

# Assertion: A Defective Theoretical Category<sup>1</sup>

Herman Cappelen

Forthcoming in *Oxford Handbook of Assertion* (ed. Sandy Goldberg)

This chapter plays the role of the volume's party pooper: It defends the view that the topic of the volume should be ignored (or is illusory)—that research about language and communication should not appeal to anything that falls under the label 'assertion'. In Cappelen (2010), the No-Assertion View is formulated as follows:

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. (Cappelen 2010: 20)

This chapter outlines the No-Assertion view, presents some of the core arguments in favor of it, and responds to some criticisms. First some background material.

## 0. Background

While the No-Assertion view might seem (and is often described as) radical, bold, and provocative, it isn't. Here is why: Almost every theoretical discipline will, at core junctures, leave

---

<sup>1</sup> Thanks to Matthew Benton, Josh Dever, Sandy Goldberg, Casey Johnson, Christop Kelp, Janet Levin, Matt McKeever, Mona Simion, and Peter van Elswyk for discussions, comments and suggestions.

behind some ordinary language classifications. Theoretical physics, for example, has little use for 'thing' or 'pizza' or 'duck'. Contemporary syntactic theory has little use of 'subject' and 'predicate'. In the theory of meaning, the ordinary word 'meaning' should be left behind and replaced with more refined notions. It doesn't have to be like that, but if it happens: as disciplines progress, bits of ordinary language fall out of the way we talk about that discipline. It's not radical or rare. On the contrary, it happens *all the time* when theorizing gets more advanced.

The No-Assertion view claims that 'assertion' is like 'duck' to physics or 'predicate' to syntax. It is an unimportant category when trying to understand language, speech and communication. Cappelen (2010) claims that eliminating 'assertion' should be even less troublesome than the analogous cases because the term 'assertion' plays a very marginal role in common sense description of language.

This is not to deny that eliminativism about assertion is radical from the point of view of contemporary theory: The No-Assertion view counters an entrenched tradition in the philosophy of language over the last 110 years or so. The aim of the No-Assertion view is to show that all the work done by appeals to assertion in that tradition is better done without such appeals.

Despite being opposed to a certain tradition of theorizing, it is close to and contains elements of views proposed by, for example, Janet Levin (2008), David Sosa (2009), Ishani Maitra (2011), and Peter Pagin (2011), though none of those authors go as far as to suggest we eliminate the category of assertion.

## 1. Outline of The No-Assertion View

The No-Assertion View has two core components:

### *1. There are sayings and these are the sorts of things Austin described as locutionary acts:*

[...] 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... (Austin 1975: 94-5)

It's important for the No-Assertion view that in appealing to sayings, it appeals to a shared notion: all the participants to the debate (including all the pro-assertion theorists I argue against), appeal to this notion. So whatever difficulties there are in giving a full theory of locutionary acts, those are shared difficulties. They are not difficulties faced only by the No-Assertion view.

For those who feel completely in the dark about what locutionary acts are, the best way to get a grip on the notion is to perform a saying. If you're such a reader, consider the following sentence (which we'll call 'S'):

There are blind mole-rats in Sweden.

Since you can read this paper, you can speak English and so you can use S to say that there are blind mole-rats in Sweden. Try it, and you've performed a saying, i.e., locutionary act. Saying something in this sense is the linguistic analogue of *entertaining a thought* that p. Just as you can say that there are naked mole rats in Sweden, you can think it (without believing it or dubbing it or...).

*2. The second core component of the No-Assertion view is that sayings are evaluated by contextually variable norms, they have variable causes and effects, and they are accompanied by contextually variable commitments. None of these are constitutive of the speech act of saying.*

Proponents of the No-Assertion view think of Pro-Assertion views as different versions of what I'll call *Saying+ Views*. They think that assertion involves the locutionary act of saying plus some other feature. Such views proceed in three stages: They identify a subset of sayings, essentialize and label the resulting act type 'assertion', finally claim that this subset plays a particularly important theoretical role. Here are some examples:

*Stage one of Saying+ Views:* Here are some examples of subsets of saying that are picked out: a) sayings that are governed by certain norms<sup>2</sup> b) sayings accompanied by certain commitments (MacFarlane (2005), Brandom (1994), Shapiro (this volume)), c) sayings with certain causes (e.g. Pagin (2011), this volume), or d) sayings that have certain effects (for example, updating the 'common ground' in a certain way (Stalnaker 1978)<sup>3</sup>).

*Second stage one of Saying+ Views:* The first stage is used to carve out an act type: *Saying+* (where '+' is whatever is added). The added component is an essential element of the act type (it couldn't be that act type if it wasn't governed by norm N, accompanied by commitment C, or have such and such-cause or effect).<sup>4</sup>

*Third stage one of Saying+ Views:* The act type is then put to work: it's claimed to play an important role in theorizing about speech and communication.

---

<sup>2</sup> It would take us too far afield, but we can note that there's been a lot of disagreement as to what the supposed norm which governs assertion is. Some think you should only assert what you know, others what's true, others what you justified belief, and so on. Williamson (2001) sets the terms for the debate; for a recent account and overview, see Goldberg (2015), and for a recent defense of a norm view see Simion and Kelp (this volume).

<sup>3</sup> Though see Clapp (this volume) for exactly to what extent we should think of Stalnaker as providing an account of assertion.

<sup>4</sup> This is very clear in Williamson (2001), but some *Saying+* theorists will try to deny that they essentialized. Below I argue that if this is so, their view collapses into my view.

The No-Assertion view embraces all these various forms of sayings, but denies that any one subset of them plays a particularly important role that the others don't. An analogy: kissing has proved to be a useful way to classify a certain kind of activity. Those who kiss share interesting features. That said, we could introduce a range of kissing subsets:

Let *klussing* be kissing done as a greeting  
Let *kisping* be kissing done only for monetary rewards.  
Let *kopping* be kissing done as an expression of love.

These subcategories seem somewhat pointless. Klussing, kisping, and kopping are just different forms of kissing: it's kissing for a certain purpose, with certain causes, or with certain accompanying commitments. According to the No-Assertion view, the various efforts to pick out assertion as a subset of saying are pointless in the same way: the central phenomenon is that of saying something and then we can observe that saying can take place in settings where there are variable norms, where the speaker takes on various kinds of commitments, and the act could have variable causes and effects. As in the case of kissing, there are important stable regularities. We have, for example, a norm that you can't just without warning kiss strangers. That may be a true generalization about kissing among humans. However, there could easily be humans that didn't follow this rule—they think it's okay to kiss strangers without warning. That wouldn't stop it from being kissing—it would just be kissing done with a different norm. It's not essential to kissing that it's governed by a certain norm. Analogously, maybe most settings are such that people say what they believe or what they know or have good evidence for. If that's true, it's an interesting generalization about sayings, but not essential to it.

Note that in saying this, the No-Assertion theorists don't claim that the various saying+ acts don't exist. They exist in the way that all kinds of gerrymandered categories exist or in the sense that infinitely many games exist that we don't play.

## 1.2. There's no Assertion Game

If the the No-Assertion view is right, then a certain research projects is misconstrued. This can be illustrated by Timothy Williamson description of that project. Here is a summary of Williamson's view:

According to Williamson, a theory of assertion has as its goal "[...] that of articulating for the first time the rules of a traditional game that we play" (2001: 240). The act he calls '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." (2000:239- my emphasis) The constitutive rule for assertion takes the form of a C-Rule: "One must: Assert p only if p has C" (2000: 240). 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: 241). Williamson claims that "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." (2001:241)

If you endorse all this, then it's important to figure out what the rules of the game are, i.e., what C is. Williamson argues that it is *the property of being known by the speaker*. There are by now very many alternative proposals for how to articulate the rules. If you endorse No-Assertion, this research project is a dead-end. There is no game here, just contingent features of how sayings are performed.

### **1.3 The Norms that Govern saying: Not Speech Specific**

When it comes to the norms that govern sayings, the No-Assertion theorist says that they are not language or speech specific. 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. Cappelen (2010) illustrates this as follows:

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 succeed in misleading your interlocutors. Sometimes misleading your interlocutors is an inappropriate thing to do (sometimes it's even immoral), but sometimes it's the right thing to do. (Cappelen 2000: 5)

### **1.4 The Appropriateness of a Saying: a Matter of Degree**

On the kind of view Williamson defends, an assertion is either in accordance with the rules or not. Correctness isn't a matter of degree. According to the No-Assertion view, norms of various kinds won't tell us whether a saying is acceptable or not. Instead, they will provide something more akin to a scale and the scale can provide the basis for comparison. It might be better to say p than to say not p, but saying q would be even better. This provides an important contrast to much of the literature on assertion that aims to provide, not a scale of acceptability, but hard rules. Take, for example, the view according to which knowledge is the norm of assertion. You either know that p or not. If you assert p but don't know that p, then the norm of assertion automatically classifies you as a norm violator. The No-Assertion view insists on more complex dimensions of evaluation, with no single dimension evaluation or threshold of acceptability.

## 1.5. Analogy with Kissing and Driving

According to the No-Assertion view, sayings are related to norms, commitments, causes and effects, in much the same way as kissing and driving are. The norms that govern kissing, the commitments a kissing is accompanied by, the causes and effects of a kiss vary widely across contexts and cultures, over time, and across possible worlds. There's no one combination of norms, commitments, causes and effects that is essential to the activity. The same is true of driving. The norms, causes, effects, and commitments one takes on differ radically. 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.

In what follows, I'll outline four central arguments for the No-Assertion View. I will then, in the final section, outline and respond to some important objections to the proposal.

## 2. Four Arguments for the No-Assertion View

### 2.1 The Simplicity Argument

Simplicity is a comparative phenomenon and here are two dimensions along which No-Assertion is simpler than Saying+ views.

(i) *No Need for 'Explaining away maneuvers'*: The debate between various Saying+ theorists has turned into a familiar counterexample game with the following structure:

*The Assertion Counterexample Game*: A norm (or commitment or cause or effect), R, is proposed as constitutive of assertion. Someone comes up with a counterexample, i.e., a saying that seems fine but doesn't confirm to R. Then the proponents of the Saying+R view *explain away the appearance of appropriateness*.

This explaining away adds complication to all the Saying+ Theories. Is the feeling of appropriateness the result of there being an excuse, or the presence of a second-order justification, or there being some kind of confusion? Any such option adds complication to the Saying+R proposal. The No-Assertion View, on the other hand, is simpler: it predicts that for any '+' proposed, there will be saying that don't confirm to this particular '+' (because all the norms, commitments, causes and effects are contingently related to sayings). None of the counterexamples are problems for the No-Assertion view; indeed,

they provide indirect support for it. We should *expect* there to be counterexamples if the No-Assertion view is right.

(ii) *No need for modal evidence*: Saying+ views make claims about what can happen in all possible worlds. According to, for example, Williamson the constitutive rule for assertion is one that by necessity governs the act he calls 'assertion'. Williamson, and those who propose alternatives to his norms, therefore need modal evidence. They need to establish what happens in *every possible world*. That kind of evidence is hard to get and in this case more or less totally lacking. There are often appeals to what we feel is wrong or appropriate, but no one has ever given an account of why these feelings of appropriateness provide evidence of norms that govern an act in every possible world. The No-Assertion view has no modal commitments and so doesn't need to look for modal evidence.

## 2.2 The Variability Argument

As a matter of fact, there is variability in the norms, commitments, causes, and effects of sayings. This is evidence for the No-Assertion view and, importantly, this is common ground among participants in the debate. It's okay, in the relevant contexts, for speakers to say something just to be funny or entertaining, or to say something you don't believe (maybe because you are a spokesperson or a teacher), or something that's not true but you have good evidence for, or something you are not committed to defending when challenged, or something you don't want placed in the common ground<sup>5</sup>. These kinds of cases are already extensively discussed in the literature (they form the core of the Assertion Counterexample Game described above). The No-Assertion view simply takes that data at face value.

To see the dialectic here, consider Janet Levin's view<sup>6</sup>. She thinks there is an important category of assertion, but it is governed by context-sensitive norms. She says that the wide range of counterexamples that I appealed to above:

[...] provide[] 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 (2008:10))

---

<sup>5</sup> It would make this entry far too long to go into details of each of these cases. I also have nothing very original to say here: these are all cases that are already widely discussed in the existing literature. For further reference, see the other papers in this volume and Cappelen (2010).

<sup>6</sup> Levin was an early proponent of this view, but she is no longer the only proponent. See for example Goldberg (2015) and further references in Simon and Kelp (this volume)

The No-Assertion view is a close relative of Levin's view, but asks the following: if there's no norm that's constitutive of assertion, then what is assertion? Why think there's a unified category here? On the context sensitive view, there's no norm (or set of norms) 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. The No-Assertion view takes that on board and uses it as motivation for elimination of the category.<sup>7</sup>

### 2.3 The Explanatory Power Argument

The No-Assertion view can explain all the data that the pro-assertion views try to account for. The reason for this is simple: Saying+ views focus on a subset of saying, those governed by certain norms, accompanied by certain commitments, or with certain causes or effects. They then claim that this subset can do certain explanatory work. The No-Assertion view doesn't deny that this subset exists. It's compatible with, say, the view that many sayings are governed by the norm that you should say only what know and that this is important for various reasons. The No-Assertion view eliminates the modal component (that is, it doesn't say that we play a game that is *constituted* by the knowledge norm, i.e. that *must* go in accordance with it), but since the modal claim never does any explanatory work (and only creates the kinds of complications brought out by the Assertion Counterexample Game), this is an advantage<sup>8</sup>. It can explain why sayings work as they do in many contexts in this world (say the contexts where they are governed by a knowledge norm), but isn't saddled with the added burden of trying to defend that they would *have to* play that role.

### 2.4 The Argument from the Method of Elimination

In the paper 'Verbal Disputes' (2011), David Chalmers describes a procedure for diagnosing and eliminating verbal disputes. Here is how that procedure can be applied in the case of 'assertion' (and how it leads to something like the No-Assertion view). As evidenced by this volume, the literature on 'assertion' now contains literally hundreds of proposals for what the term 'assertion' should denote. It's a distinct possibility that participants in the debate are talking past one another - they are not talking about the same thing and don't have a substantive dispute. Here is a way to check: try to eliminate the use of the term 'assertion' and describe the disagreement in 'assertion' neutral terms. Here's a prediction: when doing that, the disagreement will be described by appeal to the notion of sayings, and various norms, commitments, causes and effects. The No-Assertion view says this is the level at which the debate should be conducted and also that when conducted at that level, there will be very little substantive disagreement (and what remains will be easily resolved). We describe various

---

<sup>7</sup> Here the point is made with respect to norms, but the general argumentative strategy is that the analogous point can be made if we focus instead on commitments, causes or effects: They are just as variable.

<sup>8</sup> In the last part of this paper I consider some objections to this in the form of suggestions for work the modal claim could do.



saying and their complex interconnections of norms, commitments, causes and effects. What we don't care about is the additional question: What is assertion? Or: which category is really assertion?

### 3. Replies to objections

There have many good and challenging responses to the No-Assertion view. In this section I try to reply to six of those.

#### 3.1 Goldberg in Defence of Constitutive Epistemic Norms

For Sandy Goldberg, an assertion is a saying where a speaker who performs the act invokes his or her own epistemic authority. This is a constitutive claim, and the nature of the epistemic authority can vary. In response to the No-Assertion view, Goldberg says:

..

Cappelen's objection turns on the existence of the following possibility: a speech community engages in a practice of assertion, even though the speech acts are never properly assessed in terms of the epistemic standing of the speaker (where what counts as sufficient standing is fixed in a context - sensitive way)(2010:29)

But, asks, Goldberg, can we "make sense of a practice of assertion where it is never appropriate to query the speaker's epistemic credentials, never appropriate merely on observing the assertion to hold the speaker responsible for having had appropriate epistemic credentials, and so forth?" (2010:29) Goldberg's reply is 'no', because "whatever is going on in this community, we would not recognize such a speech act as one of assertion — precisely as the constitutive norm hypothesis would lead us to suppose." (2010:29)

*Reply:* Given that No-Assertion view eliminates the category of assertion, the question, as framed, is a bit hard to respond directly to. However, here is a version of the objection that's somewhat more neutral: Consider a 'normal' utterance of S;

There are naked mole rats in Sweden

Can we imagine *that act* being performed without being governed by an epistemic norm? Goldberg says "no" because it's an act that essentially is subject to epistemic assessment. What should the No-Assertion theorist say? For the No-Assertion theorist, this is a question of whether we can imagine speakers and audiences that don't care at all about each others' epistemic standing - it's a question of whether saying can take place among agents that are epistemically indifferent. The No-Assertion theorist says, 'yes', that act could be performed under such circumstances, Those circumstances might be quite strange because it might be somewhat hard to imagine humans who are epistemically indifferent in the way described. However, that difficulty (if it really is a difficulty) has to do with the nature of humans and our way of life. It's not an essential feature of that act type.

On the other hand, is it really that hard to think of humans that are thus epistemically indifferent? Could there be humans that say lots of things to each other, have conversations, debates, and so on, but are sensitive only to statuses that are not epistemic? Is it, for example, possible for there be a community consisting of bullshitters (in Frankfurt (1986)'s) sense? Maybe they care

about the speaker's financial status, or the political effects of speech. Such speakers are indifferent to and don't query the speaker's epistemic status, but they still say things to each other. This strikes me as not impossible (and might even be true of certain contexts of speech).

### 3.2 Benton on the special status of Gricean Quality: Truth is special

Cappelen (2010) argues that many of the norms that govern sayings are language independent and that these are well described by Grice:

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. (2010:4)

Benton (2016) argues that Grice's maxim of Quality—"Try to make your contribution one that is true"—cannot be understood in this way. According to Benton, "Quality enjoys a special status from the other maxims in that the other maxims plausibly do not operate unless Quality is itself assumed to be satisfied. ... Such an argument puts considerable pressure on those dissenters, such as Cappelen, who wish to claim both that the norm of assertion is not constitutive and that Grice's system provides the resources to support such a claim." (2016:6) As Benton points out, Grice also thinks Quality has a special status, he says:

It is obvious that the observance of some of these maxims is a matter of less urgency than is the observance of others; a man who has expressed himself with undue prolixity would, in general, be open to milder comment than would a man who has something he believes to be false. Indeed, it might be felt that the importance of at least the first maxim of Quality is such that it should not be included in a scheme of the kind I am constructing; other maxims come into operation only on the assumption that this maxim of Quality is satisfied (Grice 1989:27, quoted in Benton)

How exactly is this an objection to the No-Assertion view? I consider two options.

*First version of Objection:* On this construal, it's an argument for the claim that there couldn't be sayings unless they were governed by the norm of quality: quality is constitutive of the act of saying something.

*Reply:* The No-Assertion theorist can counter this straight on: there can be sayings even if the maxim of quality isn't in effect. Here are two ways in which there can be saying that are not governed by Quality:

(i) Suppose an expressivist account of moral language is right. We can say that it's wrong to kill—i.e. perform a saying—but the saying of this wouldn't be governed by the truth norm (because that saying doesn't aim for truth—its goal is to express an attitude). So there can be sayings independently of the maxim of quality.

(ii) For another version of the direct reply, consider the broad range of theories of truth, e.g., the correspondence theory, coherence theory, and deflationary theory. Suppose one of

these is wrong, e.g., the coherence theory. If so, coherence is not what truth is and so coherence is not what the Maxim of Quality asks us to respect. Now ask: can we imagine speakers that have coherence as their aim when speaking? I think yes - they aim for coherence not because they have the false belief that coherence is truth, but because they prefer coherence to truth. Such speakers are possible (and, for all I know, there are actual such speakers), but they are not governed by the Maxim of Quality because they are not aiming for truth.

*Second version of Objection:* On this construal, the objection tries to show that the other Gricean Maxims cannot operate without the Maxim of Quality. We can only make sense of Quantity, Relation and Manner if Quality is in effect.

*Reply:* The cases considered above provide some evidence against this: we can, for example, make sense of relevance for domains of speech that are expressive. We can also, it seems to me, make sense of relevance for those who aim not for truth, but for coherence.

### **3.3 Moore Paradoxical Sentences and the feeling that something is wrong**

Consider an utterance of a sentence of the form 'p, but I don't know that p.' Williamson describes the salient features of such utterances by saying that "something is wrong" about them (2001:253). 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. The No-Assertion view, it seems, can't explain the feeling that something is wrong in the same way.

My response is threefold. Firstly, proponents of No-Assertion don't put much weight on feelings that 'something is wrong'. This reaction is vague and poorly defined. For that reason alone it is unclear what evidential weight it can carry. Secondly, 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. How we happen to feel about things don't typically provide such evidence. It is obviously false that, in general, the feeling of something being wrong indicates the presence of an essential property. So this feeling *alone* should be considered more or less completely irrelevant to discussions about the nature of assertion. Thirdly, proponents of No-Assertion can explain the feeling that something is wrong by appeal to contingent norms<sup>9</sup>. For example, suppose we are a group of creatures that happen to care a lot about knowledge and we often challenge people's sayings by asking: 'how do you know that?'.

---

<sup>9</sup> Sandy Goldberg (personal correspondence) asks "...wouldn't it be surprising if it always happened that there is a sense of wrongness, and so it always happened that we need to appeal to one-or-another norm to explain this badness away? Wouldn't the systematicity of the phenomenon call out for explanation?" My answer to this question is 'no'. Here's an analogy: there's always a sense of wrongness when we observe someone kissing random strangers on the mouth without any prior notice or reason. That is not explained by a constitutive norm of the act of kissing. It is explained by various complicated contingent facts about how humans interact. If there is systematicity in the sense of wrongness we feel when people say things, it has the same kind of contingent explanation.

If we were those kinds of creatures, then it would feel a bit odd to us when someone says 'p, but i don't know that p'. It would also feel a bit odd if we refused to face a challenge about what we say. But lots of things are odd, and there's no reason this particular oddness should be related to constitutive norms.

### 3.4 Lottery Sentences and the Feeling that Something is Wrong

Another much discussed argument for an epistemic norm of assertion is the feeling that something is wrong when someone says, without having heard the results of the draw, and thus without *knowing* the results of the draw, 'Your ticket didn't win' based solely on the improbability of the ticket winning. This is used as evidence in favor of the view that there's an epistemic demand or norm for sayings (maybe even that knowledge is the norm.) How can the No-Assertion view explain that feeling?

*Reply:* The response here is the same as the response to Moore paradoxical sentences. We shouldn't take this feeling of something being wrong to track a *constitutive* feature of the act in question. It is, rather, a contingent result of our speech habits. This is evidenced by the fact that we there are settings where we have the feeling of wrongness when someone utters a lottery sentence. Williamson notices that in some contexts it is 'quite acceptable' (2001: 246) to say about a lottery ticket, "Your ticket didn't win" when you don't know that the ticket didn't win. Williamson thinks that it is acceptable only in contexts where the sentence is uttered in what he calls 'a jocular tone' (246). Because of this jocular tone, the speech is not 'a flat-out assertion' (246). But this begs the question or, rather, it takes a counterexample and defines it away by relabeling it. Moreover, it is not not a correct description of all or most such cases: 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.

### 3.5. Casey Johnson: Sayings are of declarative sentences, but what's a declarative?

The No-Assertion view was presented as a theory of what it is to say something using a declarative sentence:

The sayings I'll focus on involve the utterance of declarative sentences (as opposed to questions and imperatives (when these characterisations are understood syntactically)). I also restrict sayings to complete 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).(Cappelen 2000:3-4)

Casey Johnson objects that there's no non-question begging way to spell out what's meant by 'declarative'. She writes:

Cappelen suggests that we do away with talk of assertions in favor of the purportedly less fraught, merely grammatical category of declarative sayings. If we can separate the

declarative meaningful utterances from the other sorts of behavior, Cappelen argues, we have all the taxonomy we need. (Johnson 2018: 14)

However, Johnson says, the No-assertion view can't just rely on an unexplained notion of 'declarative' (2018L 14). According to Johnson, there are two things that can be meant by 'declarative':

Option 1: It could pick a grammatical type: "Declarative sayings, by this understanding, involve a subject and a verb and, if inscribed, would conclude with a period. This is what linguists study when they look at grammatical mood, and perhaps Cappelen means to appeal to that study." (2018:15)

Option 2: Alternatively, it could pick out a kind of action: that that agent is declaring something or making a statement.

According to Johnson, both options are unavailable to the No-Assertion theorist.

...if he means the first grammatical reading of "declarative" then he is in a position of being unable to distinguish between the kinds of actions that speakers make with declarative sentences. In many conversations, "the window is open and the room is too breezy" counts as a request. But Cappelen, on this first reading, has no machinery to account for this. Our communication, in particular our verbal communication, is not typically strictly bound by grammatical conventions, making grammatical rules ill suited to distinguish between the different things we do with our meaningful noises. If, on the other hand, Cappelen means this second reading of "declarative", then declarative sayings occur when speakers make statements, declare things, or put things forward as true. And this is just what assertions do, according to speech act theory (Johnson 2018: 15)

*A Twofold Reply:* First, the No-Assertion Theorist can argue that he doesn't need to answer the question. The way I have presented the dialectic, the appeal to *sayings* is an appeal to a shared notion. Everyone in this debate needs the notion of an locutionary act because illocutionary acts, such as assertion, are build on top of locutionary acts. Assertions, according to the Pro-Assertion theorists, are sayings + a norm, or + a commitment, or + a cause or + an effect. The issues Johnson rightly points to are issues about how to characterize sayings, i.e. what Austin called locutionary acts. Austin says: "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: 94-5, my emphasis). In Cappelen 2010, I appealed to the syntactic category of declaratives as a diagnostic to help identify the relevant class of sayings. If that turns out to be problematic, the No-Assertion theorists can be parasitic on whatever the right theory of sayings is (and finding the right theory is a task No-and Pro Assertion theorists have a common interest in.) In short, the appeal to declaratives isn't essential to the No-Assertion Theory.

Second part of reply<sup>10</sup>: It's true that there are many reasons why someone might say *that the window is open and the room is too breezy*, by uttering the syntactically declarative sentence, 'The window is open and the room is too breezy'. The No-Assertion theory says people can have all kinds of reasons for saying that. Maybe it was to hint gently, or nag, or passive-aggressively remind, or to amuse, or to divert attention from something else, or to evoke memories of a previous occasion, and so on and so on. People do things for all sorts of complicated, messy, and mixed reasons, and there's just no good reason to think we can take all that messy psychological motivational stuff and put it into helpful boxes labelled "assert", "request", and so on<sup>11</sup>.

### 3.6. Non-Constitutive Theories: They are not Theories of Assertion

Many of the arguments for the No-Assertion view depend on the idea that the various pro-assertion views try to characterize a constitutive feature of assertion, a feature that assertion essentially has. In presenting those arguments, I often get the reply that a theory of assertion doesn't need to make claims about properties assertion essentially has. It can simply point to important contingent features. So the dialectic tends to go like this: a pro-assertion theorist describes assertion as a *saying+F* (where F is a norm, commitment, cause or effect), I say: there's no way to establish that F is a necessary feature of the act and there's no evidence for it. Then the pro-assertion theorist replies: I never meant that F was a constitutive feature of the act. It's contingent.

Call such views *saying+(contingent)*. These views are not in disagreement with the No-Assertion view because they are not theories of what assertion *is*. They don't try to *individuate* assertion. Recall Williamson's project: to find a rule (which he call the C-rule), for assertion that is individuating, i.e. that is such that "[...] necessarily assertion is the unique speech act A whose unique rule is the C-Rule." (2000: 241). *Saying+(contingent)* doesn't try to do this, it simply *helps itself to the notion of assertion* and, in a sense, isn't even presenting a theory of assertion. Such theories don't try to answer either the question: 'What is assertion?' Or 'Is assertion theoretically useful category?' These views aren't engaged in the debate I've been outlining in this paper.

Simion and Kelp (this vol) illustrates the strategy I here have in mind. They argue that it's compatible with a theory of assertion, and indeed one which is based on norms, that there be no game of assertion. They disagree with the thought that there are rules that, of necessity, one must abide by in order to perform an assertion. So they agree with me that the modal component is too strong and too easily subject to counterexamples. In response, Simion and Kelp's that the normative view can be detached from a norm-based theory of assertion. In order to support this claim, they point out that other norm-based activities can survive a change in rules, as long as the change isn't too extreme. They point to tennis: the rules of tennis changed when tiebreak rules were introduced in the 1970s. Given this, they think we should say the same about assertion: it can cope with varying norms, provided they aren't too extreme. The norm theorist should ditch the modal component of their view.

---

<sup>10</sup> Thanks to Josh Dever for helping me think through this.

<sup>11</sup> This is not to deny that some saying have interesting commonalities. Some clusters of norms, commitments, causes and effects will be contingently significant: important in certain settings for certain kinds of agents. Such sortings are not constitutive or necessary. (Thanks to Casey Johnson for emphasizing this to me).

This is the kind of position I responded to above: if this is all you say, then you've just helped yourself to the category of assertion, without individuating it. If they were to individuate the act type, they would have to say what assertion is, not just what norms (commitments, causes, effects) contingently accompany it. There's a hint that they think the answer is: assertion is the act type governed by a cluster, C, of rules 'not too different' from A (where A consists of the actual rules). Two points in response to this: a) the current rules are massively variable (so there's no stable A), and b) they're now back to an essentializing position (just what they claimed to get away from): assertion is now by necessity governed by C.

## Conclusion: The Saying First View

The 'No-Assertion' view sounds, and from a certain perspective is, destructive and critical. Its aim, after all, is to eliminate the category of assertion from the theory of speech acts. But it can be looked at in another, more positive light. A more positive way to present the view is as a Saying First View of speech act theory. Speech act theory has been dominated by efforts to develop various classifications of illocutionary acts. Speech act theory so construed presupposes that there are tidy and useful classifications of locutionary acts. The Saying First View rejects that presupposition. As a positive alternative, it opens up a research field that has three focal points:

- (i) The nature of sayings. The challenge here is to say more about what makes certain actions into sayings. As Austin points out, this is a rich research field and much of the efforts that go into defining 'assertion' should instead go into understanding the nature of sayings.
- (ii) A description of the massively complex ways in which various norm, commitments, causes and effects of sayings continually interact in particular cases to generate comparative degrees of acceptability.
- (iii) Finally it's a field that encourages us to think about how the practice of saying things to each other evolve over time, differ across cultures and contexts, and also, intriguingly, how we might be able to intentionally revise the norms, commitments, causes and effects of sayings.

All these issues are urgent in a time when the medium of speech changes so rapidly. People now speak to each other (and to computers) in ways unimaginable just a few decades ago. A view that's focused on the variability and elasticity in norms, commitments, causes and effects, is well positioned to explore the changing nature of sayings. I think further exploration of (i)-(iii) and the interconnections between them will lead to a radical (and long overdue) renewal of speech act theory.

## Bibliography

- Benton, Matthew A. (2016). Gricean Quality. *Noûs* 50 (4):689-703.
- Brandom, Robert B. (1994). *Making It Explicit: Reasoning, Representing, and Discursive Commitment*. Harvard University Press.
- Cappelen, Herman (2011). Against Assertion. In Jessica Brown & Herman Cappelen (eds.), *Assertion: New Philosophical Essays*. Oxford University Press.
- Chalmers, David J. (2011). Verbal Disputes. *Philosophical Review* 120 (4):515-566.
- Clap, Lenny. Stalnaker On The Essential Effect of Assertion. In this volume.
- Goldberg, Sanford (2011). Putting the Norm of Assertion to Work: the Case of Testimony. In Jessica Brown & Herman Cappelen (eds.), *Assertion: New Philosophical Essays*. Oxford University Press.
- Goldberg, Sanford C. (2015). *Assertion: On the Philosophical Significance of Assertoric Speech*. Oxford University Press.
- Grice, H. P. (1989). *Studies in the Way of Words*. Harvard University Press.
- Johnson, Casey Rebecca (2018). What Norm of Assertion? *Acta Analytica* 33 (1):51-67.
- Levin, Janet (2008). Assertion, practical reason, and pragmatic theories of knowledge. *Philosophy and Phenomenological Research* 76 (2):359–384.
- MacFarlane, John (2005). Making sense of relative truth. *Proceedings of the Aristotelian Society* 105 (3):321–339.
- Maitra, Ishani (2011). Assertion, norms, and games. In Jessica Brown & Herman Cappelen (eds.), *Assertion: New Philosophical Essays*. Oxford University Press. pp. 277--296.
- Pagin, Peter (2011). Information and Assertoric Force. In Jessica Brown & Herman Cappelen (eds.), *Assertion: New Philosophical Essays*. Oxford University Press.
- Pagin, Peter. The Indicativity View. In this volume.
- Shapiro, Lionel. Commitment Accounts Of Assertion. In this volume.
- Sosa, David (2009). Dubious assertions. *Philosophical Studies* 146 (2):269 - 272.
- Assertion: The Constitutive Norms View. In this volume
- Stalnaker, Robert (1978). Assertion. *Syntax and Semantics (New York Academic Press)* 9:315-332.
- Williamson, Timothy (2001). Knowledge and Its Limits. *Philosophy* 76 (297):460-464.