

# Against Assertion<sup>1</sup>

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Theories of assertion fall into four rough categories:<sup>2</sup>

- (i) Assertions are those sayings that are governed by certain norms – the norms of assertion.
- (ii) Assertions are those sayings that have certain effects.
- (iii) Assertions are those sayings that have certain causes.
- (iv) Assertions are those sayings that are accompanied by certain commitments.

The view defended in this paper - I call it the *No-Assertion* view - rejects the assumption that it is theoretically useful to single out a subset of sayings as assertions:

- (v) Sayings are governed by variable norms, come with variable commitments and have variable causes and effects. *What philosophers have tried to capture by the term 'assertion' is largely a philosophers' invention. It fails to pick out an act-type that we engage in and it is not a category we need in order to explain any significant component of our linguistic practice.*

Timothy Williamson (2000) defends a theory of type (i). He says that a theory of assertion has as its goal "[...] that of articulating for the first time the rules of a traditional game that we play" (p. 240). Among those who think we play the game of assertion, there's disagreement about what the rules are. Some think it's a single rule and disagree about what that rule is. Others think the rules change across contexts. According to the No-Assertion view we don't play the assertion game. The game might exist as an abstract object, but it is not a game you need to learn and play to become a speaker of a natural language.

Central to the No-Assertion view is the notion of a *saying*. I have more to say about sayings below, but for now, just think of it as the expressing of a proposition. It is a close relative of what Austin called *the locutionary act*. It is important to note that, according to Austin, all *illocutionary* acts (e.g. assertions) are *also* locutionary acts: whenever you make an assertion or ask a question, you are also performing a locutionary act, i.e. you say something. The various illocutionary speech acts are, so to speak, built on top of locutionary acts, or sayings. In other words, the need for the

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<sup>2</sup> (i)-(iv) can be combined in various ways, see Section 3 below for elaboration. See also MacFarlane (this volume) for a related overview of theories of assertion.

notion of a *speech act-neutral saying* is part of the common ground between the No-Assertion view and the various theories that take assertion to be a theoretically important category. It is also common ground that if there are assertions, they are distinct from sayings – i.e. that the illocutionary act is distinct from the locutionary act. The suggestion in this paper is that we don't need the distinct category of assertion in addition to the act of saying. The act of saying (i.e. the act of expressing a proposition) combined with contextually variable norms, causes, effects and commitments can do all the explanatory work.

I argue for the No-Assertion view, primarily, by arguing against normative views of assertion, such as Williamson's. I take the normative views to be the primary alternative to the No-Assertion view. A full-fledged defence of No-Assertion would need to argue also against theories of type (ii), (iii) and (iv). Limitations of space prevent such a full-fledged defence of the No-Assertion view. However, the arguments in this paper provide, I hope, a fairly straightforward model for how to argue against views of type (ii), (iii), and (iv).

In Section 1, I say more about the No-Assertion view, in particular about what sayings are. In Sections 2 and 3, I give an overview of the different kinds of theories of assertion that one could develop and I present the key components of Williamson's view in more detail. In Section 4, I give arguments against assertion. In Section 5, I respond to two objections.

## 1. The *No Assertion View*

In this section, I elaborate on three key components of the No-Assertion view:

- (i) There are sayings.
- (ii) Sayings are governed by variable norms, none of which are essential to, or constitutive of, the act of saying.
- (iii) We don't play the assertion game.

### (i) *There are sayings*

What are sayings? A good place to start is with Austin's notion of a *locutionary act*:

[...] the utterance of certain noises, the utterances of certain words in a certain construction and the utterance of them with a certain 'meaning' in the favourite philosophical sense of that word, i.e. with a certain sense and with a certain reference. The act of 'saying something' in this full normal sense I call, i.e. *dub*, the performance of a locutionary act ... a great many further refinements would be possible and necessary if we were to discuss it for its own sake.  
(1975, pp. 94-5)

With this as a starting point, think of an Austinian saying of *p* as very close, if not identical, to the act of expressing the proposition that *p*. As an example, take the sentence *S*:

*S*: There are blind mole-rats in Sweden.

S can be used to express the proposition *that there are blind mole-rats in Sweden* (call this proposition *s*) because that proposition is its meaning. A speaker of English can use S to express *s*, and that's what it is to use S to say that *s*. Of course, you don't need to use a particular sentence, S, to say (or express) that *s*, it can be done in languages other than English (and, even, using other sentences of English).

For those not sure what an Austinian saying is, I suggest trying it. One way to do that is to say, in some language or other, that there are blind mole-rats in Sweden. If you do that, then you have performed a saying, and in so doing you have expressed the proposition that *s*. Note that one thing you can subsequently do, having expressed *s*, is to refer to it with a demonstrative (as in "That's the proposition HC asked me to express") or anaphorically (as in, "It's an interesting thought, I have no idea whether it's true or false, I have no evidence either way, and I didn't mean to convey to anyone that I think it is true, I just wanted to express it"). Contrast this with simply uttering a sentence you don't know the meaning of. For those who don't speak Norwegian, try uttering, "De er mange svensker som jobber i Oslo." This sentence can be used by those of us who speak Norwegian to say *that there are many Swedes working in Oslo*. Those who don't speak Norwegian, can make the sounds, and so utter the sentence, but they cannot use it to say that there are many Swedes working in Oslo.

As Austin points out, "a great many further refinements would be possible and necessary if we were to discuss" the act of saying something for its own sake. (1975, p. 96) It's not the goal of this paper to undertake that project. It is also a project that's tangential to the arguments in this paper because the No-Assertion view and the Pro-Assertion views that are targeted in this paper all appeal to Austinian sayings. It is a *shared notion*. According to *all* the views I target below, the act of saying that *p* is part of the act of asserting that *p*. (I give some arguments for the saying-as-shared-notion-assumption in Section 3 below.) So one argumentative strategy that won't work against the No-Assertion view is to say: *hey, wait a minute, there are all these very tricky questions about sayings – you owe us a story about all of this.*<sup>3</sup> Well, that might be—any deep philosophical notion is surrounded by tricky questions (and the notion of expressing a proposition is about as deep as it gets)—but those questions are questions the No- and Pro-Assertion views have a joint interest in answering. The answer to those questions won't adjudicate between those views.

For now, a couple of obvious restrictions that both the No- and Pro-Assertion proponents will want to insist on: The sayings I'll focus on involve the utterance of declarative sentences (as opposed to questions and imperatives (when these characterisations are understood syntactically<sup>4</sup>)). I also restrict sayings to complete

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<sup>3</sup> I'm not ruling out that someone could deny that assertions supervene on sayings. One motivation for that would be opposition to the very idea of *expressing a proposition* (in the thin Austinian sense). For example, philosophers such as Robert Brandom (1994) who are sceptical of the idea of sentences expressing propositions, will obviously not be attracted to No-Assertion. Note that they are also unlikely to be attracted to what I below call N-theories of assertion. It goes beyond the scope of this paper to prove that there are propositions and that we express them – I take that as a starting point here.

<sup>4</sup> Linguists typically treat these as syntactic categories, well established across languages, and there is no assumption that the syntactic distinction suffices to individuate the relevant speech acts.

propositions – i.e. you don't count as having said that p if you utter 'If p, then q' or "John said that p" (in so doing you have said *that if p then q* and *that John said that p*, you have not, in the intended sense, said that p).

(ii) *Sayings are evaluated by contextually variable norms, none of them constitutive of the speech act*<sup>5</sup>

Sayings are related to norms in much the same way as kissing and driving are. The norms that governing driving and kissing vary widely across contexts and cultures, over time, and across possible worlds. There's no one set of norms that is essential to either activity. Kissing and driving are paradigms of non-normative activities governed by variable norms. Sayings, according to the No-Assertion view, are like that. What to say, how to say it, when to say it, whom to say it to, and the combined appropriateness of all this depends on a complex interaction of various norms, goals, and contextually variable factors. These can be weighed in a variety of ways—there need be no one correct judgement about whether a particular saying is correct, praiseworthy, or gives rise to resentment.

The kinds of norms that govern sayings, according to the No-Assertion view, are familiar – they are the kinds of norms that Grice appeals to and that various Pro-Assertion theorists appeal to. The No-Assertion view can appeal to any norm (and constraint) appealed to by the various Pro-Assertion views, the only difference being that the No-Assertion view doesn't take any of these to be constitutive of a speech act type (or game).

Grice's maxims of conversation are not constitutive of the acts they govern. Grice takes them to be derived from general principles of rational cooperation. They all have analogues in "spheres of transaction that are not talk exchanges." They are norms that guide behavior, not norms that are essential to (or constitutive of) the behavior they guide. Not only are Grice's maxims naturally taken to govern (or operate on) Austinian sayings, but, and this point is often overlooked, it is more or less impossible to think of them as governing (or operating on) normatively individuated assertions (where the norms are constitutive of the act). Consider the maxim of quality (1975, p. 41 – my emphasis): 'Try to make your *contribution* one that is true.' Grice elaborates with two more specific maxims:

- Do not *say* what you believe to be false.
- Do not *say* that for which you lack adequate evidence.

How should we construe the terms 'contribution' and 'say' in these formulations?<sup>6</sup> If we construe them as referring to Austinian sayings, things go smoothly. On that

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<sup>5</sup> Two papers that provide excellent arguments for this component of No-Assertion, though not used in support of the claim that there's no such thing as assertion, is Pagin (this volume), and Levin (2008).

<sup>6</sup> Of course, Grice has a theory of sayings, connected to his intention based theory of content. One can be attracted to the maxims of conversation as a good description of conversational exchanges without endorsing Grice's metaphysics of meaning. So I don't here intend to get into Gricean exegesis – i.e. to capture his intention base notion of a saying.

construal, the maxim tells us that in order to be cooperative, you should aim to express (i.e. say) propositions that are true; and the ‘elaborations’ tell us that we should say what we believe and have adequate evidence for.

If, on the other hand, ‘say’ and ‘contribute’ are interpreted to mean ‘assert’ in the Williamsonian sense (where it is *constitutive* of the act that it is governed by the norm that one should assert p only if one knows p, (see Section 3 below for elaboration on this kind of view)), the maxims become necessary truths (maybe even tautologies). On this construal, it is *impossible to perform a saying not governed by the maxim of quality* (because, on this construal, it is essential to the act of saying that it be governed by that norm.)<sup>7</sup> Grice clearly didn’t intend for the maxims to be necessary truths.

The four maxims of conversations are not, according to Grice, the only ones governing talk exchanges. He emphasises that there are, “[...] all sorts of other maxims (aesthetic, social, or moral in character), such as ‘Be polite’, that are also normally observed by participants in talk exchanges [...]” These aesthetic and social maxims are paradigms of norms that vary across contexts, so Grice clearly thought that the norms that govern talk exchanges are contextually variable.

Two further points about the norms that govern sayings:

First, the view I am proposing is not one according to which each context comes with a set of norms specific to the act of saying. On the proposed view, there need be no norms that are *specific* to speech behaviour. Speech behaviour, like other kinds of behaviour, is evaluated by a range of rules, norms and constraints – some moral, some norms of etiquette, some having to do with the practicalities of cooperation and information exchange. These will have implications for what we should say, when to say it, how to say it, who to say it to, and what kind of epistemic basis is required for the saying. The act of saying that p is evaluated by the totality of such considerations – not by a subset of norms specific to the acts of saying.

An illustration might help here: Consider the act of saying something false that you don’t believe. On the view I’m proposing, this act has no intrinsic normative qualities. It’s a normatively neutral act type. If, for example, you say in some language that naked mole rats live in Sweden – you have said something false and you don’t (I hope) believe it, but in saying it, you have done nothing ‘wrong’, you have broken no rules of any kind – you have just said that naked mole rats live in Sweden. Of course, typically we interact with people in ways that assume that we say propositions that are relevant, that attempt to answer the question under discussion, and that we stand in a certain epistemic relation to. Suppose you are in a situation where it's clear that there’s an expectation from your audience that you say propositions you believe. If in such a situation you intentionally say something you don’t believe, you might succeeded in misleading your interlocutors, and sometimes misleading your interlocutors is an inappropriate thing to do (sometimes it’s even immoral). How to

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<sup>7</sup> See NT1-NT5 below for elaboration of this point. It is possible to break the norm/maxim; what is impossible is to perform the speech act of assertion without being governed by the norm/maxim (because the speech act is essentially governed by the norm.)

think of such an act depends on the overall normative and practical profile of the situation. If you mislead your interlocutor in order to save the life of a innocent and sweet child, then you did the right thing. On the suggested view, you didn't 'break the norms of assertion' (i.e. you didn't sin on the assertion front) in order to satisfy some other norm (the norm of saving a life). You just did the right thing – you mislead someone in order to save the life of a innocent and sweet child.

Second, (and here I'm relying on some ideas Williamson considers and then rejects (2000, pp. 241-242)), norms that are relevant to the evaluation of a saying are often *not rule-like*: the norms will often be comparative; they will give us a scale on which sayings can be assessed as better or worse than each other, but won't give us a threshold for a saying to be "[...] good enough". As Williamson suggests, "[...] that could be left to the discretion of individual speakers with particular purposes." (2000, pp. 241-242). On this view, an act of saying that p will typically not be classifiable as acceptable/not-acceptable, *simpliciter*. It will be a matter of degree of acceptability – it might be better to say p than to say not-p, but it would have been even better to say q.

In broad strokes this seems to me an immensely plausible description of how we should think of the norms that govern sayings, but a defence of the details of this picture goes beyond the scope of this paper. As the history of pragmatics since Grice has shown, the full story about the norms that govern sayings and the ways in which those norms vary across contexts will be extremely complicated. This paper isn't an attempt to resolve any of those issues. The point that needs emphasising is only that much of it can be easily construed as a debate about the variable norms and constraints that govern sayings.

### *(iii) We don't play assertion games*

Williamson's goal is "[...] articulating for the first time the rules of a traditional game that we play" (p. 240). The No-Assertion view claims that we play no such game and that the story about sayings and their variable norms suffice to account for all the data that Pro-Assertion theorists appeal to. Don't conflate the claim that we don't play the assertion game with the claim that the game doesn't exist. In so far as act types are abstract objects, I am not arguing that they don't exist. They exist in the same sense as infinitely many games, construed as abstract objects (e.g. as sets of rules) exist even though we will never play them.

## **2. Pro-Assertion Views: A Brief Taxonomy**

Williamson takes the speech act of assertion to be distinguished from sayings by the kind of norm that governs it. That view is, for the purposes of this paper, the primary opponent of the No-assertion view. However, before presenting the Williamsonian view in more detail, it's worth briefly taking an overview of the different kinds of ways in which one could single out a subset of sayings as assertions:

- a) **Norms:** Assertions could be singled out as a subset of sayings that is governed by a certain norm. This is the kind of view Williamson defends.

- b) **Causes:** Assertions could be singled out as a subset of sayings that is caused in a certain way. For example, one could think of assertions as those sayings that are *caused* in the appropriate way by the speaker's beliefs, or desire to be believed. Pagin (this volume) can be seen as defending an interesting version of such a view where part of the conditions for being an assertion appeals to the truth of what is asserted – the speaker says p *because* it is true.
- c) **Effects:** Assertions could be singled out as that subset of sayings that have *effects of a certain kind*. One could construe some of Stalnaker's remarks about assertions along these lines: the essential effect of an assertion is to be added to what he calls 'the context set' (though Stalnaker himself doesn't take this to be constitutive of assertion, but rather treats assertion as a primitive notion, see Stalnaker (1978)).
- d) **Commitments:** Assertions could be singled out as a subset of sayings that is accompanied by certain kinds of commitments. The views of Robert Brandom and John MacFarlane are examples of this kind of view (see e.g. Brandom (1994) and MacFarlane (2005).)

My arguments in this paper are primarily directed at type-a theories. Since such theories individuate assertions normatively, I call them *N-theories* of assertion. I call those who defend such theories *N-Theorists*. At the end of the paper, I briefly return to Causal, Effect and Commitment theories. The kinds of arguments I run against type-a theories can, I suggest, be rephrased as arguments against such theories. In brief, the arguments in this paper establish that there are variable norms governing an underlying normatively neutral act type, those I call 'sayings'. The analogous argument against Causal, Effect and Commitment theories try to establish that sayings are the kinds of acts that can have variable causes, effects and involve variable commitments. I don't present those arguments here, so a reader who finds my arguments against N-theories convincing, but have reason to doubt that they generalise in the appropriate way, can take this paper as motivation for developing a non-normative theory of assertion.

### 3. Normative Theories of Assertion

N-theories of assertion, as I construe them, are two-component theories: an assertion is a *saying essentially governed by one or more norms*.

First, some brief comments on the saying component of an N-assertion. Note that N-theorists agree with some of what I said about sayings earlier in this paper: it is not possible for a speaker to assert that there are blind mole rats in Sweden without saying it. An assertion of p involves a saying that p, but not the other way around: you can, according to N-Theorists, have a saying without an assertion (if, for example, you follow my instructions and say, in some language or other, that there are blind mole rats in Sweden, you have said it, but not, according to N-theorists, asserted it). The centrality of sayings in N-theories is reflected in the debate over the various norms proposed by N-theorists. Proponents of the knowledge norm and the belief norm, for example, disagree about which norms by default governs our sayings. An assertion of p as described by proponents of the belief norm have something in common with an assertion of p as described by proponents of the knowledge norm: both acts involve

sayings of p. The theories differ in what they take to be the norm governing the appropriateness of those sayings. As should be clear from Section 2, much more can be said about the nature of sayings, but since those issues will not affect the debate between No- and Pro-Assertion theorists they won't be addressed here.

For the constitutive connection between assertion and norms, Williamson's view is a paradigm of clarity, and it can be usefully broken down into five theses:

- NT1:** Assertion has constitutive rules, and "a rule will count as constitutive of an act only if it is **essential** to that act; necessarily, the rule governs every performance of the act." (2000, p. 239- my emphasis)
- NT2:** The constitutive rule for assertion takes the form of a C-Rule: *One must: Assert p only if p has C.* (2000, p. 240)

Williamson considers five possible C-rules for assertion and defends the third one (the Knowledge Norm):<sup>8</sup>

- |                        |                                                                           |
|------------------------|---------------------------------------------------------------------------|
| <i>Truth rule:</i>     | One must: assert p only if p is true.                                     |
| <i>Warrant rule:</i>   | One must: assert p only if one has warrant to assert p.                   |
| <i>Knowledge rule:</i> | One must: assert p only if one knows p.                                   |
| <i>BK rule:</i>        | One must: assert p only if one believes that one knows p.                 |
| <i>RBK rule:</i>       | One must: assert p only if one rationally believes that one knows that p. |

A Corollary of NT1&NT2 is the following:

*NT1&2 Corollary:* The C-rule for assertion is individuating of assertion, i.e. "[...] necessarily assertion is the *unique* speech act A whose unique rule is the C-Rule." (2000, p. 241- my emphasis)<sup>9</sup>

The next aspect of Williamson's view I want to emphasise is just mentioned by him in passing, but it is a crucial part of N-theories and will play an important role in my arguments in Sections 4 and 5. Note that Williamson's view is *not* the view that we *occasionally* say propositions governed by the knowledge norm. It is not just the view that we occasionally play the Knowledge-game. If that were the claim, then there would be no dispute between the five C-rules. They would all be compatible: We sometime play the Knowledge-game, we sometimes play the Belief-game, etc. In part to guard against this Williamson says:

- NT3:** "In natural language, the default use of declarative sentences is to make assertions." (2000, p. 258)

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<sup>8</sup> For a proponent of the truth rule see Weiner (2005), for a version of the warrant rule, see Lackey (2007), for discussion of the belief rule, see for example, Williamson (2000).

<sup>9</sup> Note that this is why it doesn't matter to Williamson that the C-rule he defends is only a necessary condition – being governed by the knowledge rule is a necessary and sufficient condition for being the speech act of assertion.

This assumption makes the different C-rules incompatible (they can't all be the default rule) and so makes sense of the debate between proponents of different norms of assertion

Two additional features of Williamson's view are worth highlighting, and they too seem to me at the core of all N-Theories, no matter which particular norm is chosen as the norm for assertion:

**NT4:** When one breaks a rule of assertion, one does not thereby fail to make an assertion. One is subject to criticism precisely because one has performed an act for which the rule is constitutive. (2000, p. 240).

Finally, no matter which rule an N-theorist endorses, those who think of assertion as a kind of game must assume that those who engage in assertion have a *tacit* grasp of the rules that govern assertion – it might be hard to make these rules explicit (as evidenced by the philosophical discussions of the issue), but at some level we have grasped them:

**NT5:** "In mastering the speech act of assertion, one implicitly grasps the C-rule, in whatever sense one implicitly grasps the rules of a game in mastering it." (p. 241)

This raises tricky questions about what it is for speakers to tacitly grasp the rules of a game and be governed by them. This is not a question Williamson wants to delve into too deeply. He says:

Given a speech act, A, one can ask 'What are the rules of A?'. Given an answer, one can ask 'What are the non-circular necessary and sufficient conditions for a population to perform a speech act with those rules?'. This chapter asks the former question about assertion, not the latter. It cannot wholly ignore the latter, for assertion is presented to us in the first instance as a speech act that we perform, whose rules are not obvious to us; in order to test the hypothesis that a given rule is a rule of assertion, we need some idea of the conditions for a population to perform a speech act with that rule, otherwise we could not tell whether we satisfy those conditions. Fortunately, we need much less than a full answer to the second question for these purposes. (p. 240)

NT1-NT5 are radical claims and it's testimony to the power of Williamson's arguments that since his paper on assertion most of the discussion has focused on *which* C-Rule governs assertion, not *whether* assertion is constituted by a C-rule, or, indeed, whether there is such a thing as assertion at all.

#### **4. Four Arguments for No-Assertion**

In this section, I offer four arguments that favour No-Assertion over N-theories.<sup>10</sup>

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<sup>10</sup> It is worth reemphasising the following: The No-Assertion view is not just opposed to attempts individuate assertions normatively. It is also opposed to singling out a category by appeal to effects, causes, or commitment. The focus here is on the

- Two arguments are in favour of norm variability: modal judgments and judgments about actual cases indicate that the acts in question, those acts N-theorists take to be paradigmatic of assertions, are governed by variable norms and so not essentially tied to any one norm (or set of norms).
- Two arguments are to the effect that our default classification of utterances of declaratives isn't as normative acts – we classify them in non-normative terms.

#### 4.1. Argument 1: Modal Judgments about norm variability for 'assertions'

According to N-theorists, there is a norm, N, such that it is *impossible* for there to be an assertions that is not governed by N. *If conceivability is a guide to possibility and we can conceive of paradigmatic assertions as governed by norms other than N, we have evidence against N-theories.*

Even though Williamson defends a view about the essence of assertion, none of his arguments are modal. The arguments Williamson uses at best show that we *as a matter of fact* follow the knowledge rule; at best they show that, as a matter of fact, the knowledge rule is the default rule for evaluating utterances of declarative sentences. Williamson develops no argument to support the claim that we *couldn't* have performed the act in question governed by another default rule. This is surprising, to say the least, and it makes N-theories hard to evaluate– its primary proponent, Williamson, presents the view without arguing for a central component of the view.<sup>11</sup>

How could it be defended? Here's a thought experiment that might help: Take a particular act that (according to N-theorists) is a paradigmatic assertion, e.g. Mia saying that Mandy forgot to pay her cell phone bill last week. Call this act 'E'. What we're interested in is whether E could have been performed under a variety of different default norms. In other words, we can ignore the question of just what norm governs E in *this* world, and just focus on whether we can conceive of it as governed by a variety of norms. If we can, we have direct evidence against all N-theories. Here is a start (I'll consider only three variations here, but it should be obvious how to generalise):

- Could Mia have done that, i.e. performed E, if the default assumption was that she only assert that p if she believes that p?
- Could Mia have done that, i.e. performed E, if the default assumption was that she assert p only if she is committed to defending p in response to objections?
- Could she have done that, i.e. performed E, if the default assumption was that she only assert p if p is true?

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comparative advantage of No-Assertion over N-Theories. However, it should be fairly easy, I hope, to see how to extend these arguments, by analogy, to causal, effect and commitment theories of assertion.

<sup>11</sup> This isn't a problem specific to Williamson. The entire debate about norms is run without an attempt to establish the modal conclusion.

According to N-theorists the answer is ‘no’ in all such cases except those cases that happen to coincided with the theorist’s favoured norm. Insofar as there are clear intuitions here, my sense is that we should say ‘yes’ in all three cases.<sup>12</sup> There’s a stark contrast with modal intuitions about games. Consider analogous questions about tennis and chess:

- Could she have played that game, i.e. played chess, if the rules were that the rook couldn’t move, the pawns could only move two steps sideways, and the queen move one step forward .... (fill out for completeness)?
- Could she have played that game, i.e. tennis, if serves were thrown by hand, without a racket, and no ball could be hit by a player unless she had a foot on one of the lines ... (fill out for completeness)?<sup>13</sup>

In these cases the answers are ‘no’. The contrast (between the clear ‘no’ in these latter cases and the (maybe a bit more wobbly but still fairly clear) ‘yes’ in the former cases) is evidence that assertion is not like a game, and that it’s not governed by rules the way games are. It is more like driving, i.e. a normatively neutral activity governed by variable norms. Consider the analogous question about driving:

- Could she have done that, i.e. driven from London to Oxford, if she had had to drive on the right hand side of the road, slow down each time she passed by a dog, etc.

Of course she could. The acts N-theorists classify as ‘assertions’ are more like this. If you share these intuitions, then we have evidence for the No-Assertion view and against N-theories.<sup>14</sup>

Note that if you are someone who doesn’t feel strongly about the modal properties of these acts - maybe you find yourself just befuddled when asked about the modal properties of speech events – that should make you cautious about endorsing N-theories. N-theories about assertion are controversial theories about the *essential* properties of a speech act (and the view is alleged to have significant philosophical implications (see for example Hawthorne (2004)). Unless you have

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<sup>12</sup> If you’re shaky about these judgments, it might be because the word ‘assertion’ is primarily a theoretical term; it’s hard to have ‘pre-theoretic’ intuitions when questions are phrased in highly theoretical terms such as ‘assertion’. If so, try to substitute ‘assert’ in those thought experiments for an anaphoric ‘it’ (so it reads “...so the default assumption was that she could do it only if ...”).

<sup>13</sup> Games can of course change rules over time and, in some sense, remain the same game. These cases are not supposed to vary in norms for that reason.

<sup>14</sup> Some N-theorists I have discussed this with have an easy time getting the initial possibility judgments (where you are asked to imagine Mia’s act governed by variable norms), but think this is because they take the demonstrative to refer to the act of saying – since a saying is, even according to N-theorists, part of an N-assertion (and sayings, the N-theorist agrees, can be governed by different norms.) The challenge for such N-theorists is to explain why assertions don’t give raise to the kinds of impossibility judgments we have in the case of chess and tennis. In those cases, too, there’s an underlying non-normative activity (moving pieces, hitting a ball) that could be governed by variable norms, but the natural reading is one where the variability is impossible. What is the best explanation of the difference?

some powerful argument in favour of endorsing such a controversial view, caution recommends not doing so. Since everyone (including all N-theorists) agrees that there are saying and that there are variable norms, that leaves No-Assertion as the sensible choice.

## 4.2. Argument 2: Actual Variability in Norms

Modal norm variability suffices to refute N-theories. However, for those whose judgements about such modal variability are less than clear (or, for some reason, fail to move them), it might help to think about how we *actually* go about evaluating (apparent) default utterances of declaratives. If our *actual* practice is one in which we by default evaluate utterances of declaratives by variable norms, N-theories are in trouble.

Much of the current literature on norms of assertion go like this: An N-theorist claims that some norm, O, is constitutive of the speech act of assertion (and that utterances of declaratives by default are assertions). Someone then comes up with a case where:

- (i) The default norms governing the utterance of declaratives is kept as it *actually* is (i.e. it is not part of the thought experiment that the default norm is varied).
- (ii) There's an (apparently) default utterance of a declarative sentence that violates O.
- (iii) We have *no* sense that the speaker *broke a rule*, *cheated* or is in any way *blameworthy*.

This is presented as evidence against the view that O *actually* governs the speech act of assertion and hence against the view that O is constitutive of assertion. There are then several defensive manoeuvres standardly made by proponents of O to explain away the recalcitrant data: they can say that the case in question wasn't *really* an assertion, or it wasn't performed in a *default* context, or it has some kind of second-order justification that blinds us to the first order violation. There are other defensive manoeuvres as well.

I don't have much original to say about this debate. My view is that there is overwhelming evidence in favour of norm variability and that the various defensive manoeuvres are unconvincing. However, since my arguments for these claims are largely unoriginal, they don't seem worth exploring in full here in the main body of the text and so I have put them in the Appendix to this paper. Rather than go through a bunch of examples and then responses to the responses from N-theorists, I want to start here from the assumption that there is overwhelming evidence that no *one simple* norm by default governs the saying of declarative sentences (the Appendix explains in more detail what I mean by this.).

Suppose there is such evidence, what can N-theorists say in reply? I think the most natural move is to think of assertions as governed by *context-sensitive norms*. The goal of this section is to highlight the various ways in which this move is problematic and unmotivated for someone defending an N-Theory of assertion.

Janet Levin is an example of someone who gives good arguments for norm variability and then moves quickly to the conclusion that assertions are governed by contextually variable norms. She says that the wide range of counterexamples,

[...] provides motivation to explore the possibility that the norms of assertion are always pragmatically determined: depending on one's circumstances of interests, one sometimes can be normatively correct in asserting that p only if one has justified belief that p, other times, only if one's justified belief that p is also true, yet other times, as long as one has (mere) true belief that p – and in certain cases, only if one knows that p. On this view, the pragmatic element in the evaluation of assertion attaches not to one's epistemic credentials (whether one has knowledge or justified belief), and not to one's state of mind (whether one has a bona-fide belief, or a mental state with a somewhat different functional role) but to the norms of assertion themselves. (Levin (2008, p. 10))

What I would like to emphasise here is the difficulty of incorporating this into Williamson's view. It is not as if we can easily go from e.g. the Knowledge Norm to contextually variable norms, and leave the rest of the framework intact. Remember that according to N-theorists, the norms that govern assertion are *constitutive* of the act – the norm tells us what assertion *is*. Different token acts in different contexts are acts of the same type *because* they are governed by the same norm. On the context-sensitive view, there's no norm (or set of norms<sup>15</sup>) that governs all these acts, so it seems the theory provides no account of what makes it the case that all the token acts are of the same type. If the norms vary between contexts, it is hard to see how the appeal to norms can tell us what makes an assertion an assertion.

This line of thought might seem a bit quick. There are ways to change N-theories so that they can be made compatible with Levin's view. One option is to let assertion be governed not by a norm, but by *a function from contexts to norms*. Call such functions N-Functions. Rather than NT1 and NT2, the N-theorist could endorse:

**NT1\*:** Assertion has constitutive N-functions, and an N-function will count as constitutive of an act only if it is **essential** to that act; necessarily, the N-function governs every performance of the act." (Williamson (2000, p. 239))

**NT2\*:** The N-function for assertion takes the form of a C-Rule: *One must: Assert p in context C only if p satisfies F(C)* [where F is a function from a context, C, to norms governing assertion in C]

Three brief points about such revised N-theories:

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<sup>15</sup> Note that it won't help for the N-theorist to appeal to very weak norms, for example, a very long disjunction of rules or scales. What the various counterexamples (discussed in the Appendix) show is not that we are *always* governed by very weak norms. The cases show that we are *sometimes* governed by weak norms. There is, of course, plenty of evidence that there are some contexts in which the norms for sayings are strict. For example, the kinds of case that motivate the knowledge norm of assertion (and where we would be reasonably resented if we said that p and didn't know that p) are easy to come up with (read the various examples given by Williamson in favour of the Knowledge Norm). The retreat to weak, disjunctive norms would fail to explain what goes on in these cases.

First, it now seems even more implausible that our modal intuitions support the essentialist claim, i.e. the claim that no other function could govern that speech act. What argument could the N-theorist possibly use to show that it would be *impossible* for some other function (one that gives a different norm for some of the infinitely many possible contexts) to govern the speech act?

A connected concern is that on this view it'll be very hard to draw a principled distinction between those norms that are constitutive of assertion and other norms used to evaluate the speech act. Presumably, not every norm used to evaluate a speech act in every context is essential to the speech act of assertion. Some are general norms of politeness and etiquette, for example. This context-sensitive version of an N-theory needs to find a way to distinguish these latter norms from those that are essential to N-assertion. I doubt this can be done in a principled way.

Finally, the idea that we have some kind of tacit grasp of this no doubt enormously complex function seems extremely implausible. Recall NT5:

**NT5:** "In mastering the speech act of assertion, one implicitly grasps the C-rule, in whatever sense one implicitly grasps the rules of a game in mastering it." (Williamson (2000, p. 241)

It is a stretch of the imagination, to say the least, to think that we have an implicit grasp of this kind of function.<sup>16</sup>

Of course, I have no proof that N-theorists can't respond to such challenges. But ask yourself whether it would be worth trying to do. What would be the point? It seems to me that it is much more natural to combine the the context-sensitive view with the No-Assertion view according to which there's some normatively neutral act type - what I call a *saying* - that we perform governed by norms that vary across contexts. What theoretical work is done by adding that there is an additional act type -assertion - constituted by an N-function that we speakers tacitly grasp?

Before moving on, it is worth reemphasising that from the point of view of an attempt to refute N-theories, it is sufficient if the counter examples are merely possible. The recent literature on norms of assertion show how hard it is to defend the view that we are, as a matter of fact, committed by default to a particular norm for sayings. In light of those difficulties, the prospects for a solid defence of the view that we *couldn't* have invoked different default norms seem exceedingly bleak.

### **4.3. Argument 3: We never accuse speakers of having 'broken the rule of assertion' or 'cheated in assertion'**

When we play games and engage in other rule-governed activities we invariably describe those who don't follow the rules as *having broken the rules* and as *having cheated*. If this isn't sufficiently obvious, take a minute to think about paradigmatic rule-governed activities such as speaking a language, playing chess, and playing tennis. Language learning is filled with instructions about how to speak grammatically – we non-native English speakers still struggle to follow the rules and are occasionally, to our great embarrassment, told that we have violated them, i.e. that

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<sup>16</sup> These four replies just considered are obviously not the only replies N-theorists could try out. Another strategy involves appealing to different levels of content and saying that the norms are satisfied with respect to an implicature, rather than a semantic content expressed (Douven's (2006)). This is not particularly promising in any of the cases I have focused on, so I won't consider it here.

we have written or spoken ungrammatically. Chess and tennis are characterised, first at the introductory level and then at any subsequent performance level, by frequent classifications of moves as being in violation of rules.

Those acts N-theorists call ‘assertions’ are never so classified. You will never find speakers being described in any of these two ways (at least outside a philosophy text):

- (a) That assertion was cheating.
- (b) That assertion broke the rules.

Such accusations are never made. This isn’t just because (a) and (b) use the stilted and theoretical term ‘assertion’. You get the same point across using a demonstrative to pick out the act in question:

That was cheating  
That broke the rules

If we were playing an assertion game, we should be saying things like that and we should train new asserters like we train people in other rule governed activities (i.e. train them to follow the rules). But we don’t.

Of course, we sometimes describe speakers as having said something false or something she didn’t believe, and we sometimes do that as part of an evaluation of their behaviour. What is noticeable is that these descriptions are never phrased in terms of *cheating* or *rule-breaking*, i.e. in the kind of terminology essentially used to describe genuinely ruled-governed behaviour. Note that we evaluate non-normatively individuated behaviour along all kinds of normative dimensions. Kissing, for example, is a non-normative act, and it is evaluated as in/appropriate, friendly, obscene, tender, violent, etc. So also with sayings: we evaluate them as polite, interesting, relevant, boring, funny, rude, friendly, etc. But these kinds of evaluations are not specific to or (on any account) constitutive of the speech acts in question. They are just the kinds of evaluations we would expect of Austinian sayings on the No-assertion view.

There’s a flip side to this: not only is it hard to find any cases of the assertion itself being criticised in this way, it is equally hard to find positive evaluations of assertions, *qua* assertions. If we are to take the analogy with games seriously, there should be such a thing as being a good asserter. But there isn’t – there is no such thing as being good at the assertion game. There isn’t even such a thing as being competent at the assertion game – what would that consist in? Being someone who just says things she knows? That doesn’t make you competent at anything – if anything, such people would be institutionalised (imagine someone going around saying that  $2+2=4$ , that dogs bark, that Swedes speak Swedish, etc. — there’s nothing good about this, and there’s no sense in which it exhibits competence in the rules of a game).

#### **4.4. Argument 4: Infrequency of assertion attributions**

I end with an issue that’s largely overlooked in the literature. First note how we typically describe normative activities, e.g. the playing of chess and tennis. Someone who has played chess and tennis is almost invariably described as having done just that, i.e. played chess and tennis. Note that it is *possible* to describe their activities in a non-normative way. We could describe the agent as having moved pieces of wood

around on a board and as having hit a ball over a net. But we don't typically do that. We typically use the normative characterisation.

Here is why this is relevant: First note that the default description of a sincere utterance of a declarative sentence uses the verb 'say'. If someone utters, 'There are blind mole-rats in Sweden', she is, by default, described as follows: *She said that there are of blind mole-rats in Sweden*. In ordinary language, the term 'assertion' is used infrequently. It is stilted, and the kind of use philosophers want to appeal to is found almost exclusively in philosophical texts.<sup>17</sup> Second, the verb 'say' doesn't pick out what proponents of N-assertion intend to pick out when they use 'assertion' (on all the views under consideration here, both the No-Assertion view and the various Pro-assertion views, you can *say* something without asserting it). In sum:

- (i) 'Say' is the default description of the kind of speech acts that N-theorists take to be paradigmatic of what they call 'assertions'.
- (ii) 'Say' doesn't pick out what N-theorists call 'assertion'.

This adds up to an argument against N-theories because it is hard to reconcile with NT3. According to NT3, the default assumption when someone utters a declarative is that she has performed an N-assertion. *If that were so, we should expect that there be a word for that speech act and that that word be the default description of the acts in question*. It should be like chess and tennis – when people play those games, there are expressions that denote the activity of playing those games and those are the default descriptions of the players. But, it is not like that for the game of assertion we allegedly play. This, I take it, is some evidence that we don't play an assertion game.

There are several explanations N-theorists could give for this, and I will briefly consider one. N-theorists could try out the view that 'say' is a context-sensitive term: in some contexts it denotes N-assertions, in others it denotes Austinian sayings, and maybe in yet other contexts other acts governed by other norms. While I am sympathetic to the idea that 'say' is context-sensitive (see Cappelen and Lepore (2004)), I doubt that this will be of much use to the N-theorist. If it is granted that 'say' is the default description of the speech acts in question and that the acts that the verb 'say' picks out are governed by variable norms, this seems to support the view that our default speech act has variable norms, contrary to NT1-3. In other words, even if 'say' turns out to be context-sensitive with respect to the norms governing the act types it picks out, that would be fine from the perspective of the No-Assertion view, but it would be hard to reconcile this with N-theories.<sup>18 19</sup>

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<sup>17</sup> It doesn't matter much for what follows whether you agree that it is *exclusively* used in philosophical contexts – what matters is that the default description of the acts in question is 'saying'. I think that ordinary usage of 'assert' is very different from what philosophers have in mind. See Section 5 for some further reflections on the ordinary usage of 'assert' and 'assertion'.

<sup>18</sup> Another option is to claim that 'say' is ambiguous – one lexical entry denotes N-assertions, while another might denote Austinian Sayings and yet another direct quotation. While I think 'say' might be ambiguous between indirect and direct speech reports (for some reflections on this see Cappelen and Lepore, (2007, ch. 13)), I know of no evidence that there's an ambiguity between N-assertion and Austinian sayings in particular, so unless some linguistic evidence of ambiguity is forthcoming, this

## 5. Three Objections to No-Assertion

I end by considering three objections to No-Assertion.

### 5.1. Bad conjunctions

One important argument for the knowledge norm of assertion is what we might describe as *the apparent badness* of conjunctions of the form, 'p, but I don't know that p.' Williamson describes the salient features of these by saying that "*something is wrong*" about them (2000, p. 253 my emphasis). Williamson claims to have a good explanation of why we feel that something is wrong: in order to observe the norm of assertion for the first conjunct the speaker should know that p; in order to observe the norm for the second conjunct she should know that she doesn't know that p, so to satisfy the norm for the second conjunct, she can't satisfy it for the first, and so there is no way to satisfy the norm for the entire conjunction.

Here are some considerations that seem to me to undermine the idea that this feeling of something being wrong supports Williamson's view. First, and most obviously, the 'something is wrong' reaction is vague and poorly defined. For that reason alone it is unclear what evidential weight it can carry. Second, even if one does put some evidential weight on the feeling that something is wrong, it is a mystery why that feeling should indicate something about an *essential* feature of the act. In order for the feeling to provide evidence of an essential feature it would have to be shown that this feeling by *necessity* accompanies utterances of such assertions. How we happen to feel about them provides no such evidence.

One way to bring some of these concerns is to note that all of the following also trigger a feeling that could be described, loosely, as *something being wrong*:

- p, but I don't want you to believe that p
- p, but p is irrelevant to what we are talking about
- p, but p doesn't answer the question you asked
- p, but p is very misleading
- p, but I'm not willing to defend p if you raise objections to p and I'm not willing to withdraw p if you give me evidence against p
- p, but I'm not certain that p

If you share my sense that all these have a feel of badness to them - the sense that 'something is wrong' - then, those who take the badness of 'p, but I don't know that p' as evidence of a constitutive norm of assertion, have evidence for a range of constitutive norms. Of course, no one is attracted to the view that all of these bad

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strategy isn't promising.

<sup>19</sup> One might think that if N-assertion has a home anywhere in natural language, 'claim' is probably it, but if so, that still doesn't explain why 'say' is a default description of sayings. (Also note: if I guess where the goat is and I say, 'The goat is behind door b', I can naturally be described as having *claimed* that the goat is behind door b.)

feelings are triggered constitutive views. Think of this as a challenge to N-theorists: explain why, before having settled on a theory, one of these conjunctions should be more revealing of the essence of assertion than any of the others.

Note that at least some, and maybe all, of the feelings of badness triggered by these conjunctions are easily explained by standard Gricean considerations. Remember, Grice's maxims operate on sayings without being constitutive of the acts being performed (see Section 2), The general Gricean framework provides fairly straightforward explanation. Consider again:

- p, but p is irrelevant
- p, but p doesn't help answer the question we are discussing
- p, but I don't want you to believe that p

These seem strange because, absent an explanation, it is hard to understand why a cooperative conversation partner would say something that is irrelevant, fails to answer the question under discussion, or is not intended as part of an exchange of information. In typical contexts, such a speaker would be uncooperative. The first two are (more or less) direct violations of the maxim of Relevance, and the third can be characterized, more loosely, as a violation of the idea that the participants are engaged in an exchange of information. The conjunctions are making this lack of cooperation explicit. That's peculiar behaviour and so, absent an explanation, an utterance of one of those conjunctions will trigger the feeling *that something is wrong*.

Can this kind of Gricean explanations also illuminate why we feel that something is wrong with an utterance of 'p, but I don't know that p' or does that require an explanation of a fundamentally different kind? Prima facie, these seem to be phenomena of the same kind and so a unified explanation would be nice. It's not hard to see how such an analogous explanation would go. Typically, 'p, but I don't know that p', will violate the maxim of quality. If the speaker doesn't know p, there are only a few salient explanations: p is false, she doesn't believe that p, or she doesn't have a adequate justification for p.<sup>20</sup> If so, in saying the first conjunct, i.e. p, she has (typically) violated the Maxim of quality.

So in all these four cases, the feeling of badness can be explained along standard Gricean lines. We have been given no reason to think that one of these bad conjunctions are particularly revealing of a norm essential to the act.

You might object: *of course we can explain what's wrong about 'p, but I don't know that p' by appeal to the maxim of quality, but that's just because the maxim of quality, is the knowledge norm of assertion (at least given some interpretations of 'adequate justification')*. *To appeal to the maxim of quality is pretty much to give Williamson's explanation. So why doesn't this just play into Williamson's hands?* The answer is this: we are looking for a reason to think that the feeling triggered by 'p, but I don't know that p' is revealing of the *essence* of assertion - that it is revealing of a norm that is *constitutive* of the act. I have assumed throughout that Gricean maxims govern (or

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<sup>20</sup> Grice doesn't say much about how to interpret 'adequate' the second sub-maxim of quality, but at least on some interpretation, these three are the only options – on those interpretations the maxim of quality, in effect, requires knowledge.

guide) cooperative linguistic behaviour and are not constitutive of the behaviour they govern. Of course, you could object to this. Maybe the maxim of quality has a special status and is constitutive of the acts that it governs. But, and this is the key point in this context, the argument for that claim can't be the bad conjunctions (since all the maxims give rise to bad conjunctions).<sup>21</sup>

These issues are closely related to the question of the contextual variability of norms. If, as I simply assumed in 4.2, there are contexts in which knowledge is not the norm that by default governs sayings of declaratives (i.e. if there are contexts in which you can appropriately say *p* when you don't know that *p*), then we have additional reasons to resist the move from the feeling that something is wrong about '*p*', but I don't know that *p*', to treating knowledge as a *constitutive* of a speech act. Context sensitivity of norms is the topic of 4.2 and the Appendix, and it won't be pursued further here.

## 5.2. Lottery sentences

Another much discussed argument for the knowledge norm of assertion is the alleged inappropriateness of saying, 'Your ticket didn't win' based solely on the improbability of the ticket winning (and not on knowledge that the ticket has lost).

Again, the appeal here is to a feeling of inappropriateness and no explanation is given for why we should take this feeling to track a constitutive feature of the act in question. Here is a challenge to those who use lottery sentences as evidence of the knowledge norm as constitutive: give some reason for why we should take this feeling of inappropriateness to track an essential, rather than contingent features of the acts.

Here is some evidence that this challenge is extremely hard to meet: not even all actual such utterances of "Your tick didn't win" are accompanied by a feeling of inappropriateness. This is something Williamson himself notices. He says that in some contexts it is 'quite acceptable' (p.246) to say about a lottery ticket, "Your ticket didn't win" when you don't know that the ticket didn't win. I.e. in some contexts it is acceptable to say that *P* even though you don't know that *P*, i.e. the saying of *P* is acceptable even though it violates the knowledge norm (the Appendix of this paper provides a range of further examples). Williamson is not worried about this because he thinks that it is acceptable *only* in contexts where the sentence is uttered in what he calls 'a jocular tone' (p.246). Because of this jocular tone, the speech is not 'a flat-out assertion' (p.246). This, however, is not a correct description of all or most such cases. There is no need whatsoever for the utterance to be 'jocular'. It can be normal or serious or even very serious. When you tell an irrational gambler who thinks her ticket has won (and starts looking into expensive real-estate) that it hasn't, the tone need not be jocular. It better not be.

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<sup>21</sup> Jason Stanley (p.c.) has suggested that such an argument can be given. It starts from the claim that the maxim of quality can't be derived, in the appropriate way, from the cooperative principle. This is an interesting idea and worth trying to work out, but that project won't be pursued here. Note that even if such an argument could be given, it would be completely unrelated to the bad conjunction.

If this is right, i.e. if the feeling of inappropriateness doesn't attach to all the relevant utterances, it seems even less plausible to assume that when the feeling arises, it is indicative of an essential feature of the speech act.

### 5.3. What About Questions?

Finally, I want to address briefly one question I'm sometimes asked when presenting the No-Assertion view: what about questions? Do I think the same kinds of arguments could be run to the effect that there are no such things as questions? Do I endorse a No-Question view too?

It certainly would be interesting to explore the extent to which analogous arguments could be run against other speech acts, e.g. questions, but there are important differences: there are two sub-categories of questions, yes/no questions and Wh-questions. Recent literature in semantics, pragmatics and epistemology (See for instance Lahiri (2002)) shows that these are important categories and that there is a lot to learn from an investigation into them. No arguments in this paper even begin to show otherwise. (I should say that what seems plausible is that there's no one unified speech act category of questions – one that covers both Wh-questions and yes/no questions, but again, arguing satisfactorily for this will take us beyond the scope of this paper).

### Conclusion

The considerations above obviously do not suffice to establish the ambitious goal indicated by the title of this paper: to show that there is no such thing as assertion. This is so for a number of reasons. First, there is an ordinary language verb, *assert* and I think we can say something true in English using sentences such as “She asserted that there are naked mole rats in Sweden”. I don't think all such sentences are false.<sup>22</sup> What I have argued in this paper is that the speech act of assertion *as it is typically construed in philosophy (and in particular as it is construed in NT1-NT5)* doesn't exist. Second, I have not directly addressed all ways of individuating assertions. In Section 3, I mentioned three options different from normative theories: causal theories, commitment theories, and effect theories. A much longer paper would be needed to show that assertion, as individuated by these theories, doesn't exist. However, my view is that if these are construed as essentialist claims, they are subject to analogous objections. Sayings, as I have construed them, can have variable effects, can be caused in a variety of ways and can be accompanied by a variety of commitments. I'm not sure what would amount to a proof of this, but those who find this view plausible has no motivation for pursuing any of these other theories. What is stable is the act of saying, i.e. the act of expressing propositions. Everything else, including norms, causes, effects and commitments, vary.

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<sup>22</sup> It is worth noting that N-theorists never base their theories on appeal to the ordinary usage of 'assert', so the uselessness of an investigation into its ordinary usage seems to be a tacit common ground. That said, I leave it as an open question just what the extension of the infrequently used English word *assert* is.

## Appendix: Contextual Variability of Norms

In 4.2. I assumed that there is actual variability in the norms that govern sayings (I also emphasized that merely possible, non-actual, variability would suffice to refute N-theories). In this appendix, I go through four examples of such variability. I consider three kinds of replies that N-Theorists can give in response and argue that those kinds of replies fail. The reason they fail have nothing specifically to do with the examples discussed here, so I conclude that these responses are, in general, poor strategies for N-theorists. Recall that in the main body of the paper, in 4.2, I discuss a fourth reply, the appeal to context-sensitive norms, and argue that it also fails.

### *Four Cases*

I start with a case that should be familiar: the practice of trying out ideas in a philosophy seminar.<sup>23</sup>

- **Case 1: Lively philosophy seminar:** In lively philosophy seminars we regularly find ourselves arguing for positions we don't believe to be true, we are simply trying to them out. Here is a real case from a recent seminar at Arché: I said that when we utter sentences containing epistemic modals, we express different contents relative to different interpreters. I spent about an hour defending this view against fierce opposition. It was a view I wanted to try out, it's not a view I believe to be true – I'm uncertain about it's truth-value. Starting out, I wasn't even sure I would be able to defend it properly, but I took on the commitment to doing so.<sup>24</sup>

In this kind of setting the only necessary condition for appropriately saying that *p* is that you take on the commitment to defend *p* and that *p* is relevant to the topic under discussion. It is not necessary to know that *p* or even that *p* be true: It would be inappropriate in such settings to resent me for saying something that turns out to be false, or something I don't fully endorse. If so, this provides a *prima facie* counterexample to the belief rule and anything stronger, e.g. the knowledge rule. Of course, N-theorists have a little arsenal of standard replies to such cases, and I consider those below, but for now what is important is only to note that a *prima facie* case can be made that my description fits at least some such contexts.<sup>25</sup>

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<sup>23</sup> Mentioned in passing by Williamson, (2000, p. 258), as a case where it doesn't seem that the knowledge norm is in effect.

<sup>24</sup> As I construe this case, it is also a counter-example to the norm proposed by Lackey (2007). Lackey requires that it be reasonable for the speaker to believe that *p*. The necessary condition in the philosophy seminar that I here imagine is only that you take on the commitment to defend a relevant content.

<sup>25</sup> I'm not saying *all* philosophy seminars are like this—some philosophical contexts obviously have different norms—a colleague of mine who started out as a student of Jacques Lacan tells me that in Lacan's seminars the norm for saying that *p* was simply: *one should say that p only if Lacan agrees that p*, and he meant this seriously – that was the norm for sayings and violation of it had very significant negative consequences. We could also have philosophy seminars governed by the truth or knowledge norms – where participants could be resented for having said something false – no doubt dreadful seminars, but certainly possible.

Jennifer Lackey (2007) discusses a range of cases where, *prima facie*, belief doesn't seem to be required for appropriate assertion:

- **Case 2: Selfless assertion:** these are cases where an agent asserts that p even though she doesn't believe (and hence doesn't know) that p. One case involves a fourth-grade teacher who is a Creationist. She doesn't believe in evolution, but she also doesn't believe in imposing her religious beliefs on children; she takes the overwhelming evidence to be in favour of evolution and recognises that her lack of belief in evolution is caused by her religious beliefs, not the evidence available to her. She says to her fourth-grade students: "Modern day *Homo sapiens* evolved from *Homo erectus*," though she herself neither believes nor knows this proposition.

Other cases to think about along these lines involve lawyers; their job is to argue in favour of their clients, and it is not a requirement on their speech that they believe what they say. In these cases (the fourth-grade teacher and the lawyer) it is not correct to criticise the speaker for having asserted something she doesn't believe.

- **Case 3: Guesses and hunches:**<sup>26</sup> Consider two people walking around a city trying to find their way back to a restaurant they have been to the evening before. They're both a bit lost, but there are no high stakes—they have got plenty of time and it's a nice evening to walk around. At a certain point Mia has three options to choose amongst: block a, b, or c. For no particular good reason, she says that the restaurant is on block b (maybe she would describe this as a 'hunch' but it is not essential to the case that she does).

If her companion responded to this with an accusation of cheating, and claimed that she is entitled to resent Mia for having said something she doesn't know, that, it seems to me, would only reveal the companion as an exceedingly obnoxious character, not someone particularly attuned to the game of assertion. Note also that if the companion said, 'How do you know that?' it would, again, be an inappropriate challenge.

My final example is from Williamson and is directed at the truth norm and any stronger norm:

- **Case 4: Justified false beliefs:** "It is winter, and it looks exactly as it would if there were snow outside, but in fact that white stuff is not snow, but foam put there by a film crew of whose existence I have no idea. I do not know that there is snow outside, because there is no snow outside, but it is quite reasonable for me to believe not just that there is now outside but that I know that there is; for me, it is to all appearances a banal case of perceptual knowledge. Surely it is then reasonable for me to assert that there is snow outside." (2000, p. 257)

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<sup>26</sup> For some related cases involving hunches, see Weiner (2005).

I am going to assume that there are ways to spell out the above four cases in such a way that we don't have a sense, pre-theoretically, that the speakers *cheated*, *broke any rules*, or that there is a basis for *resentment* against the speaker.

I now consider three kinds of replies given by N-theorists to these kinds of counterexamples. The replies fail for reasons that have nothing to do specifically with the cases described above, so I conclude that N-theorists are in a weak position more generally to explain the intuitions we have about actual, this worldly, normative variability.

**First Reply to Variability: It is not an assertion.** In response to any such set of counterexamples, an N-theorist could say that the utterances in question are not assertions. True, she could say, there's no cheating in Case 1, but that is because it is not an assertion. It's some other kind of speech act and the sense that there's no norm violation is correct because the norm for this other speech act isn't violated.

Note first that if the N-theorist's justification for dismissing a counterexample on this basis is just that it is a setting in which the N-theorist's favoured norm isn't in effect, then she seems to be defending the trivial view that N governs utterances of declarative sentences in contexts where N is the operative norm. Everyone can agree to that. To do better, the N-theorist could appeal to NT3 and try to establish that the contexts in question are not 'default contexts'. Since N only governs utterances of declarative sentences when they are in 'default contexts', an example could be dismissed if it could be established that the context isn't 'default'. This raises the issue of how we decide that a context is 'default' without begging the question. If the N-theorist defines a default context as one in which her favoured norm, N, is operative, then, again, she's defending a counterexample-proof — and hence trivial — view. The challenge for an N-theorist is to develop non-question-begging criteria for being a default context. I have not seen any N-theorist attempt to develop such criteria.

Williamson's comments on guessing the answer to a quiz illustrate the problem here (see Williamson (2000, p. 249)). According to Williamson, when we guess the answer to a quiz we are not making an assertion. We engage in a different kind of speech act, not governed by the knowledge norm.<sup>27</sup> Why are they not assertions (i.e. why don't I assert that p when I give p as an answer to a quiz)? The only answer Williamson gives is that this act seems not to be governed by the knowledge norm. This, for reasons given above, seems to me an unsatisfactory justification. Somehow it has to be shown that guessing contexts are not default contexts. To see how hard it is to establish this, first note that Williamson's view is not that when someone guesses she has not made an assertion – you *can*, according to Williamson, make an assertion and violate the norm for assertion (see NT4), and a guesser could be doing just that. So the view is not that guesses can't be assertions. The view has to be that there are special guessing contexts – contexts where it is salient to all participants that the saying will be a guessing—and those are contexts where the default norm is suspended with the result that the speaker is performing a new kind of speech act. In those settings, according to Williamson, it is okay for someone to say that p without knowledge that p.

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<sup>27</sup> He thinks we are governed by the Truth norm; this seems to me highly dubious – you have not broken a norm if you guess the wrong answer to quiz (Weiner (2007) makes this point very clearly).

Again, note that we can evaluate this kind of move only if we are told, by the N-theorist, how to distinguish between: (i) a change in default context that results in a new speech act, and (ii) a default that allows for variable norms (i.e. allows for a change in norm without change in speech act, as No-Assertion would describe the situation). If the reader shares my sense that these kinds of considerations are frustratingly inconclusive, I also hope there's a sense that the burden of proof here is on the N-theorist. These considerations bring out how crucial NT3, and its appeal to *default contexts*, is to N-theories. N-theorists owe us a non-question begging story about how to identify the defaults.

**Second Reply to Variability: Cheap Assertions:** Williamson describes utterance such as those in Case 1 as 'cheap assertions'. He says,

[...] the knowledge account does not imply that asserting p without knowing p is a terrible crime. We are often quite relaxed about breaches of the rules of a game which we are playing. If the most flagrant and the most serious breaches are penalized, the rest may do little harm. [...] When assertion comes cheap, it is not because the knowledge rules is no longer in force, but because violations of rule have ceased to matter so much. (2000, p. 259).

Two comments on this:

First, this doesn't pattern with other cases where we have rule violations that are excused by overriding norms. Consider these cases that according to the Cheap Assertion Reply should be analogous to Case 1:<sup>28</sup>

- **Speeding:** I am driving 20mph over the speed limit to save the life of a child.
- **Ungrammaticality:** In order to save the life of a child, I utter an ungrammatical sentence.

Here we have no difficulty distinguishing the rule violation from the excuse (or reason) for the rule violation. It is clear that the driver and speaker broke a rule, and it is equally clear that there is a very good excuse for it.

Case 1, for example, is not like Speeding and Ungrammaticality. There is *no* remaining sense of cheating or rule violation in Case 1. It doesn't lend itself to a dual characterisation: on the one hand, rule violation; on the other hand, an excuse/reason for the violation. In a seminar setting of the kind imagined in Case 1, it's okay to say something that's not true, as long as it's relevant and well defended.<sup>29 30</sup>

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<sup>28</sup> The argument that follows is a version of Lackey's argument against DeRose in Lackey (2007).

<sup>29</sup> To see this, it's important first not to misconstrue Case 1: There certainly are seminar contexts where the operative norm is that participants should only say truths and where participants can be resented (and treated as if they cheated) if they say something false (dreadful seminars, no doubt, but I see no reason why they couldn't exist). Case 1 is not like that

<sup>30</sup> Of course, it's not hard to imagine this ending up in a 'clash of intuitions' or 'clash of judgments': Some N-theorists will not doubt insists that Case 1 gives rise to a sense

A second concern about the Cheap Assertion Reply is that we need an argument for why the ‘overriding considerations’ are not ‘norms of assertion’. Suppose the N-theorist agrees that there’s no strong sense of blameworthiness in Case 1, and explains this by saying that the speaker was excused for her rule-breaking because she said something interesting and did a good job of defending what she said. One question the N-theorist needs to answer is why *being interesting and doing a good job defending the content expressed* aren’t norms of assertion. Without a non-question-begging argument for this division of norms (the assertion norms, on the one hand, and the norms not essential to assertion on the other), we don’t have a reply to the counterexample – we have a description of different norms being in effect, but not an argument for treating one subset of these as a norm of assertion and the rest as non-assertion-related norms.

**Third Reply to Variability: There’s Second-Order Justification.** Keith DeRose is a proponent of the knowledge norm of assertion. About Case 4 he says:

As happens with other rules, a kind of secondary propriety/impropriety will arise with respect to this one. While those who assert appropriately (with respect to this rule) in a primary sense will be those who actually obey it, a speaker who broke this rule in a blameless fashion (one who asserted something she didn’t know, but reasonably thought she did know) would in some secondary sense be asserting properly, and a speaker who asserted something she thought she did not know, but in fact did know (if this is possible) would be asserting improperly in a secondary sense. (2002, p. 180).

This strategy is subject to the first objection to the Cheap Assertion Strategy. As Jennifer Lackey points out, a violation of a secondary norm cannot make the first order violation a non-violation. She says:

Suppose ... that Mabel’s contact lens had earlier fallen out during the game, and so her impaired vision causes her to reasonably believe that her free throw was made without crossing over the free-throw line. Would we then say that Mabel’s shot is secondarily proper, despite the fact that it is primarily improper? No. Given the rules of basketball, there is no sense in which Mabel’s shot is *proper*. Rather, the impaired vision brought on by the loss of her contact lens provides Mabel with an excellent *excuse* for making an *improper* shot (2007, p. 12).

What we need is an explanation of why, in the case of the various counterexamples, there’s *no* sense that the speaker has cheated and can be resented. Appeal to secondary propriety doesn’t explain this. (Obviously several of the considerations in the reply to the Cheap Assertion Reply are also relevant here.)

## References

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of cheating (and reason for resentment) or, if not, that the case is *unimaginable*. To such philosophers I don’t have much to say.

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