Austin’s “low type” who does not own the boat, however, runs up and attempts to name it, their act is infelicitous: as a non-owner, they are not entitled to perform this act. Other examples of acts of naming demonstrate this same close relationship between a speaker occupying a certain formal authority position and, as a result, having the corresponding entitlement to carry out a naming. If I am the owner of a pet, for example, I have a unique entitlement to name it. If someone comes up on the street while I am walking my dog and says, “I hereby name this dog, ‘Lassie’!”, my dog will not then be named Lassie. Only I – or anyone
else I authorize – can name my pet. Naming as a speech act therefore seems to be much closer to a command than it is to stipulation in my sense.  

A distinction between the speech acts of naming and stipulation also suggests that further nuance is called for in how philosophers of language in the wake of Kripke’s *Naming and Necessity* have analyzed the way in which we can deploy terms and descriptions in order to pick out features of the extra-linguistic world. I do not have space to explore this implication in detail here (though I plan to do so in future research), but it is worth briefly considering how Kripke’s discussion risks blurring important distinctions among various types of speech acts. In *Naming and Necessity*, Kripke famously argues that the meanings of proper names and natural kind terms are not plausibly equivalent to a description. Were these meanings equivalent to descriptions, we would not be able to track entities across counterfactual scenarios, nor would we be able to have mistaken beliefs about entities that we subsequently revise and correct. Consider, for example, the idea that the name ‘Kripke’ means ‘the author of *Naming and Necessity*’. It seems easy to imagine, however, that Kripke might not have written this book. And yet to even have this thought, it must be the case that the name ‘Kripke’ does not have a meaning that is synonymous with this (definite) description, or else there is no intelligible sense in which Kripke could have failed to write this book. Now consider the idea that ‘water’ means ‘the liquid that looks and tastes like thus and such’, where ‘thus and such’ can be filled in according to our standard folk descriptions of water. If the meaning of ‘water’ were simply synonymous with this description, then we could not intelligibly say that we had discovered that water is in fact H₂O – a fact that is of course not contained within our folk description of this substance. If the meaning of ‘water’ were simply synonymous with the folk description, then we

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54 The treatment of naming as an instance of stipulation is widespread. In Textor’s discussion of Horwich on stipulation, for example, he consistently refers to “[t]erential stipulation (naming)” (2007, 32).
would be talking about something entirely different when we say that ‘water is H₂O’ and so could not say we had discovered novel facts about water or revised our mistaken beliefs about water.

Kripke argues that we should replace this misguided descriptivist picture with the view that proper names and definite descriptions serve a reference-fixing function. That is, proper names and definite descriptions pick out a specific entity or set of entities in the extra-linguistic world, and this reference is preserved across all counterfactual scenarios and across all changes in our beliefs about these entities. One of Kripke’s main examples here is borrowed from Wittgenstein’s *Philosophical Investigations* – the bar in Paris that is used to standardize the length of a meter. How does this happen exactly? Kripke gives his view: “[W]e have determined the reference of the phrase ‘one meter’ by stipulating that ‘one meter’ is to be a rigid designator which is in fact the length of S at t₀” (1980, 56). Here is the idea: when we point to the bar and say that a meter will be as long as this bar, we are not saying that the term ‘meter’ now means ‘the length of the bar at this time’. We are not saying this because this length could easily have been different: the bar might have been shorter, longer, etc. There are all sorts of contingencies that might have affected the length of the bar at this particular moment in time. Kripke’s position is instead that we use the description ‘the length of the bar at this time’ to fix a reference – that is, to pick out a specific measure in the world, a measure that will be the same across all possible worlds, including worlds where the length of the bar changes. The term ‘meter’ is therefore what Kripke calls a “rigid designator”: it picks out the same thing (here, the same measure) across all possible worlds. Proper names and natural kind terms work in this same way, according to Kripke. Whatever initial description we use to pick out the natural kind of water, for example, the term ‘water’ is not synonymous with this description; instead the description fixes a reference. Water just *is* something in the extra-linguistic world, the nature of which we will then determine through empirical investigation. The results of this empirical investigation will correct our folk description, but because this folk description is no longer the meaning of ‘water’ but its
reference-fixer, we can now straightforwardly say that these empirical investigations have corrected our understanding of water.

What Kripke’s account here elides, however, are the various speech acts that are involved in such cases. To return to the meter bar example, there is, first, our speech act of assigning the word string ‘meter’ as the name for this measure – a speech act separate from the act of reference-fixing. We know these are two separate acts for reasons that parallel those I gave above concerning the concept of an incel: we might easily have named this measure with a different word string and done so without in any way changing the reference thereby fixed – perhaps, for example, we would have called this measure ‘met’ or ‘inch’ instead of ‘meter’.55 Kripke also says in this passage that we reference-fix “by stipulating”, but it is not clear what he means by this and whether we should think this act of stipulation is distinct from or equivalent to the act of reference-fixing. Are there two separate acts here? Does one act require the other? Or are they simply different names for one and the same act? It is not clear.56

An interesting payoff that comes from paying closer attention to the various speech acts that are implicated in assigning or assessing the meanings of terms is that Kripke’s position on reference-fixing begins to seem more mysterious, despite its initial intuitive plausibility. What exactly are we doing as speakers exactly when we fix a reference? If we do not want to accept the view that naming is simply the same as stipulation which is simply the same as reference-fixing – if we are, in other words, aiming to be more nuanced in our approach to analyzing these speech act types – then how should we characterize this word-world act of reference-fixing exactly? Kripke’s discussion makes it

55 It is striking that Kripke never considers naming as a unique speech act (separate, for example, from the act of reference-fixing) in a book titled Naming and Necessity!
56 Gillian Russell similarly treats naming, reference-fixing, ostension, and stipulation all as interchangeable acts. For example: “This is just to observe that in the case of names and natural kind terms, it is possible to introduce them either by stipulating their referents directly or by giving a synonym. When stipulating the referents directly we need to somehow pick out the object or kind that is to be the meaning of the name. We can do this by pointing, or by giving a reference-fixing description” (2008, 153). I want to resist collapsing these various speech acts together.
seem as though this is something we just seamlessly and straightforwardly do. But if we have learned anything from speech act theory, it should be that how we do things with words is far more complex than we have tended to think.57 I leave this discussion here for now, but I plan to pursue these questions in much more detail in future work.

Returning now to the details of the current case, I want to consider what happened to the incel concept after Alana stopped moderating and using her website. In subsequent years, the term “incel” quickly proliferated in various cyber communities. It began to be used in a way, however, that substantially differed from how it was originally used on Alana’s website. The term and concept were taken up on the internet by groups of predominantly heterosexual, cisgender men who wanted to retain the concept of involuntary celibacy, but abandon the inferential connection to the condition being non-coercively caused. This linguistic community stipulatively re-articulated the concept of an incel by forging an inferential connection between this concept and what they viewed as the abhorrent increased equality and autonomy for women in modern life that they take to be the driving factor for their involuntary celibacy. This understanding and usage of the concept became widespread and dominant. In the wake of killing sprees perpetrated by self-identified incels Eliot Rodger in 2014 and Alek Minassian in 2018, there were many attempts by mainstream publications to descriptively capture this understanding of the term. From the New York Times, for example: “Incels are misogynists who are deeply suspicious and disparaging of women, whom they blame for denying them their right to sexual intercourse” (Chokshi 2018).

57 Kukla’s (2017) discussion of ostension strikes me as a promising account of at least one key aspect of the process of reference-fixing. But note that if ostension as understood by Kukla plays a role in reference-fixing, then we cannot just assume that reference-fixing is a way that our words seamlessly latch on to objects in the extra-linguistic world, as Kripke and others in his wake seem to assume. For Kukla, “ostension brings someone to a substantial practical encounter with a thing”; it is “a collaborative and second personal activity”; and “successful ostension involves practical skills on the part of both the ostender and the addressee” (105). In other words, a far cry from an individual speaker’s words simply and seamlessly “fixing” on objects in the world.
This revision in how the concept of an incel has come to be understood highlights two important dimensions of stipulative speech acts as I understand them. First, there is nothing about a stipulative act that guarantees that it will be put to “good” ends. A substantial number of speakers gave uptake to this revised understanding of INCEL because they found it useful for making sense of their (perceived) situation and unhappiness with their sexual and romantic lives, and, as a result of this widespread uptake, this understanding became dominant. In my account of stipulation, I explain in S3 that a speaker justifies their stipulative act, whether they are aware of it or not, on the basis of what they assume are shared ends with other speakers. The fact, then, that a speaker either explicitly or implicitly invokes ends we find objectionable to justify their stipulative acts is not a necessary impediment to success if they can find a sufficient number of users who share these ends. We might, of course, criticize the ends a speaker appeals to in order to object to their stipulative act, but the success of our criticism will depend on whether we persuade other speakers that these ends are not desirable or are not desirable as understood by the stipulator. If we do not, then the stipulative act can prove successful.58

This shift in the understanding of a concept of an incel also helps to draw out how little control speakers have over how concepts come to be understood even if they successfully introduced the concept or successfully re-articulated how the concept is to be understood at one point in time. There is an enormous, perhaps incalculable set of causal factors responsible for a given understanding of a concept gaining currency at a particular time – factors that are therefore outside of a speaker’s control. Cappelen makes this lack of control over and the inscrutability of the processes of conceptual change a cornerstone of his account of conceptual engineering: “In most

58 Cappelen considers this possibility in his (2018), where he imagines a criticism that his discussion of conceptual engineering assumes “a process of amelioration. But do we have any reason to think these very same processes can’t be used for evil? Couldn’t engineering projects take us backwards?” (159). Cappelen readily concedes the point: “Everything said in the imagined objection is right: conceptual engineering could be used for evil as well as for good...We have no prima facie reason to think the process is typically one that leads to amelioration rather than degeneration” (159).
cases the detailed mechanisms that underpin particular instances of conceptual engineering are too complex, messy, nonsystematic, amorphous, and unstable for us to fully grasp or understand” (2018, 72). Furthermore: “The process of conceptual engineering is governed by factors that are not within our control: no individual or group has a significant degree of control over how meaning change happens. Even if we could overcome our epistemic limitations – and know all about the relevant factors for a particular case – what we would have knowledge of would be something we had little control over” (72-73). The evolution of the concept INCEL is a helpful illustration of the complexity and messiness of the casual factors driving conceptual change and the way in which such factors are outside of speakers’ control, even when they introduce the concept in question.

Alana herself has recently made a similar point. She “has no interest in trying to rescue a term now so firmly associated with ‘a hateful men’s movement’” (Zimmer 2018). She has started a new online project (the ‘Love Not Anger’ project) for individuals who are seeking romantic connections with others and are unable to have them but do not hold sexist or anti-egalitarian views. She says that the term ‘incel’ might “have served that purpose 20 years ago, but it is now beyond reclamation. While she doesn’t yet have a replacement for it, Alana hopes that a new term will emerge from those who collaborate on the Love Not Anger project” (Zimmer 2018). At the same, however, Alana points out that any new term could also be overtaken by unwanted connotations. She likened the terminological struggle to the way that “handicapped” replaced older words like “lame” or “crippled,” but then “handicapped” was seen as too pejorative and was replaced by “disabled,” which in turn may be seen as too negative…Words can accrue associative power whether we like it or not – and even the coiner of a term may have no control over the direction it takes as it circulates in the world (Zimmer 2018).

The latter conclusion is the same as Cappelen’s and is one I also endorse. That said, I think Cappelen overstates the “lack of control” thesis. Speakers can exercise meaningful control, in my view, over the specific understanding of a concept they stipulate and therefore present to others. There is of course no guarantee that their understanding will receive uptake from other speakers or
that their understanding will not be substantially modified or revised over the course of its uptake
and via further stipulative acts issued other speakers. But a speaker does exercise an initial degree of
control: I “control” the content I choose to stipulate. In the context of stipulating an understanding
of a concept, I choose what inferences I link to the concept in question. I can also choose to be
more explicit and intentional about the ends I appeal to in order to justify my stipulated
understanding of a concept (though this requires being aware that I am indeed engaging in carrying
out an act of stipulation in my sense). In these specific ways, then, I do in fact exercise a degree of
control when I engage in conceptual engineering. But how my attempted stipulation is received and
taken up is, as Cappelen emphasizes, out of my control.

IV. Tolstoy on the concept of art

The final example I want to consider in this chapter is the novelist Leo Tolstoy’s account of
the concept of art in his late nineteenth-century manifesto What Is Art?. Tolstoy begins by
questioning whether the enormous labor required for many artistic productions can be justified,
especially at a time of vast wealth inequality. Such a justification would require having a clear
understanding of the concept of art, but Tolstoy argues that the dominant aesthetics of his day is
either deeply unclear or, when it can be made sense of, fundamentally and perniciously misguided.

59 Part of the problem here is that Cappelen does not explain what he means by “control”. This is surprising given the
substantial stock he places in the thesis that we lack control over the processes of conceptual engineering: “A point that
came up frequently when presenting this material is that I lack a precise definition of ‘control’. I made a big point of
criticizing conceptual engineers who think their talking and writing can in significant ways have an impact on semantic
changes, but I didn’t define ‘impact’ and said nothing about what I mean by ‘control’ when I say they lack control” (157).
Cappelen is nonetheless candid about being unperturbed by his lack of precision: “So what? ‘Significant’, ‘impact’, and
‘control’ are all perfectly respectable English words. I trust readers to understand them. There are no doubt senses of
‘control’ different to that which I intend but those are not the ones that I use” (158). I am not quite sure what to make
of this response. For the “lack of control” thesis to be of philosophical interest, we will have to know more about what
sense of “control” Cappelen has in mind. It is unlikely that any philosopher would endorse the view that we have
something like complete, decisive “control” over what terms mean or concepts consist in, even in our own idiolects. But
then insisting that we lack a “control” that few or no one takes us to have gets us little philosophically absent further
clarification and discussion.
The understanding of the concept of art that Tolstoy takes to be dominant among thinkers and critics is that art aims at beauty, where beauty is understood in terms of its ability to generate pleasure for the viewer. Art, on this roughly Kantian picture, is created and consumed for its own sake: it offers a unique pleasure that is not reducible or equivalent to one afforded by any other activity. Tolstoy’s chief objection to this view is that, given that pleasure is a subjective phenomenon, the view leaves obscure what the concept of art consists in because what is pleasurable to one viewer will not be pleasurable to another. If art is reducible to pleasure, it therefore seems impossible to individuate it as a phenomenon because we will arrive at perpetually conflicting verdicts concerning what is and is not art. Tolstoy also thinks that this invocation of pleasure is designed to smuggle in the preferences and prejudices of the upper echelons of society: “So the theory of art founded in beauty, expounded by aesthetics, and in dim outline professed by the public, is nothing but the setting up as good of that which has pleased and pleases us, i.e., pleases a certain class of people” (1896/1996, 45). A pleasure-based understanding of art therefore fails to give us any clear sense of what this activity consists in and also serves the interests of a ruling class. It should therefore be rejected.

Here is Tolstoy’s own alternative view of the concept: “Art is a human activity consisting in this, that one man consciously, by means of certain external signs, hands on to others feelings he has lived through, and that other people are infected by these feelings and also experience them” (1899/1996, 51). Note that Tolstoy, as with all the other examples we have looked at, presents his view assertorically: “Art is...”. He returns to this framing throughout his discussion. If something claims to be a work of art but “there be no such infection [of feeling], if there be not this union with the author and with others who are moved by the same work – then it is not art” (140). Tolstoy,

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60 Tolstoy canvasses an impressive number of views in aesthetics in Chapter Three of What is Art?.
61 I came across this passage thanks to Vincent Thomas’s use of it in his introduction to the volume on page x.
62 In the text, this entire passage is italicized, but I have removed the italics here to make it easier to read.
however, is clearly not representing how he takes this concept to be used or understood currently. His manifesto is a polemic *against* what he takes to be the dominant understanding of this concept. He is therefore better read as engaging in a Haslanger-style ameliorative project, articulating and defending how the concept of art *ought* to be understood. Using my account of stipulation, we can say that Tolstoy is stipulating that whenever the term “art” or concept ART is invoked, all speakers should draw the following inference – that it involves a conscious attempt by an individual to transfer, via external signs, their feelings to other individuals.

I have included this example not only because Tolstoy is not writing as an academic philosopher (though he is certainly engaging with academic philosophy and often writes in a philosophical mode). I have also included it because, when we read this case through the lens of my account of stipulation, the ends that Tolstoy is appealing to in order to justify his stipulative re-articulation of this concept come clearly into view (as in the case of Anderson’s stipulative re-articulation of the concept of government). He also helpfully emphasizes the revisionary consequences of his view. Now Tolstoy does not himself structure his discussion in these terms, but there are two key, related ends he consistently returns to throughout to justify his re-articulation of the concept of art. The first is that any understanding of the concept of art should be answerable to the demands of morality. He makes clear that the aesthetics of his day is flawed because the “conception of beauty separated from goodness…forms the basis and aim of aesthetics in our time” (24). This notion of art-for-art’s-sake allows artists, wrongly, to treat with indifference the moral implications or consequences of their work: “The inaccuracy of all these definitions arises from the fact that in them all (as also in the metaphysical definitions) the object considered is the pleasure art may give, and not the purpose it may serve in the life of man and of humanity” (49). But it is not just that Tolstoy thinks that an understanding of the concept of art must ensure that art retains a relationship to morality; Tolstoy thinks that any understanding of the concept of art should
demonstrate how it actively contributes to the moral goal of the flourishing of all individuals: “[T]he evolution of feeling proceeds through art – feelings less kind and less needful for the well-being of mankind are replaced by others kinder and more needful for that end. That is the purpose of art” (143).63

Tolstoy is also emphatic that any understanding of art should ensure that this activity remains maximally egalitarian: “[I]f art is an important matter, a spiritual blessing essential for all men (‘like religion,’ as the devotees of art are fond of saying), then it should be accessible to everyone” (70). The dominant understanding of the concept of art and the most revered and influential works that reflect this understanding, on Tolstoy’s view, fail miserably in this respect: “[H]ardly one percent of the people make use of this art which we speak of as being the whole of art; the remaining ninety-nine per cent live and die, generation after generation, crushed by toil, and never tasting this art which, moreover, is of such a nature that, if they could get it, they would not understand anything of it” (68). Tolstoy, however, does not give arguments for the role of either of these ends in assessing candidate understandings of the concept of art. He invokes these ends – of increasing compassion for and in turn promoting the flourishing of all individuals and of ensuring art’s accessibility to all individuals – to justify the claim that his view is preferable and to critique and reject other views. But we might well wonder whether these ends are the ones to which an understanding of the concept of art should be answerable. I will return to this question in Chapter 5.

In addition to this emphasis on the ends he takes to matter with respect to understanding the concept of art, Tolstoy is helpfully clear on the implications of his stipulative re-articulation of this concept. Art, for Tolstoy, plays a Friedman-esque constitutive role in how he thinks we do and should make sense of the world aesthetically. If Tolstoy’s stipulative re-articulation of the concept is

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63 Tolstoy’s discussion of morality here is importantly bound up with his specific views on Christianity. Because this aspect of the view, while interesting, is not essential for the purposes of my analysis of the case, I do not discuss it here.
successful, we should therefore expect there will be wide-ranging changes in the kinds of inferences and claims we can and should make given that this concept plays a constitutive role. This is in fact what we find:

If it is true that art is an activity by means of which one man, having experienced a feeling, intentionally transmits it to others, then we have inevitably to admit further that of all that among us is termed the art of the upper classes – of all those novels, stories, dramas, comedies, pictures, sculptures, symphonies, operas, operettas, ballets, etc., which profess to be works of art – scarcely one in a hundred thousand proceeds from an emotion felt by its author, all the rest being but manufactured counterfeits of art in which borrowing, imitating, effects, and interestingness replace the contagion of feeling (131).64

Currently revered works of art are concerned only with appealing to the rarefied preferences of a very small segment of society, not with communicating “emotion” experienced by the artist to a general audience; they are therefore only “counterfeit” and so not genuine works of art. According to Tolstoy, Shakespeare’s *Hamlet* and Beethoven’s 9th Symphony are both examples of such “counterfeit” art (137 and 157). Tolstoy writes *What is Art?* late in his career, and he does not exempt his own previous work from similar re-categorization: “I must, moreover, mention that I consign my own artistic productions to the category of bad art”, a judgment that includes both *War and Peace* and *Anna Karenina* (155, fn 5).65

If large numbers of what seemed to us to be works of art are no longer intelligible as such given Tolstoy’s stipulative re-articulation of the concept of art, then, conversely, objects or projects that we would not previously have thought of as art, or not paradigmatically as art, will now be intelligible as such: “All human life is filled with works of art of every kind – from cradlesong, jest, mimicry, the ornamentation of houses, dress, and utensils, up to church services, buildings, monuments, and triumphal processions. It is all artistic activity” (52-53). Given that these activities and objects all represent works of art, the “artist of the future”, i.e., the artist who gives uptake to

64 Note again the assertoric framing of Tolstoy’s account (“If it is true that art is an activity…”).
65 Although note that Tolstoy continues to at least categorize them as works of art!
Tolstoy’s understanding of the concept of art, will not waste their time composing “a novel or a symphony, or paint a picture which will divert some members of the wealthy classes for a short time, and then be forever forgotten” (178). Instead, they will focus on projects such as composing “a fairly tale, a little song which will touch, a lullaby or a riddle which will entertain, a jest which will amuse, or to draw a sketch which will delight dozens of generations or millions of children and adults” (178). Tolstoy’s claims here might strike us as implausible, but, again, these wide-ranging revisionary consequences are just what we should expect if we accept that certain concepts play a Friedman-esque constitutive role. Constitutive concepts implicate how we will understand other concepts we use for making sense of this domain, and they enable the intelligibility and felicity of our first-order claims about this domain – in this case, for example, first-order claims about what is and what is not a work of art. Tolstoy’s account here is helpfully transparent about how such consequences can play out.

V. Change of subject objection revisited

An objection that is likely to arise at this point is that if my account of stipulation is right, then whenever a speaker stipulates an understanding of a concept in my sense, this speaker will necessarily be talking and thinking about something different than whatever users of the original concept are or were talking and thinking about. Anderson, for example, will be talking and thinking about something different from traditional users of the concept of government; Descartes will be talking and thinking about something different from Aristotelian users of the concepts of natural objects and machines, etc. This objection is a version of the change-of-subject objection we considered in Chapter 2. There I argued that the real root of the worry about stipulative speech acts is that they do not simply change the subject; they change the subject to something that fails to matter. Here however, we have an objector who readily concedes that an act of stipulation may well
introduce a helpful, useful, or interesting concept, but – they argue – the concept will nonetheless be novel. And because the concept will be novel, the speaker carrying out this act of stipulation cannot claim to be revising or changing how we understand the original concept. They are simply introducing a separate, different concept. Juhl and Loomis helpfully synthesize this version of the worry:

The problem…[is] that stipulations of precise concepts do not invariably answer questions concerning concepts with which we began, which we took ourselves to understand prior to any linguistic engineering. The fact that a linguistically engineered statement of similar syntactic form can be constructed and definitively answered does not obviously engage the question involving the concepts with which we began (2010, 163).

In order to assess this objection, we need to know what it means exactly to “engage the question involving the concepts with which we began” – that is, we need to what it means for speakers to think and talk about the same concept or subject matter. Philosophers often refer to this phenomenon as ‘samesaying’. The question at stake in this objection, then, is whether there is any sense in which speakers can continue to count as samesaying – can continue to talk and think about the same concept or subject matter – despite the fact that they may have fundamentally different understandings of the relevant concept or subject matter.

The question of how best to understand phenomenon of samesaying is a difficult one. Elsewhere, I have explained my views on this question in detail (Shields, Manuscript-A and Manuscript-B). Here I will discuss only the aspects of those views relevant to this specific objection. As I read it, the objection assumes that in order for speakers to count as samesaying they must share an understanding of certain “core” or “fundamental” features of the relevant concept or subject matter. If they do not have this shared understanding, then they will fail to count as samesaying. And because acts of stipulation alter the core or fundamental features we associate with a particular concept or subject matter, acts of stipulation necessarily result in speakers failing to samesay.
Rather than arguing against the objector’s position on stipulation here, I want instead to take issue with their first move – that speakers must share an understanding of certain core or fundamental features of the relevant concept or subject matter in order to count as samesaying. On the face of it, such an assumption seems not only harmless, but clearly right. If speakers’ understandings of the relevant concept or subject matter do not sufficiently overlap, then it only seems right to say the speakers are talking and thinking about different things – different concepts or subject matters. But I think this move is in fact misguided. Where the advocate of this view of samesaying goes wrong is in failing to realize that samesaying is a practice: it is something speakers do. We treat or take one another as samesayers, rather than there being practice-independent facts-of-the-matter about whether speakers are samesaying.

To draw out this alternative, practice-based view of samesaying I want to recommend, it will be helpful to begin with simpler cases of samesaying and then build up to more complex cases where speakers diverge in more pronounced ways. Consider the following example: I have a colleague who I know is an expert in coffee. They know all about different kinds of beans, different styles of preparation, and different brands. We have talked about coffee before, and I have explained that I know very little about it: I drink coffee to wake up in the morning and purchase the least expensive, generic type from the store. We are both in the department kitchen, and I see them brewing a fresh pot. They turn to me and ask if I would like a cup of coffee when they are finished. I say yes.

In this case, we have two speakers who have very different understandings of a certain subject matter who nonetheless manage to samesay regarding this subject matter. One explanation – one that proponents of the objection I am addressing in this section will likely opt for – is that despite the variability in our understandings, there is a certain shared content that we each associate with ‘coffee’ that binds us together as samesaying – for example, that coffee is a drink, that it looks a
certain way, that it is the kind of thing we find in a kitchen, etc. But now consider that for any particular assumption we might initially think is necessary for counting as talking or thinking about coffee, it seems possible we can imagine an interlocutor who does not subscribe to this assumption but whom we nonetheless count as samesaying with us. If, for example, another speaker has strange views about the color of coffee or claimed that coffee was not a drink, our initial response would likely be to correct that speaker. And to correct a speaker is to take them to have the same subject matter in mind, but to be mistaken about it, rather than to view them as talking about something else altogether. Of course, this default and initial judgment can be defeated. If another speaker says that coffee is, say, a kind of car, then we will conclude that they are just talking about something else when they use the word – that we are not samesaying with them.

Laura and François Schroeter have argued in various papers that our theories of meaning should center this phenomenological datum that when we communicate with other speakers, our default assumption is that they are samesaying with us – that they mean the same thing by their words as we do (Schroeter and Bigelow 2009; Schroeter 2012; Schroeter and Schroeter 2014; Schroeter and Schroeter 2015). The Schroeters develop their view by criticizing descriptivist and neo-descriptivist views of meaning that take the properties we associate with a particular term to determine the meaning of that term (e.g., Jackson 1998a and 1998b). The Schroeters’ “connectedness” model of meaning, by contrast, argues that we can only comfortably accommodate the substantial latitude we grant other speakers in their use of a term without taking this latitude to defeat our judgments of samesaying if we take the phenomenological appearance of samesaying – rather than any determinate content – to be primary. The Schroeters summarize these aspects of their view as follows:

[In parsing another person’s speech, you automatically hear their use of a familiar English expression as pertaining de jure to the very same topic you yourself associate with that expression. Even if you think your interlocutor is saying something false when she says “This action is morally wrong”, you’ll immediately understand her as thinking and talking about the very same topic you yourself associate
with the term ‘morally wrong’… Moreover, we take ourselves to be de jure samesaying not just with our immediate acquaintances but also with those with whom our acquaintances take themselves to be de jure samesaying. As in the intrapersonal case, chains of apparent de jure sameness can be used to construct historically extended representational traditions: chains of apparent de jure samesaying demarcate shared representational traditions within a given linguistic community (2014, 11-12).

The Schroeters’ point about “historically extended representational traditions” here is that not only do we assume that when an interlocutor uses a word that they have in mind the same meaning that we do; we also assume that we are samesaying with an entire linguistic community of other speakers who use this word with (what we assume is) the same meaning as we do. For example, when I respond that I would like a cup of coffee to my colleague, I do not take us to have generated a sui generis concept that applies only in the immediate and ephemeral context of our conversation; I take us to be samesaying with a community of past and present speakers about something that is mutually understood.

The descriptivist, however, might insist that in cases such as my exchange with my colleague, there is always core content shared among the relevant speakers that makes it so that they all count as samesaying. Consider a case, then, where speakers make explicit that they understand a certain subject matter in incompatible ways, such as in the following disagreement – a disagreement over what it is to be Jewish. For some contemporary Jews, the question of what it is to be Jewish is straightforwardly settled. The following is an account from one of the largest Jewish international institutions, Chabad: “[A] child of a Jewish mother is Jewish, regardless of the father’s lineage, while the child of a non-Jewish mother is not Jewish” (Freeman and Shurpin). What it is to be a Jew is to have, biologically, a Jewish mother. To make the case that this is the right way to understand what it is to be Jewish, Chabad cites what they take to be biblical and Talmudic precedent. This widespread, matrilineal conception of Judaism, however, has been challenged on various grounds and rejected in favor of various alternatives. A recent view argued for in the Jewish Quarterly, for example, argues that it is best to opt for a view according to which “a Jew is one who self-defines as one” (Christie 2014).
This account cites various discrepancies in the historical record (the fact, for instance, that patrilinearity, rather than matrilinearity, was in previous historical eras treated as the standard for an individual to count as Jewish) and, most centrally, the ethical importance of having a more inclusive religious community. These are strong reasons, on this view, to reformulate the concept of being Jewish as involving a default respect for and deference to an individual’s self-identification as such, regardless of the status of that individual’s parents.

Now these are hardly the only two views one might have about this debate, nor does the extremely simplified gloss I have given them reflect the range of complex historical, theological, etymological, and ethical issues surrounding this debate. But what matters for the purposes of this discussion is that, unlike the previous case, we have two sets of speakers here who are making their fundamentally different understandings of the concept explicit. Despite this divergence and despite making this divergence explicit, however, they continue to take one another to be samesaying. That is why they assume they are engaged in a genuine disagreement and not merely talking past one another.

What is so striking about cases of this kind – cases where speakers make explicit that they understand the relevant concept or subject matter in fundamentally different ways – is that speakers continue to take one another to samesay. This is a more surprising result than in exchanges like the coffee case, where I and my colleague do not migrate to any kind of metalinguistic register that makes explicit that we understand the relevant concept in fundamentally different ways. If there is any context where we would expect to find judgments of samesaying routinely defeated, it would be here, where speakers do make their conflicting understandings of the concept explicit. But this is not what we typically find: speakers continue to take one another to samesay despite making their conflicting views explicit.
Already, then, it begins to seem that samesaying is better theorized as a practice – as something speakers do by taking and treating one another in certain ways, rather than a matter of purportedly practice-independent facts about the specific content each speaker associates with the concept or subject matter in question. Now, as the Schroeters argue, the appearance and practice of samesaying is in part grounded in syntactic, phonological, and pragmatic cues that indicate that our interlocutors intend to talk and think about the same concept or subject matter we are talking and thinking about. But this is only part of the story. If I were exclusively updating information I have about the concept or subject matter another speaker might have in mind, this would not entail anything about how I in turn view the concept or subject matter this other speaker has in mind. I might, for example, view this information with indifference or as a curiosity that I then ignore. But this is not, for example, the stance of the proponents of the Chabad and Quarterly views. They do not just indifferently update their internal ledger for how the other side understands this concept. They take one another to have the same concept in mind despite their conflicting views in part because they assume they are similarly invested in this concept – that it is a concept that matters and that is therefore worth arguing about. Consider a case from the opposite direction. If I encounter someone who has a deep, spiritual veneration for what I take to be an utterly mundane object, I will likely view this as a defeater for any initial appearance of samesaying: the concept my interlocutor has in mind to make sense of this object seems clearly different from my own in part because of how this concept matters to them.

Joseph Rouse has pursued a similar approach in analyzing cases of conceptual change in scientific research. Rouse asks whether “our current uses of ‘electron’ or ‘gene’ preserve “a sufficient

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66 The Schroeters are also sensitive to this dimension of appearance and practice of samesaying: “When interpreting your representational tradition, you construe it as a practice with a *point or rationale:* a set of categorizing and inferential dispositions that allow you and other participants in your linguistic community to keep track of a topic that’s of mutual interest” (2015, 434).
number of entrenched beliefs and applications” from J. J. Thomson’s or Wilhelm Johannsen’s original invocations of these terms to count as part of the same linguistic practice?” (2014, 36). He explains that rather than any content needing to be shared among speakers in order for them to count as samesaying, “[w]hat matters instead are the interrelations among the various uses of a term over time, and the constitutive sense that something has been continuously at stake in the development of the practice in which they occur” (37). We allow for “alternative, inconsistent formulations” of a concept/topic to count as samesaying with us in part because we assume these other interlocutors are similarly invested in the concept or subject matter in question.

Let’s return now to the objection with which we began this discussion. The objection to my account of stipulation argues that stipulating an understanding of a concept necessarily introduces a different or novel concept that therefore fails to samesay with the original, target concept. The assumption underlying this criticism, however, is that two speakers cannot count as samesaying if they have fundamentally different understandings of the relevant concept or subject matter. But we have now found that this assumption is misguided. Even in cases where we make our fundamentally different understandings of a certain concept or subject matter explicit, we still generally take one another to have the same concept or subject matter in mind – to be samesaying with one another. Overlapping, core content shared between our respective understandings of this concept or subject matter therefore does not seem to be a desideratum for samesaying, as the objection assumes.

But what we have also found here is that a key aspect of taking or treating another speaker as a samesayer is viewing this other speaker as similarly invested in the relevant concept or subject matter. We take the concept or subject matter to be of mutual concern and interest. And this brings me back to my account of stipulation. According to my account, a stipulative act is always justified on the basis of what a speaker assumes to be certain shared ends. This is part of S3 in my account. With the above account of samesaying in mind, we now have a further explanation for why speakers
rarely make the ends they are appealing to in order to justify their stipulative acts explicit. It is perhaps in part because we simply assume that speakers share our sense of what matters in this context. If I stipulate, for example, that something should count as a fact in an argument, it is likely because I think our conversation will go better if we do so and that I assume you want our conversation to go well, even if neither of us has made this commitment to conversational utility explicit. The same holds for cases where I stipulate an understanding of a concept. I am saying we should understand the concept in question in a particular way because it will serve our shared ends to do so and I assume you share my investment in this concept, even if we have not made these shared ends explicit. It might of course turn out that our ends are not shared and that we end up concluding we are indeed talking and thinking about different concepts. (I discuss this possibility in more detail in the next chapter.) But it is instructive that it is a divergence in ends, rather than a divergence in associated content, that would serve as the defeater for our judgment that we are samesaying with one another. Not only, then, does this version of the change-of-subject objection miss the mark; it also helps to draw out how my account of stipulation has built into it a way of accounting for the phenomenon, and practice, of samesaying.
CHAPTER 5

In this final chapter, I return to the epistemological worries that served as the springboard for this project. In the first chapter we found that the dominant philosophical strategies for addressing the epistemological challenge of deep disagreement – Epistemic Conservatism and Epistemic Rejectionism – both seem to be lacking. I suggested that in order to broaden our epistemological options, we should determine whether there is an underlying assumption at stake in the debate between the Conservative and the Rejectionist that is perhaps insidiously constraining the epistemological options that seem to be available to us. I diagnosed the relevant assumption as a form of the “declarative fallacy”. Both the Conservative and the Rejectionist implicitly subscribe to the view that either a speaker is making a truth claim or series of truth claims in the context of deep disagreement and so making a claim that is rationally evaluable, or speakers are not making a truth claim and so not making a claim that is rationally evaluable. The subsequent chapters were then dedicated to showing that when speakers are articulating or defending an understanding of a concept, they are engaging in a speech act of stipulation – a speech act I argue differs fundamentally from assertion and other familiar speech act kinds. The question now is what kind of epistemological payoff this novel account of the pragmatics of conceptual and deep disagreement ultimately has. In this chapter, I argue that my account of stipulation brings to light the way in which speakers have access to practical reasons to address and potentially resolve even deep disagreements. Such practical reasons, however, risk being obscured when we interpret deep disagreement through a declarative lens and therefore tend not to show up on standard versions of Epistemic Conservatism and Epistemic Rejectionism. By re-interpreting speakers engaged in deep disagreements as carrying out speech acts of stipulation, we can bring to the fore potentially novel epistemological resources for resolving or productively advancing deep disagreements.
In the first section of the chapter, I clarify how I will be using the terms ‘practical’ and ‘theoretical’ reasons and reasoning. In the second section, I argue that viewing speakers engaged in deep disagreement as carrying out speech acts of stipulation (as I understand them) reveals the practical reasons they are already appealing to and can appeal to in order to justify their view of the concept or concepts in question. As such, my re-reading of the pragmatics of deep disagreement brings to light further epistemic resources for speakers that can allow them to counter the justificatory, and so rational, exhaustion that seems to define such disagreement. In the third section, I answer two objections to my account of the role of practical reasons in deep disagreement that are likely to be advanced by those sympathetic to the view that deep disagreements cannot be rationally resolved. The first objection is that my account wrongly assumes that the ends and practical reasons I identify are more widely shared than they likely are; the second is that the practical reasons I identify are ultimately too vague to offer any genuine epistemic guidance for navigating instances of deep disagreement. I offer replies to each of these objections individually and further clarify the scope and nature of the contribution I view my account of practical reasons as making. I conclude the chapter and dissertation by considering how my account points to an important role for the epistemic virtue of open-mindedness in the project of conceptual articulation.

I. Practical and theoretical reasons

Typically, philosophers distinguish questions of theoretical rationality from practical rationality as follows: “theoretical reasoning is concerned with deciding what to believe and practical reasoning is concerned with deciding what to do” (Harman 2004, 48). The individual theoretical reasons and practical reasons invoked in the course of this theoretical and practical reasoning are viewed as instances of normative reasons: theoretical reasons are considerations in favor of what we ought to believe, practical reasons are considerations in favor of what we ought to do. “Belief” here
is then typically understood through the lens of truth – for example, to refer back to the Chapter 1 gloss, “[b]eliefs have a ‘mind to world’ direction of fit; they aim at fitting the world, at being true” (Price 1989, 120). This understanding of the concept of belief is then used to more precisely distinguish between theoretical and practical reasons:

Theoretical reason, interpreted along these lines, addresses the considerations that recommend accepting particular claims as to what is or is not the case. That is, it involves reflection with an eye to the truth of propositions, and the reasons for belief in which it deals are considerations that speak in favor of such propositions’ being true, or worthy of acceptance. Practical reason, by contrast, is concerned not with the truth of propositions but with…considerations that speak in favor of particular actions being good, or worthy of performance in some way (Wallace 2014).

Of course philosophers in various subfields have complicated this neat separation of theoretical and practical reason. Harman’s (2004) is itself in part an attempt to show important ways in which practical reasoning factors into theoretical reasoning. Recent literatures surrounding, for example, pragmatic encroachment in epistemology and inductive risk in philosophy of science also complicate any neat separation between theoretical and practical forms of reasoning (e.g., Douglas 2000; Fantl and McGrath 2007; Kukla 2015).

My usage of the term ‘practical reasons’ in this chapter will reflect a similar challenge to a strict separation between theoretical and practical reasons that I think follows from this discussion. I will often use ‘practical reasons’ to refer to considerations that count in favor of holding or endorsing a particular view67 – a usage that differs somewhat from Wallace’s above, where he suggests that practical reasons are exclusively action-oriented as opposed to “considerations that recommend accepting particular claims”. Examples of the kind of practical reason I will refer to below are, for instance, the ‘usefulness’ or ‘fruitfulness’ of a view for future inquiry or research as normative reasons to justify or endorse that view.

67 Using a very different line of argument, Leary (2017) makes a case for a similar approach to practical reasons.
Because the position I will develop in this chapter also ends up complicating a simple theoretical-practical divide in reasoning, keeping track of shifts in terminology will be particularly important. When I refer to ‘theoretical’ reasons or reasoning below, I intend this usage to conform to a Wallace-style understanding: theoretical reasons or reasoning aim to represent what is or is not the case in the world. The role this understanding of theoretical reasons plays for my purposes in the subsequent discussion is a dialectical one: this understanding of theoretical reasons serves as a foil for the more capacious understanding of practical reasons I recommend. I am therefore not endorsing this understanding of theoretical reasons or reasoning; I invoke it strategically below to help diagnose why we might be tempted to make certain philosophical moves in debates over deep disagreement.

The sense of practical reason I have gestured at does not always clearly show up on standard views of reasoning. Consider, for example, Harman’s treatment of the following example:

Samantha has theoretical reasons to believe that knowledge of the history of philosophy is not very useful in actually doing good philosophy today, reasons based on a careful study of the history of philosophy and of the best recent philosophical literature. On the other hand, she has practical reasons to believe that knowledge of the history of philosophy is very useful in actually doing philosophy today, because she wants to be hired by a philosophy department that has a policy of only hiring candidates who believe that a solid knowledge of the history of philosophy is very useful to anyone who tries to do philosophy today (2004, 46).

It is not quite clear what Harman means by saying that Samantha has “practical reasons to believe” in this case. As I read the case, Samantha does not hold the view that knowledge of history of philosophy is useful in doing good contemporary philosophy; at most, she seems to hold the view that others hold this view and that she may, in certain circumstances (for example, at job interviews), act as if she held this belief given certain practical considerations. We should, however, distinguish cases where one does not endorse a view but pretends to endorse it given certain practical considerations (which is how Harman seems to intend the example) from cases where one endorses a view because of practical considerations (such as, for example, the usefulness or fruitfulness of the
view). For example, to consider another version of this case, we can imagine someone who is perhaps not quite willing to say that it is clearly or straightforwardly true that knowledge of the history of philosophy is necessary for doing good philosophy. This person nonetheless self-describes as holding the view that knowledge of the history of philosophy is necessary for doing good philosophy. They self-describe as holding this view because, in their experience, this view often leads to especially productive and interesting philosophy. They endorse this view, then, not because of its truth, but because of its perceived utility for inquiry. Below, I will often have this sense of ‘practical reasons’ in mind: normative reasons to entertain, hold, or endorse a view because of the utility of that view for inquiry.

II. Deep disagreements and practical reasons

According to the Chapter 1 account of deep disagreement, speakers with conflicting understandings of a concept or set of concepts that play a constitutive role for them will confront at least the appearance of their disagreement being rationally insoluble: it will seem to these speakers that their normative reasons are exhausted for justifying why they hold their preferred view of the concept or concepts in question. It will appear this way because there is no obvious further

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68 To clarify, I switch to the language of “necessity” from Harman’s term “useful” in the passage to avoid multiple confusing and unnecessary references to utility here.

69 An interesting question to consider in light of this further sense of practical reasons is what exactly it means to ‘hold’ or ‘endorse’ a view. My discussion here implies that one can ‘hold’ or ‘endorse’ a view without being committed to its truth. A full account of this distinction would end up taking us too far afield, but it is worth noting two points. First, because I think one can justify a view of the concepts at stake in deep disagreement via practical reasons rather than theoretical reasons, such a distinction (between ‘holding/endorsing’ a view versus taking it as ‘true’) seems to be entailed by my discussion. Second, even independent of my arguments in this dissertation, the distinction between ‘holding’ and ‘endorsing’ a view versus treating a view as ‘true’ strikes me as legitimate and important. Given any recognition of our epistemic fallibilism – of the fact that we have so consistently arrived at incorrect or far from fully correct views in the past, even in our most sophisticated forms of inquiry – it seems unlikely, on reflection, that most inquirers would (or should) be willing to treat a view as ‘true’ simpliciter. The seemingly weaker relations of ‘holding’ or ‘endorsing’ a view provide us with language for explaining our willingness to defend a view in the face of challenges and to express our preference for that view while also always being open to the possibility of the defeat of that view.
commitment speakers can appeal to in order to settle their disagreement given that the concept at 

stake plays a constitutive role.

Recall that the Epistemic Conservative rejects this appearance of rational insolubility. The 

Conservative argues that the content at stake in a deep disagreement can be assessed in the same 

way as any claim about the world is assessed – according to our best epistemic standards and 

practices. We can now describe certain aspects of the Epistemic Conservative’s position more 

precisely. The Epistemic Conservative argues that insofar as deep disagreements involve claims 

about how the world is, we should address these claims with the vocabulary of theoretical reasoning 

and theoretical reasons. Typically, theoretical reasons will take the form of empirical evidence 

and/or abstract reasoning: we should accept a particular claim about what is or is not the case 

because the empirical evidence points to its truth or because our abstract reasoning points to its 

truth. In the context of deep disagreement, the relevant empirical evidence would seem to be how 

the concept is used or understood by the relevant community of speakers (which may – for reasons 
defended influentially by semantic externalists – correspond to a specific subset of expert speakers): 

we have reason to believe that concept X is or consists in thus and such because this is how X is used 

and understood by the relevant community of speakers. The relevant abstract reasoning here might 

be that concept X is or consists in thus and such because our other, more fundamental commitments 

entail such an understanding.

What we found in Chapter 1, however, is that it is unclear how such considerations will 

avoid “hitting bedrock” in the way Fogelin, Wittgenstein, and others worry about. This is because it 

seems that all theoretical reasons can tell us about “what is or is not the case” with respect to a 

concept that plays a constitutive role for speakers is that we do understand the concept in question in 

this way. “This is just what X is” because, according to the relevant theoretical reasons, either this is 

how the relevant experts currently use or understand X or because this understanding of X reflects
how our commitments currently bottom out. But this appeal to existing usage or our existing commitments does not seem to give us any justification for why we ought to continue using and understanding the concept in these same ways, especially given that, in the context of deep disagreement, there are alternatives on the scene. The insolubility defender – a proponent of the view that deep disagreements do not just appear to be rationally insoluble, but are in fact rationally insoluble – will then argue that these shortcomings of Epistemic Conservatism are instructive. They will argue that the struggle of the Epistemic Conservative to conjure normative reasons to justify why they hold their view of the relevant concept is explained by the fact that there are no such normative reasons.

But why focus exclusively on theoretical reasons and reasoning in the context of deep disagreement? Extending my diagnosis from Chapter 1, this vocabulary seems necessary only if we assume that speakers are issuing truth claims in the context of deep disagreement. If they are, then it seems reasonable to think these truth claims should be evaluated in just the same way we treat any other such claim. Furthermore, the Conservative does not simply generate this reading of deep disagreements out of thin air. As we have found in the previous chapters, speakers tend to package their utterances in the context of deep disagreement (and in the context of conceptual disagreement and articulation more generally) assertorically. Speakers will generally say, for example, “A PERSON is…”; “What the concept of art consists in is…”, etc. Not unreasonably, the Conservative takes this surface grammar at face value. And because the Conservative begins with the assumption that speakers are making truth claims about what is or is not the case within the world, the vocabulary of theoretical reasoning and reasons seems almost irresistible. But we have found that once we adopt this vocabulary to specifically address disagreements over how to understand concepts that play a constitutive role for speakers, we seem to be no closer to answering the epistemological challenge
this disagreement poses. Theoretical reasons only tell us how we in fact use or understand the concept in question, not how we ought to.

Part of the explanation for why theoretical reasoning and reasons show up to the Epistemic Conservative as the appropriate vocabulary for epistemically addressing deep disagreement is therefore that the Conservative adopts a reductive declaratival lens for making sense of what speakers are doing when engaged in this disagreement. It also perhaps does not occur to the Epistemic Conservative to question this approach because, more generally, insofar as we are making claims concerning issues of fundamental importance in the context of deep disagreement, then it may seem that it must be the case that we are making truth claims because the latter is, for many who reflexively adopt this lens, the most important thing we can do with words.

Where the Conservative gets locked into their epistemological approach, then, is in their approach to pragmatics. And for all of the seemingly ‘radical’ nature of the Epistemic Rejectionist’s project, the Rejectionist also accepts this declaratival framing of what speakers are doing in these contexts. The Rejectionist argues that because speakers are not making truth claims in the context of deep disagreement (despite speakers’ own self-conception), they are not saying anything that is rationally evaluable. But this line of argument accepts the underlying declaratival framework for interpreting what speakers are doing in the context of deep disagreement. It accepts that the speakers would only be making rationally evaluable claims if they were making truth claims.

What the last three chapters have aimed to show is that we need not utilize this lens to analyze what speakers are doing when they articulate or defend an understanding of a concept, whether that concept plays a constitutive role or not. In fact, this declaratival lens is an obstacle to making sense of speakers’ metalinguistic activity. Speakers are not simply representing how we already understand or use the concepts we have to make sense of the world; they are articulating how we ought to understand and use these very concepts. As I have argued through my account of
stipulation, when we look more closely at the pragmatic structure of speakers’ utterances in the context of conceptual articulation and disagreement, we find that speakers are in part carrying out an ends-directed speech act. It is also a feature of these stipulative speech acts, however, that these ends are rarely made explicit by speakers. In Chapter 3, I offered various explanations for why these ends generally remain in the background. One explanation is that speakers tend to assume that their ends are shared in contexts where they stipulate. Another is that, in the contexts of conceptual articulation and disagreement, the fact that speakers default to an assertoric framing of their utterances means that practical reasons are unlikely to appear as relevant to the question at issue: we view ourselves as debating over what some concept is, not debating over how we ought to understand a concept in light of the ends to which we think concept is answerable. But once we re-interpret speakers’ metalinguistic activity in the contexts of conceptual articulation and disagreement as stipulative speech acts, the fact that speakers are appealing to ends to justify how they understand the concept or concepts in question is brought to the fore. These ends that may have otherwise gone unnoticed can now, in turn, serve as normative, practical reasons that count for why we ought to understand the concept in the speaker’s preferred way, rather than simply reflecting how we currently understand or use this concept.

In order to draw out the role that the practical reasons that stem from stipulative acts can play in the context of deep disagreement, it will be helpful to turn to specific examples. Consider again the case of PH. In this example we have two speakers with conflicting understandings of a concept that plays a constitutive role for them: “To be a person, Peter says, is simply to be something that is capable of feeling pain and capable of at least a certain degree of thought”. By contrast: “To be a person, [Linda] adds, is to be capable of sophisticated, reflective thought and deliberation”. On a declaratival reading of this exchange, where each speaker is issuing a truth claim about what this concept in fact is or consists in and so where it seems that theoretical reasoning is
the right vocabulary for addressing the disagreement, it is difficult to discern what further reasons either speaker might invoke to justify why we should endorse their preferred understanding of this constitutive concept. But once we realize that the assertoric surface grammar of their utterances is misleading – that Peter and Linda are better interpreted as carrying out stipulative speech acts articulating how this concept should be understood – we can begin to consider what ends they might be appealing to in order to justify their understanding of this concept. Now neither speaker makes these ends explicit (in part for the reasons I explained just above). But once we treat them as carrying out speech acts of stipulation, we can begin the work of figuring out what ends they are appealing to in their stipulative acts. And once made explicit, we can then determine whether these practical reasons will be helpful in potentially resolving or at least productively advancing the deep disagreement these speakers face.

For example, in PH, while Peter does not himself make this appeal explicit, it seems that he assumes that any understanding of the concept of personhood should prioritize covering as many cases of potential persons as possible. Peter may also think that the concept of personhood is importantly bound up with guaranteeing a certain minimal standard of moral treatment – that if one does not fall under the extension of the concept of personhood, then one will not be guaranteed an entitlement to this minimal standard of moral treatment. Linda, by contrast, seems to assume that our understanding of the concept of personhood should reflect the unique political statuses and entitlements that have often accrued to those considered persons. Linda also seems to think that that the concept of personhood should reflect the fact that a respect for persons requires extensive positive provisions on behalf of political bodies.

Now these ends, when made explicit, serve as practical reasons that these speakers can – and already in some sense implicitly do – appeal to in order to justify their understanding of this
constitutive concept. Perhaps Peter and Linda will find, for example, that when these practical reasons have been made explicit that they in fact agree that prioritizing coverage of any potential cases of persons outweighs any other end to which our understanding of this concept should be answerable. And perhaps this recognition will then prompt a resolution of their disagreement. Of course, they might also find that they disagree over how to understand these ends and the concepts implicated by these ends. But this kind of disagreement over ends can itself be illuminating: it can, for example often reveal that speakers were in fact talking past one another all along. Speakers thought they were talking and thinking about the same concept, but it actually turns out, when made explicit, what each speaker cares about with respect to this concept importantly differs, and we should more carefully distinguish among different concepts that may be at stake: PERSONHOODₐ and PERSONHOODᵦ, for example. There is certainly no guarantee that either of these kinds of resolutions will be available to speakers in any particular case, but the point is that they represent further epistemic resources that are brought to the fore by the re-reading I am recommending of deep disagreement. Even if the speakers go on to disagree over how to understand these ends or the role these ends should play with respect to the relevant concept, note that this will still mean they are no longer “hitting bedrock” in the way Fogelin, Wittgenstein, and others worry about. They have found further topics to argue about to defend their views – further normative reasons they can appeal in order to justify why they hold the views they do.

I want to emphasize here the kind of epistemic work that is involved in making explicit and scrutinizing the ends we implicitly appeal to in order to justify our understanding of concepts. In particular, it is important to emphasize that this is hard epistemic work. Consider PH again. To what

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70 I say that these practical reasons “already in some sense implicitly do” serve a justificatory role in this context because, given that these reasons are generally implicit, the specific justificatory role they play may well require further articulation. I discuss this point below.

71 Chalmers (2011) advocates for a similar segmented treatment of what appears to speakers to be a concept requiring a univocal formulation for certain disagreements.
degree should any of the ends Peter and Linda seem to be appealing to matter ultimately in how we decide to understand the concept of personhood? Why, for example, should we prioritize ensuring that we cover potential cases of persons over centering the political entitlements of persons in our understanding of this concept? To what degree should political entitlements even matter in how we understand this concept? What kinds of paradigm cases should an understanding of this concept be sure to capture? Which should we aim to rule out? Should we opt for multiple concepts here, or should we aim to vindicate our sense that there is a single concept at stake? These are hard questions. Even in mundane contexts, it is not always clear to us what we care about and whether what we care about is indeed ultimately worth caring about. But it is especially difficult to make these judgments in cases where we are analyzing the concepts that we take to matter most. The difficulty of this work, however, does not mean it fails to offer us an important resource for addressing our deep disagreements. It may mean we have a great deal of work to do, but it is work with potentially crucial epistemic rewards.

Consider now a version of one of the Chapter 4 examples: a disagreement between Tolstoy and a defender of the roughly Kantian view of art that Tolstoy emphatically rejects. We have here a plausible instance of a deep disagreement. The concept of art seems to play a constitutive role in how these speakers make sense of the world aesthetically; there is no obvious further register of “more” fundamental or “more” constitutive concepts for this domain speakers could appeal to in order to justify their preferred understanding. Now despite the fact that Tolstoy himself assertorically frames his view of the concept of art, I argued in the previous chapter that we are better off interpreting what he is doing here in terms of my account of stipulation. He is engaging in a meta-linguistic act that says all speakers ought to infer that the concept of art be understood in a specific way. One of the key advantages of this reading is that it helps to bring to light the key role of certain aspects of his discussion. Specifically, it helps to situate the precise role that Tolstoy’s
appeals to the relationship between art and morality as well as between art and accessibility play in his discussion. Tolstoy does not offer these considerations as independent arguments to criticize the Kantian view. These are the ends to which he takes any understanding of the concept of art to be answerable. Once we realize this – a realization facilitated by the re-reading I recommend – we can now ask the question of what the precise role of these and other ends should be in deciding how to understand the concept of art. Should we understand the concept of art in such a way that works of art necessarily promote human flourishing and compassion? Should we understand this concept in such a way that works of art should be accessible to the widest possible audience? Again, these are difficult questions, but, what matters for our purposes, is that they that provide fodder for further argument and the invocation of further normative reasons among speakers that suggests that they need not “hit bedrock” and that may represent a first step in resolving the disagreement.72 A re-reading of the pragmatics of deep disagreement as crucially involving stipulative speech acts can therefore bring to light novel epistemological resources for addressing and possibly resolving this disagreement.

III. Objections

At this point, we should again recall the figure of the ‘insolubility defender’ referenced above and introduced in Chapter 1. The insolubility defender argues that deep disagreement does not only appear to speakers to be rationally insoluble, but is in fact rationally insoluble.73 They are therefore likely to remain unmoved by the arguments I have raised thus far. They will likely point out that

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72 As I clarify at the beginning of the next section of this chapter, my position is not that such questions could never arise without my account of stipulation, but that this account helps to bring these questions to the fore, even and especially in cases where speakers themselves do not make these questions and their corresponding practical reasons explicit.

73 Recall that the insolubility defender need not be committed to Epistemic Rejectionism specifically. Epistemic Rejectionism represents a specific set of arguments that may be, but need not be invoked by the insolubility defender. The insolubility defender is only committed to the claim that deep disagreements are rationally insoluble, not any particular set of arguments for arriving at or defending that claim.
even if I have successfully debunked a certain way or a certain picture of approaching the
epistemological challenge of deep disagreement, this does not show that I have answered this
challenge in *all* its guises. In fact, the alternative I point to – the role of practical reasons in
addressing and perhaps resolving deep disagreements – is vulnerable to challenges (those I consider
below) that cast doubt on this strategy.

Before addressing these objections, however, a few initial points of clarification are
important here. First, my aim in this chapter and dissertation has not been to show that my account
of the role of practical reasons once-and-for-all solves the epistemological challenge of deep
disagreement. My aim is more modest. I want to show that when we move away from the dominant,
largely implicit picture of what speakers are doing in the context of deep disagreement, we can bring
into view potentially novel epistemological resources for addressing such disagreement – resources
that may not otherwise have been apparent to those either participating in or analyzing these
disagreements. I am therefore not claiming that these resources will decisively solve the
epistemological challenge of deep disagreement, nor am I claiming that the route I have taken to
bring these resources into view is the *only* way it might occur to us to consider these resources. My
goal has been to diagnose and move beyond a certain philosophical picture and, as such, to generate
more philosophical options for us. That there will be further questions for and challenges to this
approach is, I accept, par for the course. If I have managed, though, to widen some readers’ sense of
how we can epistemologically tackle the phenomenon of deep disagreement with this chapter’s
discussion, then I will be satisfied.

But let’s turn now to some of the more specific objections the insolubility defender is likely
to raise in response to my claim that practical reasons can play a key role in addressing and
potentially resolving deep disagreements. First, someone might object that there is no reason to
think that the ends at stake in speakers’ stipulative acts will in fact be shared with other speakers
such that they can utilize these ends as practical reasons to resolve their disagreement with or even to further engage other speakers. In both my discussion of stipulation in previous chapters and again here, I continue to use the phenomenological language of speakers taking or perceiving ends to be shared when they carry out stipulative speech acts. But it does not follow from the fact that speakers take or perceive certain ends to be shared that these ends are in fact shared. And if it turns out for a given case that these ends are not shared – i.e., that the phenomenological appearance is not vindicated – then it seems we are just back to square one: speakers with two different understandings of a concept and no further normative, justificatory resources to call on to resolve their disagreement. The ends Anderson appeals to in order to justify her stipulative re-articulation of this concept are instructive for the purposes of this objection. We can easily imagine that the defender of the traditional view of GOVERNMENT might simply reject that our understanding of this concept should have anything to do with the end of protecting or promoting “workers’ interests”. Perhaps, for example, they would argue that what matters in deciding how to understand this concept is continuity with existing usage, particularly usage among experts who specialize in the study of political life. Because this continuity is what matters in determining how to understand this concept, the traditional understanding of GOVERNMENT should be preferred.

In response to this objection, I want to highlight two aspects of the previous section’s discussion. The first is that it is important to note that in this debate between Anderson and the defender of the traditional view, we have nonetheless moved from an apparent justificatory stalemate – where speakers say we should understand concept X in a specific way because that is just what X is – to arguing over different ends speakers are appealing to in order to justify their preferred understanding of this concept and the role these ends should play in determining how we understand this concept. If this is how the exchange evolves, then the speakers are not hitting
justificatory bedrock: they have located further questions and issues they can continue to meaningfully argue over.\(^7\)

The second important point here is that these speakers may well conclude that the variability in ends they take this concept to be accountable to, means we are actually best off opting for a segmented treatment of what initially appeared to be a concept that we required a univocal understanding of – that there are, in other words, several different concepts at stake here (GOVERNEMENT\(^1\), GOVERNEMENT\(^2\), etc.) that we ought to utilize in different contexts. This conclusion to the exchange, however, would be a way of resolving the deep disagreement – or, more precisely, dissolving the deep disagreement. Either way, speakers end up with further epistemological resources for addressing and potentially resolving their deep disagreements. The fact, then, that the ends that we appeal to in order to justify our preferred understanding of the constitutive concept at stake may not be widely shared does not detract from the important role making these ends explicit can play.

I turn now to a second, multi-part objection to my account – that the ends speakers appeal to in order to justify their understanding of a concept will ultimately prove too vague to provide any genuine epistemic guidance for navigating deep disagreements. Juhl and Loomis, in their discussion of Carnapian linguistic frameworks, point out that “it is hard to see what other ‘pragmatic’ basis there is to prefer such an adoption [of a language] beyond the standard empirical virtues of a theory, such as empirical predictive and explanatory adequacy” (2010, 161). Juhl and Loomis’ point here is that the relevant practical reasons will often reduce to the already familiar “standard empirical virtues of a theory”. But we can make this worry worse for my view. These standard empirical virtues, taken purely on their own, seemingly fail to offer much epistemic guidance for navigating instances of

\(^7\) By ‘meaningfully’ here, what I mean here is that the argument is not merely a recapitulation of questions and issues they had previously discussed.
Consider, for example, Friedman’s account of the decision facing early twentieth-century physicists of whether to transition to Einstein’s special theory of relativity and dispense with the Lorentz-Fitzgerald theory and category of the aether. The aether is now retrospectively viewed as a representative example of a gratuitous theoretical posit that violates important criteria of theory choice such as parsimony. But Friedman argues that for researchers prospectively facing the decision of which of the two theories to endorse, dispensing with the category of the aether depended on whether they were also willing to accept the wide-ranging, disruptive ramifications of Einstein’s theory that “dispense…with the spatio-temporal-mechanical framework – that of classical, Newtonian mechanics – within which alone it [seems] possible to think coherently about spatio-temporal-mechanical phenomena at all” (2001, 52). That is, while Einstein’s theory had certain advantages from this prospective view, it would also come with serious costs in the eyes of many researchers evaluating the theory at the time. We can easily imagine that practical reasons could therefore be invoked by advocates of either view to justify their decision: overall explanatory coherence, it might be argued, is preserved by retaining the category of the aether. Such reasons therefore hardly seem capable of equipping us with meaningful epistemic guidance in the context of deep disagreements.

Suppose, then, we try and flesh out these “external ‘pragmatic’ criteria for adopting a language system” in response to this worry (Juhl and Loomis 2010, 161). But now the problem becomes that we risk collapsing “into internal…criteria for adopting a sentence or theory of a language” (161). In other words, if we add specific, determinate content to these practical reasons for preferring one theory or understanding of a concept to another, then we seem to be left with the very epistemological problem with which we began: our specific understanding of these practical concepts (such as “empirical predictive and explanatory adequacy”) will depend on theory-specific commitments that, in the context of deep disagreement, will be normatively inert for those who do
not already share our commitments. Either, then, these practical reasons are aiming to be a source of “external” epistemic guidance but, as such, are too vague to offer any genuine guidance, or we do attempt to assign more determinate content to these practical reasons, but, in doing so, simply re-
raise the specter that these more determinate reasons will be normatively inert for anyone who does not antecedently share our commitments.

Note as well that these worries are not somehow unique to scientific concepts. Consider again, for example, the dispute between Anderson and the defender of the traditional understanding of the concept of government. Those in the latter group, as we have seen, may argue that their understanding of the concept helpfully preserves continuity with existing usage. Were we to raise the question of why this end matters when it comes to making sense of this concept, we will likely get the answer that it will be more “useful” or more “fruitful” to preserve, rather than disrupt, existing usage. And what does “useful” or “fruitful” mean here ultimately? It is far from clear. This group of speakers would certainly not be alone in having increasing difficulty specifying exactly what their practical reasons amount to that favor their understanding of the concept or concepts in question. The very fact that speakers (including philosophers) do not view themselves as engaging in something like stipulative speech acts when they articulate an understanding of a concept helps to explain why speakers rarely make the ends explicit they are utilizing to justify their understanding. Furthermore, the fact that the ends speakers are appealing to in these metalinguistic moments will generally be implicit means that these ends are very unlikely to also be determinate in such a way that they could provide meaningful guidance for preferring one view of the concept to another. It seems far more likely that speakers will appeal to the worryingly vague criterion of the “usefulness” of their view to justify their preferred understanding of the concept. Such a vague appeal, however, seems unable to provide us with any kind of genuine epistemic guidance. My account of the role of
practical reasons in deep disagreement, according to this objection, therefore hardly seems to resolve the epistemological challenge such disagreement poses.

To properly respond to this second objection, it will be helpful to distinguish between three separate lines of criticism at stake in the objection. The first is that the practical reasons that are purportedly relevant for deep disagreement will be ones that are already familiar to us (such as “the standard empirical virtues of a theory”). The second is that the practical reasons I am identifying, regardless of their familiarity, are too vague to offer genuine epistemic guidance for cases of deep disagreement. The third is that if we attempt to make the practical reasons in question less vague and so more determinate, the resulting practical reasons will be normatively inert for anyone who does not already share our understanding of the concept or concepts in question.

I will respond to each line of criticism in turn. The first, even if right, strikes me as having an importantly limited scope. In this chapter, we have already found that there are illuminating practical reasons that are often at stake in disagreements over how to understand a concept that do not just reduce to the familiar, general considerations Juhl and Loomis point to above. Discerning these practical reasons can certainly be difficult epistemic work, and it might be easier in some contexts to simply say that we prefer an understanding of a concept by invoking these more run-of-the-mill considerations. But we can also engage in this difficult epistemic work of trying to specify exactly what we care about with respect to the concept or concepts in question and whether what we care is ultimately worth caring about. It is also worth noting that even if the practical reasons we end up invoking to justify our understanding of the relevant concept are from this list of standard considerations, this move can still be epistemologically substantive, as we found earlier. At minimum, we will perhaps have to concede that the other side to this disagreement also has an equally good justification for pursuing and endorsing their view. I will have more to say about this point further below.
This second line of criticism here claims that the practical reasons speakers will appeal to in the context of deep disagreement will not only be familiar, but too vague to offer any meaningful epistemic guidance for such disagreement. Here I want to make two replies. First, as I argued in response to the previous criticism, there is nothing about the practical reasons that speakers are appealing to and can appeal to in this context that entails that these reasons must be vague. On the contrary, these practical reasons can often be specific and require substantial epistemic work to discern. Second, we should ask what exactly it means for a reason to provide “meaningful epistemic guidance” here. Suppose the insolubility defender is right and the only practical reasons available to us in this context will be vague. What is implied but not spelled out by this criticism is that this vagueness is a problem because it means that these reasons will not provide us with a decisive justification for preferring one view to another. This is why the insolubility defender will point to cases such as Friedman’s discussion of the Lorentz-Fitzgerald theory of the aether, i.e., cases where, prospectively, the vague criteria of theory choice did not necessarily seem to decisively favor the view we now consider correct and rule out the view we consider incorrect.

But, absent further argument from the insolubility defender, it is unclear why the justification that these practical reasons provide in the context of deep disagreement must be all-things-considered, decisive reasons for preferring one view to another. What we need to defuse is the appearance of justificatory exhaustion that this disagreement seems to entail. The fact that the justifications we can offer may not be decisive ones does not mean they cease to be justifications.

The practical reasons I am referring to here, even if always vague (which I deny), nonetheless offer us a pro-tanto normative reason for the view we hold – that is, they offer a normative reason in favor of the view, rather than an all-things-considered, decisive reason in favor of the view.

Now it is likely that the insolubility defender will respond that my approach here cannot be right. If these vague practical reasons can correspond to pro-tanto normative reasons in favor of a
view, then both parties to a deep disagreement can claim they have a justification for holding their preferred view of the concept or concepts in question. In other words, proponents of both views of the relevant concepts at stake in a deep disagreement can claim their view is ‘useful’ or ‘fruitful’ for inquiry because it is seemingly straightforward to do so. Therefore, on my view, both sides will apparently count as offering a genuine justification for their view. But if my account permits both sides to a deep disagreement to claim a similar or the same justification for their views, then it will fail to settle the question of which view to endorse.

It is this final step in the insolubility defender’s argument that I want to reject. Again, what we need to dispel here is the insolubility defender’s claim that the appearance of justificatory exhaustion in deep disagreement corresponds to a genuine reality. But pro-tanto justifications for preferring a view are still justifications and therefore show that the appearance of justificatory exhaustion can be overcome, even if the justifications do not settle the question at stake in a deep disagreement decisively in favor of one side. The fact, then, that vague practical reasons are accessible to both sides in a deep disagreement is not a result to be regretted on my view; it shows that the appearance of justificatory exhaustion is likely misleading.

The insolubility defender here may be operating with a certain background assumption that permissivism in epistemology is false, where permissivism is “the claim that sometimes, there is more than one rational response to a given body of evidence” (Schoenfeld 2012, 194). My view of practical reasons here permits more than one rational response to certain cases of deep disagreement: cases where all parties to a deep disagreement can point to equally weighty pro-tanto practical reasons for preferring their view. But the insolubility defender seems to think that because permissivism is false (i.e., there is only ever one rational response to a given body of evidence), my view should therefore be rejected.
The onus, however, is on the insolubility defender to defend their criticism of permissivism. They need to explain why only all-things-considered normative reasons are legitimate candidates for overcoming the appearance of justificatory exhaustion. It is far from clear that rationally proceeding in the face of deep disagreement requires that there be a normative reason that exists that decisively vindicates one side to this disagreement. This is a contentious epistemological view they are importing, and it must be spelled out. In not placing any a priori constraints on what kinds of normative reasons speakers can invoke in these contexts, my view does not make any parallel assumptions or come with any similar baggage.

The insolubility defender, however, may continue to push back that my invocation of the pro-tanto versus all-things-considered distinction here makes my view vulnerable to counter-examples. Suppose, for example, someone were to say that they have a particular understanding of a concept that plays a constitutive role for them simply because it is “amusing” to them to have this understanding. Why would such a justification not count as a pro-tanto normative reason for understanding the concept in question as the speaker does (assuming the concept in question is not itself the concept of amusement or a closely related concept)? Clearly such a reason would not be a particularly weighty one, but if all we need is a pro-tanto, normative reason, then it seems that, as examples such as this one demonstrate, such reasons will be easy to come by.

There is a sense in which this objection gets something importantly right. But it is nonetheless misled by the example it invokes. The idea behind the objector’s example here of someone using “amusement” as a justification for holding a view of a concept is to show that generating pro-tanto, normative reasons for holding a view of a concept is simply too easy. Trivial
normative reasons still carry weight, even if minimal weight, and so a solution like mine to the problem of deep disagreement that turns on generating such reasons cannot be right.\footnote{The issue of the weightiness of reasons is fraught philosophical territory. The assumption, however, that trivial normative reasons nonetheless carry genuine normative weight is far from innocent or a self-evident “conceptual” truth. More sophisticated versions of the objection would therefore need to defend an in-depth account of normative weightiness to justify this view. See, for example, on this topic, Chapter 7 of Schroeder (2007).}

Again, though, absent further argument or clarification, it is unclear why a view of a concept being “amusing” might count as a justification for holding that view, even if the justification is only intended to have minimal weight. It simply seems to be a complete non-sequitur and therefore fails to be a justification \textit{at all}. In response, the objector might go on to explain that by “amusement” they mean that their preferred view of the concept is one that is “exciting” or “interesting” intellectually to hold. If this is the objector’s response, then I do think we have a genuine \textit{pro-tanto} normative reason for considering or preferring the view in question. That there might be something useful for inquiry for considering or preferring the view is a relevant reason to consider or prefer it. But, again, this vagueness is not a threat to the account I am advancing here: the fact that both sides to the deep disagreement will be able to generate such \textit{pro-tanto} practical reasons in favor of their view is a way in which they can both overcome the appearance of justificatory exhaustion.

The third line of criticism in this objection is that if the practical reasons I am pointing to in the context of deep disagreement are \textit{not} worryingly vague, then they will be specific and determinate in such a way that they will be normatively inert for anyone who does not already share our commitments and so normatively inert for anyone on the other side of a deep disagreement. Here, however, we need to keep in mind the specific way in which I have argued these practical reasons can be invoked by or for speakers in the context of these disagreements. My target in this chapter is a philosophical picture of deep disagreement that doubles down on how speakers take themselves to be making a series of truth claims or assertions in this context. Because speakers and the
philosophers analyzing these disagreements tend to adopt this declaratival lens for making sense of their exchange, they assume the right epistemic vocabulary here is one of theoretical reasoning and reasons. As such, the appearance of rational insolubility rears its head: “Concept X just is or consists in thus and such because that is how we currently understand it”. The re-reading of deep disagreement I have argued for contradicts speakers’ (including philosophers’) own self-descriptions of their linguistic activity, and in doing so, I have argued, can demonstrate the relevance of practical reasons for this context that may not otherwise have been apparent.

The practical reasons in question are those ends that the speaker implicitly appeals to in order to justify their stipulative re-articulation of the concept at stake in the deep disagreement. Part of the explanation for why these ends remain implicit is that, as I argued at the end of Chapter 4, speakers assume these ends are shared. We assume, in other words, that we are samesaying concerning and therefore engaged in a genuine disagreement over the relevant concept despite our fundamentally different understandings of this concept. We take other speakers to be samesayers, in part, because we assume there is a shared sense that this concept matters and of how it matters. But we generally do not make this sense explicit, nor do we necessarily have a determinate idea of what exactly this sense consists in right away. This sense of mutual investment and interest serves as a background, default assumption – one that helps us view others to be samesaying with us and one that helps us to, as the Schroeters sometimes put it, “bootstrap” ourselves into samesaying with one another.

While it may be the case, then, that these practical reasons, once made explicit, do in fact turn out to be specific and determinate, it does not necessarily follow that they will be normatively inert for speakers on the other side of a deep disagreement. It may turn out that our assumption that we share ends with respect to how to make sense of this concept is in fact vindicated – that, once they have been made explicit, we do indeed share ends here and that these ends can serve as the
initial grounds for resolving our deep disagreement. But because such reasons had remained in the
background (as a result of our declaratival reading of our exchange), these reasons may well not have
shown up to us as a possible means of addressing or potentially resolving our disagreement.

Consider, in this light, the disagreement over what it is to be Jewish discussed at the end of
Chapter 4. Perhaps, for example, making explicit that the proponent of the Chabad view takes
deerence to (what is perceived to be) established Jewish law to be the end that our understanding of
this concept should be answerable to and making explicit that the proponent of the Quarterly view
takes inclusion and spiritual fulfillment to be the relevant ends can, in turn, lead to potential sites of
overlap or further argument and exchange that proves epistemically productive. It is at least
conceivable, for example, that someone might come to realize that, say, spiritual fulfillment rather
than perceived textual fidelity, should be the end that matters most in understanding this concept
and change views accordingly.

No doubt it will seem that I am being naïve here. But my point is not that this will necessarily
be the outcome of the exchange, nor am I saying that this is even a likely outcome. My point is that
speakers in exchanges such as these will simply have further normative resources that they may not
have been aware of for addressing and potentially resolving their disagreements. And the above
example is intended to show how this could work, regardless of the likelihood of this outcome. The
charge of naïveté is therefore beside the point. We should aim to maximize our epistemic resources,
and my position here is that the re-reading of deep disagreement I have defended in this dissertation
points to resources that may not otherwise show up to speakers involved and inquirers analyzing
these kinds of disagreements. Pre-emptively insisting that there are no such resources or that they
will not be epistemologically substantive is not a less naive, sober-minded epistemic attitude, as
much as the insolubility defender might want to present themselves this way. Any conclusions about
the rational insolubility of deep disagreements should only be arrived at once all justificatory options for speakers have been considered.

Again, we may also find that our default assumption that we have an importantly shared investment in the concept in question is not vindicated when our ends are made explicit – that we care about this concept in fundamentally different ways. For example, it is easy to imagine a version of the deep disagreement between a proponent of the Tolstoyan view of the concept of art and a proponent of the more Kantian view of the concept of art, where the former concludes that the concept of art is fundamentally answerable to moral ends and the latter denies this. One conclusion they might draw is that they should segment their treatment of what appeared to them to be a concept an understanding of which required a univocal formulation – to conclude, in other words, that more than one concept is at stake. But, as I noted above, this is still an epistemologically substantive conclusion; it is a way of dissolving a deep disagreement. It may also turn out, however, that the disagreement continues to carry over to the specific ends we take the concept in question to be answerable to and that there is no resolution in sight. My account, as I discussed at the beginning of this section, cannot rule out this possibility. But it also does not claim to do so because my target is the specific picture of deep disagreement described in Chapter 1, rather than giving a solution to the epistemological challenge of deep disagreement once-and-for-all. The fact, then, that we may eventually settle on determinate or specific ends to which we think any understanding of the concept in question should be answerable does not put us back where we began. The implicit, likely inchoate ends we were appealing to, when made explicit, may well turn out to be unexpectedly shared, as we have found. Or these ends may turn out not to be shared but to be epistemologically substantive nevertheless (in dissolving the disagreement). Either way, potentially novel epistemic resources become available to us.
IV. Conclusion

One final push from the insolubility defender might be that once we make the ends implicated in our stipulative acts explicit, even if at first they seem to be specific or determinate, any articulation of how we in turn understand these ends will eventually have to appeal to vague ends. How, for example, we understand the relevant moral concepts a Tolstoyan view of art appeals to, the concept of spiritual fulfillment or inclusion the Quarterly view appeals to, or the concept of worker interests Anderson appeals to, will ultimately end up turning on worryingly vague practical reasons, such as the ‘utility’ or ‘fruitfulness’ of the view. Descartes’s understanding of the concepts of natural objects and machines seems to be a prime example of a view that bottoms quickly in just this way.

Now I have already explained why, even if we concede this point to the insolubility defender, I am not particularly perturbed. Such vague reasons still provide us with the pro-tanto normative reasons we need to dispel the appearance of justificatory exhaustion and to serve as fodder for further, meaningful exchanges. But I want to point to another aspect of my account that is drawn out by thinking through this objection. Because my emphasis is on these pro-tanto practical reasons and not all-things-considered, decisive reasons for preferring one view to another in the context of deep disagreement, I have already mentioned that my account allows for the possibility of both sides to a deep disagreement continuing to offer justifications in favor of their preferred view. This role for practical reasons in deep disagreement points to, I think, the importance of operating with what I would call a certain default open-mindedness as an inquirer in these exchanges.

This claims puts us in the territory of virtue epistemology and the question of those virtues that make one a good inquirer (e.g., Zagzebski 1996; Roberts and Wood 2007). Now I would want to resist the idea that open-mindedness is always an intellectual or theoretical virtue, regardless of the context. Fantl’s interesting (2018) casts doubt on any such sweeping claim. There are also often clear
epistemic benefits to developing a research program or line of thought without perpetually worrying about the merits of alternatives or skepticism about one’s own approach. A certain tunnel-vision in inquiry may be just what is needed to fully and productively develop a line of thought or research.

The open-mindedness I have in mind, then, is specific to instances of disagreement that have the dimensions of depth I have been concerned with in this dissertation – disagreements that turn on how we make sense of concepts that play a fundamental role in how we make sense of some domain of the world. In these cases, a default open-mindedness can reflect the fact that our interlocutors can invoke the general practical reasons of the potential ‘utility’ or ‘fruitfulness’ of their view for ongoing and future inquiry as justification for their view. To be open-minded in this context would mean acknowledging this justificatory parity and therefore allowing these other views the intellectual and, if we are in a position, material space for the view’s continued consideration and development.

One worry here is that this kind of attitude will mean allowing for the consideration and development of views such as the Lorentz-Fitzgerald theory that we should not have adopted a normatively laissez faire approach towards because we now know the view was simply wrong. But my position would be that, prospectively, the further development of such (now discarded) views can be justified on these grounds. Van Fraassen, for one, shares this judgment: “We should also honor those who work on solutions even to persistent anomalies in the prior accepted framework, from Galileo’s rivals to Poisson (when he famously resisted the wave theory of light) to Lorentz” (152). We should honor this work because, prospectively, these pro-tanto grounds – the “substantive empirical success that the accepted theories have to their credit”, for example – are genuine grounds for pursuing and preferring a particular view in these prospective contexts (152). And, importantly, creating the space for the consideration and development of even views we may come to discard or never endorse is just what is needed to ensure consideration and development of those views we do
eventually come to endorse, particularly novel views with wide-ranging, disruptive epistemic ramifications. If, then, it turns out that speakers really can only appeal to considerations of bare utility to justify their views, such justifications will be importantly accessible to both sides. This normative parity can be reflected in an attitude of open-mindedness – entertaining and allowing room for the development of views that conflict with one’s own.

As van Fraassen himself argues, such considerations are not limited to the sciences. If speakers can only invoke these bare practical reasons to justify their conflicting views of – given my concerns in this dissertation – concepts that play a constitutive role for them, then both views merit consideration and the space for development. And if one thinks that philosophy has a discipline-specific preoccupation with conceptual disagreements, then my account here suggests the importance of open-mindedness as a metaphilosophical virtue – that philosophers in particular have a responsibility to allow for the consideration and development of views that diverge from their own (a view I plan to develop in future research).

With these observations in mind, I want to return to the passage from Goodman’s *Ways of Worldmaking* I cited in the introduction:

Every so often a critic of one of my writings complains that on some topic I ‘state without argument that…’. A particular example I vaguely remember from somewhere reads something like: “Goodman states without argument that the core of representation is denotation.” This led me to reflect on why I made so crucial a declaration without argument. And the reason is that argument in any sense that involves inference from premises would be utterly inappropriate here. In such a context, I am not so much stating a belief or advancing a thesis or a doctrine as proposing a categorization or scheme of organization, calling attention to a way of setting our nets to capture what may be significant likenesses and differences. Argument for the categorization, the scheme, suggested could not be for its truth, since it has no truth-value, but for its efficacy in worldmaking and understanding. An argument would consist rather of calling attention to important parallels between pictorial representation and verbal denotation, of pointing out obscurities and confusions that are clarified by this association, of showing how this organization works with other aspects of the theory of symbols. For a categorial system, what needs to be shown is not that it is true but what it can do. Put crassly, what is called for in such cases is less like arguing than selling (1978, 129).

This dissertation has been an attempt to clarify what kind of speech act might be involved in the metalinguistic activity Goodman draws our attention to here and what the epistemological
implications of such metalinguistic activity might be. To Goodman’s passage, I would simply add that we must also be aware of our role as audiences for these kinds of acts, as well as performers of them – that we are just as much buyers as we are sellers. The onus is therefore not only to show what our preferred “categorial system” can do, but to remain open to the possibility that others may be able to do the same for their preferred way of setting our nets. We are, then, not just authors of new worlds; we are fortunate enough to observe and help make room for the worlds elaborated by others.
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