Explicit performatives revisited☆

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Abstract

The paper defends a version of a traditional account of explicit performatives, according to which they are a kind of self-verifying indirect speech act, from recent arguments by Jary and Pagin. I rely on a distinction, made by Bach, between a locutionary and a stative sense of *what is said*. Although derivations of conversational implicatures and indirect speech acts in general need only depart from the locutionary sense of what is said, and do not require the stative sense (so the speaker does not need to be actually asserting the literal content), in response to Jary's and Pagin's arguments I argue that in the case of explicit performatives speakers do assert it, even if only on their way to making the speech act they primarily intend to perform.
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In this paper I defend a version of a traditional account of explicit performatives, according to which they are standardized indirect speech acts, from recent criticisms by Pagin (2004) and Jary (2007). The core of the traditional proposal is that, in performatively uttering 'I (hereby) promise never to drink again', the speaker (firstly in the order of explanation, and taken literally) *states* that he himself makes a promise, reflexively by means of that very act of stating; and (secondly and indirectly) as a consequence of this, given the further satisfaction of relevant conditions, he additionally in fact makes the promise described. Austin's (1962) alternative view has it that such an utterance is directly and uniquely a promise, and cannot be properly classified as being true or false, or as having fulfilled/unfulfilled truth-conditions the way statements do.

Several writers, including Lemmon (1962), Hedenius (1963), Lewis (1970), Bach (1975), Ginet (1979) and Bach and Harnish (1979, ch. 10; 1992), have advanced versions of the traditional account. On this view, explicit performatives achieve their main intended effects through the mechanism of indirect speech acts, standardized by precedent. Successful explicit performatives are hence *self-verifying*; to use Dummett's (1993, p. 223) illuminating metaphor, in explicit performatives a self-verifying speech act in the constative family is made *tactically*, with the *strategic* goal of performing a different speech act denoted by the verb, a promise, an order, or a more substantive assertion. As Bach and Harnish (1992, p. 98) put it, ''a performative sentence when used performatively is used literally, directly to make a statement and indirectly to perform the further speech act of the type (an order, say) named by the performative verb''.

Now, both Jary and Pagin make interesting objections against proposals of this sort. Their objections may have a point against some of them; but I want to reply to their criticisms from the perspective of a model for indirect speech acts that I will

outline in the first section. Jary, like Searle (1989) and Reimer (1995) before him, and as we will see on the basis of related considerations, can be taken as putting forward a version of the alternative Austinian picture that evades the well-known difficulties with Austin's claims, but I will argue in the second section that, like its precedents, Jary's view fails. Pagin has a peculiar view; as far as I can tell he would not object to the self-verification account for other speech acts, but he contends that it fails for the specific case of performative assertions, as in 'I hereby assert that you are a liar'. I will provide reasons for rejecting this view in the third and final section.

1. Explicit performatives as indirect speech acts

Performative *sentences* typically have the form: I (hereby) [Performative Verb] *p* – but there are performative sentences in the first person plural, impersonal, and even embedded under some constructions.[1] We should distinguish them from performative *utterances* (performative uses of performative sentences), because, as we will see, they have non-performative, purely constative uses. The view of indirection I will sketch relies on a distinction made by Bach (1994, 1999, 2001). He differentiates between two different notions of *what is said* implicit in Grice's views, which he thinks can be usefully explicated by appealing to

> [...] Austin's distinction between locutionary and illocutionary acts. Austin, it may be recalled, defined the locutionary act ... as using certain ''vocables with a certain sense and reference'' [...] That sounds a lot like Grice's notion of saying, except that for Grice saying something entails meaning it: the verb 'say', as Grice uses it, does not mark a level distinct from that marked by such illocutionary verbs as 'state' and 'tell', but rather functions as a generic illocutionary verb that describes any constative act whose content is made explicit (Bach, 1994, p. 143).

Bach proposes to amend Grice, avoiding some intuitively odd aspects of his views:

> There was one respect in which Grice's favored sense of 'say' was a bit stipulative. For him saying something entails meaning it. This is why he used the locution 'making as if to say' to describe irony, metaphor, etc., since in these cases one does not mean what one appears to be saying. Here he seems to have conflated saying with stating. It is most natural to describe these as cases of saying one thing and meaning something else instead [...] Besides non-literality, there are two other reasons for denying that saying something entails meaning it. A speaker can mean one thing but unintentionally say something else, owing to a slip of the tongue, a misuse of a word, or otherwise misspeaking. Also, one can say something without meaning anything at all, as in cases of translating, reciting [...] So we can replace Grice's idiosyncratic distinction between saying and merely making as if to say with the distinction (in indicative cases) between explicitly stating and saying (in Austin's locutionary sense) (Bach, 2001, p. 17).

To express Bach's distinction between locutionary and stative saying I will use the terms *locuting* and *stating* (and cognates thereof) respectively.[2] I take the technical (and ugly-sounding, I am afraid) 'locute' from Braun (2011). Although each of these notions captures some aspects of the intuitive meaning of 'saying', I think that the predominant sense we attach to this verb is the speech-act, stative one. Like Bach, I take the primary aim of semantic theories to be to characterize *locutions*. I will assume that *locutions* include the conventionally encoded information about force, with the result that there are differences between what is locuted by an imperative, a corresponding interrogative, and a corresponding declarative.[3]

I will use the distinction between *locuting* and *stating* to defend a version of the traditional account of performatives from recent criticism by Jary and Pagin. The account takes as its basis Grice's analysis of conversational implicatures, conceiving them as particular cases of indirect acts in which an assertion is indirectly conveyed by uttering a sentence in the declarative mood. I take it that *prima facie* conversational implicatures do appear to be particular cases of indirect speech acts. To extend the Gricean model for conversational implicatures to indirect speech acts in general, two revisions are required. Firstly, implicatures must be derived from what is said, together with the maxims. On the present proposal, the derivation starts with the specification of the *locution* that the utterance expresses. Secondly, Grice's maxims should be reformulated to take into consideration the nature of speech acts other than assertion, as Grice (1989, p. 28) envisaged: ''I have stated my maxims as if this purpose [the one that ''talk is primarily employed to serve''] were a maximally effective exchange of information; this specification is, of course, too narrow, and the scheme needs to be generalized to allow for such general purposes as influencing or directing the actions of others''.

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[1] Cf. Bach and Harnish (1979, ch. 10), Searle (1989, p. 537), Jary (2007, p. 210), and Eckardt (2012, p. 25) for examples.

[2] Ziff (1972, p. 712) and Salmon (1991) make related distinctions.

[3] This is also Bach and Harnish's (1979, pp. 34–37) view, but, by depending on Austin's notion of the locutionary act, Bach (1994, 1999, 2001) might suggest that his notion of what is said in the locutionary sense does not include information about force.

The first revision is that the derivation begins with an indication of the locuted content of the utterance. As I have said, this includes the semantically encoded information about the type of speech act indicated by mood, and its semantic content.[4] The speaker may or may not in fact make a speech act with a force and a content fitting what is locuted; in rhetorical questions, irony, or fiction, he will not be making the literally expressed assertion or question.

Let me now provide some indications regarding the second revision. Grice's maxims, particularly those of quality, are formulated aiming to account for discourses involving utterances in the declarative mood – therefore locuting constative acts – and conveying statings. Consider instead the case of a rhetorical question, such as an ordinary utterance of 'Who the heck wants to read this book?' Here no adequate derivation can start with the fact that the speaker said something untrue or for which he did not have sufficient evidence (Grice's maxims of quality), because he was using a conventional expression for asking, as opposed to stating something evaluable as true or otherwise. Consider now a case in which, by placing the sign 'thanks for not browsing our journals' in a newsstand, the speaker conveys the request not to browse the journals. In this case the derivation cannot *conclude* with a proposition to whose truth the speaker can be understood to be committing himself, because requests are not evaluable as true or false.

Adequate accounts of those cases should, I think, proceed from an account of the nature of the speech acts at stake (the locuted question/expression of gratitude, the conveyed assertion/request, in the previous examples), and develop from it alternative maxims corresponding to Grice's. This is not the place to carry out such a task. For the case of implicatures departing from, or ending in, questions – the only ones aside from constative acts that will occupy us here – Braun (2011) develops an interesting proposal. He also assumes that the departing point of the derivation is *what is said in Bach*'s *locutionary sense*, which he refers to by the term-of-art I have borrowed from him, 'what is locuted'.

I hope these brief indications suffice for present purposes. Let us then consider explicit performatives, such as 'I (hereby) promise/assert/request *p*'. Without the 'hereby', they can clearly be used to straightforwardly *assert*, i.e., *state*, the occurrence of a speech act of the relevant kind. As Pagin (2004, p. 856) notes following previous writers,[5] such assertions have the sort of frequentive or habitual content that present-tense uses of physical verbs have, on which they indicate the existence of a repeated event: witness 'George jogs to the office'. As Pagin points out, there appears to be a difference with respect to verbs for physical events, in that just one event, together with the existence of an adequate disposition in the agent, might be enough to make true utterances of 'George votes for the Democrats', 'George claims that piece of land'. Jary (2007, p. 208) brings up this frequentive reading by placing utterances in a specific context. For instance, consider utterances of (1) and (2) – without 'hereby' – in response to the question: 'What do you do when you wake up with a terrible hangover?' In such a context, they undoubtedly have the frequentive reading that Pagin and others have indicated:

(1)   I (hereby) promise never to drink again.
(2)   I (hereby) assert that I will never drink again.

Pagin (2004, p. 850) mentions other examples that could also be plausibly interpreted with the frequentive sense: in an open conflict on a scientific matter, a scientist informs a colleague that she asserts theory A; a hockey coach tells his team that he asserts that the team will win the series. In the final section we will critically examine the use to which Pagin puts this correct observation. What matters to us now is to appreciate the availability of a purely stative use of performative sentences without 'hereby'; as I will presently show, another one is also available for 'hereby' including performative sentences. This will allow me to set up the argument for the self-verification account, and reply in the next section to the main criticism put forward by proponents of the alternative Austinian view outlined at the start (cf. Reimer, 1995).

The frequentive use of performative sentences is only to be expected, given the type of event that speech acts verbs appear to indicate. On Vendler's way of classifying the denotations of verb phrases ("eventualities" as they are called in general) are divided into four types (cf. Rothstein, 2004, pp. 6–24): states (*know*, *understand*), activities (*run*, *push a cart*), achievements (*spot someone*, *reach a summit, die*) and accomplishments (*read a novel*, *build a house*). The first two are *atelic* eventualities, without a lexically signalled endpoint, while the other two are *telic*. The second members of each pair are *dynamic* eventualities, which intuitively "go on": states do not go on because they do not involve any change, achievements do not go on because they are almost instantaneous changes of state. A common test for the atelic/telic distinction is whether the verb phrases admit 'for X time' (atelic) or rather 'in X time' (telic) temporal modification

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[4] The semantically encoded content may well not always be a full-fledged traditional proposition – one determining a truth-value for each possible world. The derivation of implicatures, however, requires a propositional content evaluable for truth (or satisfaction, compliance, etc.) at the possible world of the context; cf. Kissine (2008, p. 1196). Following Stalnaker (1978), García-Carpintero (2007, 2008) and Korta and Perry (2006), I will assume henceforth that one can always obtain from the semantically encoded content a "diagonal" or "token-reflexive" proposition sufficient for the purposes of the derivation.

[5] Cf. Austin (1962, p. 64), Bach (1975, p. 235), Searle (1989, p. 538), Bach and Harnish (1992, p. 98).

(*John spotted Mary in one second*/**for one second*); a common test for the dynamic/non-dynamic distinction is whether or not the verb phrases can be felicitously put in the progressive (*John is running*/**spotting Mary*). These tests have exceptions, which in general prove the rule. Thus, 'John read the novel for two hours' is ok; but the verb phrase receives there a non-telic interpretation: the truth of the claim does not entail that John finished reading the novel. 'We are reaching the summit' and 'Peter is dying' are ok, but nonetheless there persist subtle differences between the eventualities that these verb phrases indicate and accomplishments proper (cf. Rothstein, 2004, pp. 40–45).

Taking into account the several manifestations of those differences that Rothstein considers, I tend to think that speech act verbs indicate *achievements* and not *accomplishments*, i.e., they are almost instantaneous, non-dynamic changes of state – even though (as in other cases we have just seen, 'dying', 'reaching the summit') they easily admit the progressive.[6] This can be disputed; Condoravdi and Lauer (2011, p. 14) take the opposite view. In any case, they are certainly not *states*; and, as Rothstein points out (2004, p. 15), while in the case of states the simple present has a clear non-frequentive reading ('John understands Peter's claim'), this reading is not forthcoming with activities, accomplishments or achievements: putting aside the ''dramatic/historical present'' uses, 'Peter walks', 'Peter reads a novel', 'Peter spots pickpockets' will typically be understood as frequentive (''What is Peter's favourite pastime? – He spots pickpockets''). This puts in the framework of a general semantic account of aspect the observation by Pagin and others, that 'Peter votes for the Republicans', 'Peter promises that he will return the book', or 'Peter asserts that there are no norms of assertion' have a frequentive truth-condition. Corresponding first-personal sentences, such as (1) or (2) without 'hereby', can be understood in the same way, by placing them in specific contexts such as the one created by the question that Jary considers. This gives intuitive content to the semantic prediction from facts about verbs denoting events that I have just briefly outlined.

What about (1) and (2) with the optional adverb 'hereby' inserted? They also have purely stative readings. Note first that there are clear cases in which the 'here' in 'hereby' does not self-refer to (an act made with) the utterance including it, but, say, refers to an ongoing act of signing a piece of paper. Now, imagine a diction instructor and his pupil who are going through a recording of examples of the latter's performance. The teacher says: ''now, that utterance was terrible, but this one is much better''. We can similarly imagine a speaker saying, also referring to a speech recording, *Peter was thereby requesting such and such; hereby he is promising such and such*. Thus, pointing to a recording of Peter uttering 'I'll never drink again', we can truly say 'Peter hereby promises never to drink again', as much as we can say it without 'hereby'; and I can substitute 'I' for 'Peter' if it is a recording of myself. Examples like these are consonant with ordinary uses of 'hereby' in non-performative sentences, as in this example from Wikipedia mentioned by Eckardt (2012, p. 25): 'This resulted in a new and more intensified scramble for Africa. The Congo River hereby was a prime target for this new conquest by the European nations.' Here the reference for 'here' in 'hereby' (the scramble for Africa) is given by the linguistic context; in my examples, it is provided by the extralinguistic context.

Summing up, sentences such as (1) and (2) can be used to plainly *state* the occurrence of a speech act with a given force and content, with a frequentive aspect when the 'hereby' is omitted and with an indexical reference to a particular event when it is included. Eckardt's (2012, pp. 43–44) semantic analysis of 'hereby' and performative sentences captures sufficiently well the truth-conditions of the relevant statements in these two interpretations, F the frequentive reading for the 'hereby'-absent cases, NF the indexical one for 'hereby'-inserted cases[7]:

F $\quad \lambda w.\exists e(\text{PROMISE}/\text{ASSERT}(\textbf{sp}, e, w, \lambda w'.\text{NTDA}(\textbf{sp}, w')) \wedge \tau(e) \subset R \wedge R = ?)$
   "There is an event *e* which is going on at some indeterminate reference time *R* which consists in the speaker promising/asserting the proposition that the speaker will never drink again (manifesting an underlying disposition to do such acts)."

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[6] Alston (2000, pp. 124–125) mentions examples of explicit performatives in the progressive: 'I am adjourning this meeting', 'I am requesting H to do D. Alston claims that progressive uses require a ''self-verification'' account, even if ordinary simple-present uses do not. Jary (2007, p. 229), however, takes them rather to tell against such model: ''these progressive aspect cases actually challenge advocates of the performatives-as-assertions view, for they need to explain how progressives differ from straightforward performatives. Why does the speaker need to employ progressive morphosyntax to indicate that she is asserting as well as adjourning, or requesting, if, according to the viewpoint I am challenging, she is already doing both in the nonprogressive case?'' To my ears, 'I adjourn the meeting' and 'I am adjourning the meeting' differ just like other cases in which an achievement verb-phrase is put in the progressive: '(now) I arrive at the station' (said over the phone, in the context of an ongoing narrative of one's journey) vs. 'I am arriving at the station', or 'I die' (said by the operatic character about to die) vs. 'I am dying', etc. Achievement verb phrases in the progressive introduce ad hoc the pre-culmination phase that in the case of accomplishment phrases such as 'building a house' is instead lexically indicated; cf. Rothstein, ch. 2, for an account of these aspectual shifts. The answer to Jary's question is that the progressive introduces an independently well-attested, subtle difference of aspectual meaning. The existence of such variants is thus entirely compatible with self-verification accounts of non-progressive performative uses.

[7] Eckardt, however, makes theoretical assumptions that I question below. Note also that the truth conditions in F do not fully capture the frequentive aspect.

NF $\lambda w.(\text{PROMISE/ASSERT}(\textbf{sp}, \boldsymbol{\eta}, w, \lambda w'.\text{NTDA}(\textbf{sp}, w')) \wedge \text{HEREBY}(\boldsymbol{\eta}, \boldsymbol{\varepsilon}) \wedge \tau(\boldsymbol{\eta}), \tau(\boldsymbol{\varepsilon}) \subset R \wedge R < S)$

"The event $\boldsymbol{\eta}$, which is going on at reference time R earlier than the speech time S, consists in the speaker promising/asserting the proposition that the speaker will never drink again by virtue of the pointed-to event $\boldsymbol{\varepsilon}$ concurrently going on at R."

The discussion above was aimed at establishing that in some cases sentences (1) and (2) intuitively do have these readings, and that they are predictable from general semantic facts. As Ginet (1979, p. 246) pointed out, the existence of these interpretations can be predicted from the systematicity considerations that, on most views, are essential to determining semantic content:

> The sentence 'She thereby promises to be there' can be used to state of another person's current act that by it she promises to be there, and 'I thereby promised to be there' can be used to state of one's own past act that in performing it, one promised to be there. Why cannot 'I hereby promise to be there' be used to state of one's own current act that in performing it one promises to be there? Why should a mere shift in person or tense, and from 'thereby' to 'hereby', deprive such a sentence of its power to state that a certain (indexically referred to) act is of a certain sort?

This semantically determined stative interpretation of explicit performatives is corroborated further by the possibility of embedding or hedging them, pointed out by Bach and Harnish (1979, p. 209 ff.): 'I regret to inform/tell you that your policy is (hereby) cancelled', 'I must/want/would like to (hereby) (sincerely, solemnly) promise/assert that I will never drink again'.[8]

I have so far characterized a purely stative interpretation semantically associated with performative sentences such as (1) and (2), and established that they might be intuitively understood in that way. Let us now consider performative uses of those sentences. The "self-verification" model claims that such utterances keep that stative interpretation, because they are directly and primarily (in the order of explanation) the assertion (respectively) that a promise and an assertion that the speaker will never drink again take place. To justify this, I will now develop a version of the model based on Bach's distinction between *locuting* and *stating*, in which the occurrence of the speech act strategically intended is derived along Gricean lines.

Bach and Harnish (1979, p. 208; 1992, p. 99) provide the following rational reconstruction of a Gricean derivation, intended to justify the claim that a given interpretation is not semantically encoded but pragmatically inferred. It aims to offer a model of the reasoning of a competent speaker, familiar with the assertoric semantics of performative sentences we have been discussing, who encounters for the first time an explicit performative[9]:

1. He is saying "I (hereby) order you to leave."
2. He is stating that he is (thereby) ordering me to leave.
3. If his statement is true, then he must be ordering me to leave.
4. If he is ordering me to leave, it must be his utterance that constitutes the order. (What else could it be?)
5. Presumably, he is speaking the truth.
6. Therefore, in stating that he is ordering me to leave he is ordering me to leave

Jary correctly points out (2007, p. 221n) that Bach & Harnish make life easy for themselves by using the progressive in the second step of this reconstruction of the hearer's expected reasoning, without sufficient justification. With 2, the hearer accepts that the speaker is stating that an order is *concurrently taking place*; but no reason has been given for accepting this, given the truth-conditions of the sentence quoted in the first premise. Thus, given the truth-condition for hereby-absent cases, the hearer should merely accept that the speaker states that he frequently/habitually orders an addressee to leave. I think this criticism is well taken; we should explain on what basis, given the semantics we are ascribing to performative sentences, the hearer is entitled to accept 2. And there is a second reason why Bach & Harnish move too quickly to 2. The step that the proposal outlined above directly legitimizes is not 2, but rather this:

2*. He is locuting something that taken literally would be in this context a statement that the speaker (thereby) orders the addressee to leave.

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[8] In the same vein, Lycan (2008, p. 152) points out the possibility of adding temporal modifications: 'I (hereby) promise for the first and last time that I will never drink again'.

[9] As Bach & Harnish point out, in ordinary cases such a derivation would be "short-circuited" – compressed by standardization based on precedent: Bach (1975, p. 235); Bach and Harnish (1979, pp. 192–195; 1992, p. 99); cf. also Morgan (1978) and Bach (1998). Even in "short-circuited" ordinary cases, any of the steps in the full derivation can be contextually blocked.

How can we proceed to the derivation from this alternative second premise, taking into account the first objection? Let us first assume that the 'hereby' is inserted. In any minimal context (in which only the presumptions that the speaker knows the language and intends to perform some speech act hold) the 'here' in 'hereby' is straightforwardly referential, taking for granted the existence of an event to which it refers. In the absence of some salient additional event, the indexical would reasonably be taken to be self-referential: the event in question should be one instantiated in that very utterance. There are only two plausible candidates for it: either the locution, or the statement – if one is taking place, i.e., if we may assume that the speaker does not merely *say* in the locutionary sense, but actually *states*. It cannot be any of the non-semantically individuated acts that the speaker makes (such as the utterance of a given phonologically or morphosyntactically individuated sentence); for their occurrence would be insufficient to reasonably constitute the order, for reasons spelled out below.[10] It definitely cannot be the order itself, because the speaker would then be saying that he is giving an order by means of the very act of giving an order; but according to standard dictionary meaning, 'hereby' means "by virtue of this" or "as a result of this",[11] and I assume that it is part of the meaning of '*x* obtains by virtue of *y* obtaining' that it denotes an irreflexive relation.[12]

Now, in ordinary cases, no irony, fiction, or other forms of non-literalness seem to be in place. We can thus apply Bach and Harnish's (1979, p. 12) "Presumption of Literalness" (roughly, the mutual belief in a linguistic community that whenever a speaker could be speaking literally, he is) and conclude that the speaker is not just making the act of locuting indicated in 2*, but also a corresponding *stating*. In the next section we will discuss arguments by Jary, Searle and Reimer against thinking that such a stating occurs, but, as I will argue there, we should not accept them. So I conclude that in 'hereby' cases we can take the speaker to self-referentially state that he is giving a certain order in virtue of some appropriate event that takes place in that very utterance. We have two candidates for the event: the locuting, and the stating. I do not think there are intuitive reasons for deciding between them, but, theoretically, if the view that a statement occurs can be upheld, as I am arguing, this is the best option; for it allows us to understand how the speaker manages to make the speech act he mainly intends, along the lines to be explained in the ensuing paragraphs.[13] This in effect justifies the move from 2* to 2 in the original derivation by Bach & Harnish, disposing of the two previous worries; for it also explains why the order takes place *concurrently* with the act constituting it, the statement.

Can we simply proceed from here as Bach & Harnish do? Searle (1989, pp. 542–543) points out that something is missing in Bach & Harnish's account, particularly in step 4. Although he bases his criticism on an assumption that performatives are "self-guaranteeing", which I will question in the next section, I think his criticism should be taken seriously. How is it that, assuming performatives are primarily statements, they make themselves true? In general, one cannot make things happen just by asserting that they do ('I hereby make it the case that there is light'), not even institutional facts ('I hereby make myself King of Spain') or speech acts in a broad sense ('I hereby bore you/boast to you'). How could explicit performatives be the exception to this rule? In an explanation on behalf of an account such as the one here (which he then rejects for reasons I will critically examine below) Searle (1989, pp. 544–546) suggests that, given the self-referentially of explicit performatives, the reason has to do with the peculiar nature of acts of meaning: the fact that they are essentially constituted by the presence in the speaker of certain intentions. He criticizes explanations along these lines on the basis of an argument that I take to be a *non sequitur*, which will be discussed in the next section. Against his own skepticism, I think that his suggestion here on behalf of the self-verification model was on the right track.

More precisely, a proper defense of premise 4 would depend on what one takes the nature of speech acts to be. I will only consider two contrasting options here. There are the Gricean, descriptive-psychological accounts of the nature of speech acts, on which the latter are constituted by a certain kind of complex intention, one that aims at its satisfaction through its own recognition. Bach and Harnish (1979) is in my view the most sophisticated version of this approach; on their view, to make a speech act is *to express an attitude*, which they take to consist in "reflexively intending the addressee

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[10] Eckardt (2012) provides a different argument for the same contention. She considers examples such as 'King Karl hereby promises you a cow', uttered by the king's messenger. Here it is the king who makes the promise by virtue of doing something, while it is the messenger who is the agent of any such act. I am not sure about this; the king might also be taken to be an agent of the utterance, using the messenger, as it were, as a convenient device.

[11] As Searle (1989, p. 552) puts it: "The 'here' part is the self referential part. The 'by' part is the executive part. To put it crudely, the whole expression means *by-this-here-very-utterance*." Or, better put, as Bach and Harnish (1992, p. 108) say, "Yet considering that it can be used to refer to some collateral act, such as giving someone a written notice, rather than to the utterance of the performative sentence itself, a more accurate rendering of its meaning is *by-this-here-very-act*."

[12] If I understand her correctly, Eckardt (2012) defends precisely the view that I take to be conceptually excluded by the irreflexivity of *in virtue of*, namely, that the order comes about by means of itself. (Condoravdi and Lauer, 2011, pp. 13–14), apparently influenced by previous versions of Eckardt's paper, appear to make the same mistake.) Perhaps she is not fully aware of the Austinian point that any act of uttering embodies many different acts, hence many different events. Her lack of clarity about this is apparent when she talks of "Austin's distinction between locutionary act (= the physical utterance) and illocutionary act (= the mutual agreement between two parties)" (Eckardt, 2012, p. 33). These identifications are of course way off the mark.

[13] Cf. Bach (1975, p. 233) for similar considerations.

to take one's utterance as a reason to think that one has that attitude'' (Bach and Harnish, 1992, pp. 95–96). Given this sort of view, the justification of step 4 would go along the lines that Bach & Harnish themselves (1992, pp. 99–102) provide in their response to Searle. Stating that one gives an order by means of that very statement, in a context in which one's audience lacks any reason to doubt its truth, is an excellent way to inform the reader that one has the complex intention constitutive of the order, and hence an excellent means for achieving communicative success in one's ordering, i.e., in expressing such an intention. There is much more to say about this account, but, as far as Searle's qualm goes, I think this is an adequate response.

Notice that, as Bach and Harnish (1992, p. 100) insist, we have to distinguish the epistemological issue of the hearer's expected derivation of the indirect speech act from the ontological issue of the constitution of that speech act. The promise is constituted, on their Gricean view, by the presence of the relevant complex intentions of the speaker. The derivation is intended to support the claim that the speech act denoted by the performative verb is conveyed indirectly, pragmatically.[14] The answer to the ontological question of explaining how a statement can constitute a promise is that promises and other speech acts are (on the Gricean view) the sort of thing that can be constituted by a manifestation of the relevant intentions, which is something a statement can do in the proper circumstances. There is also the related, but distinguishable epistemological problem of explaining how the hearer is entitled to step 4 in the proposed derivation, which can be done along the preceding lines by relying on the ontological proposal.

The second kind of account of speech acts I will consider is the one to which I myself would subscribe, a prescriptive-social view along the lines of the social variation on Williamson's (1996) account of assertion that I have provided in earlier work (García-Carpintero, 2004), or along the lines of the account that Alston (2000) has given, elaborating on Searle's work.[15] On views of this kind, speech acts are defined by constitutive norms, not by anything merely psychological. For an act to be subject to the relevant norms, the circumstances must be appropriate – the normative practice in question must be in place, and its specific conditions of application must obtain. In particular, the agent must provide some appropriate indication that she willingly subjects her act to them. On this sort of view, the statement is the particular way by means of which the speaker meets this condition in explicit performatives. Again, many further questions about this account remain. In particular, the reader might worry that it is too close to Searle's (1989) own proposal, so that what I have classified as a statement by means of which the order is made is instead, as Searle submits, a *declaration*. I will come back to this issue in the next section, but here again, as with the Gricean proposal, for present purposes I think this sketch is enough to justify the derivation.

The two accounts just sketched proceed from the assumption that the speaker in performative uses is self-referentially *stating* that she is making the strategically intended speech act by means of the very statement. No comparable explanation could be given from the weaker assumption that she is locuting it, because this is compatible with her being ironical, or speaking in pretense. The explanation could even less proceed from the weaker assumption that she is uttering certain morphosynctactically individuated words. This (assuming of course the correctness of either of these accounts) is what justifies the previous claim about the referent of 'here' in 'hereby'.

What about the 'hereby'-absent cases? Eckardt (2012, p. 40) gives reason to think that the event-variable she takes the lexical meaning of performative verbs to include, filled up with a reference to a particular event when 'hereby' is included, is existentially quantified when it is absent (cf. the truth-condition F above); this is what is meant literally in purely assertoric frequentive readings. She (2012, pp. 40, 44) suggests that the speaker might nonetheless indirectly indicate a singular claim, on which it is some event instantiated by the very utterance that serves as witness for the existential quantifier, in the way that one can indirectly claim that John is in trouble by telling him 'uh oh, someone is in trouble here'.

Jary, however, argues that the frequentive reading we have semantically ascribed to these sentences poses a problem when 'hereby' is absent:

> A problem for any account that seeks to explain explicit performatives as indirect speech acts derived from direct assertions is that it predicts that, in a minimal context, a sentence such as [(1), without 'hereby'] should be interpreted as a straightforward assertion, not as a promise. However, it seems clear that, in such a context, the most likely interpretation is the performative one, thus creating a problem for the indirect speech-act view of performatives. (2007, p. 221)

In reply, I'd like to point out first that we should not be very confident concerning intuitions about interpretations in minimal contexts. I am not at all sure what my intuition is about such cases, but, more importantly, I am fairly sure that such intuitions are irrelevant for our purposes: the notion of a *minimal context* is too theoretical for the intuitions of ordinary speakers about them to be reliable, and those of theoretically sophisticated thinkers are unreliable for other obvious

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[14] Condoravdi and Lauer (2011, p. 2) miss this important point, unfairly criticizing the self-verification model on the assumption that the hearer's inference is necessary for the act denoted by the performative verb to occur.

[15] Alston (2000, ch. 2) develops well-known objections to Gricean accounts, based on cases such as those that he describes as ''hopeless'', ''don't care'' and ''making conversation''.

reasons. It is really hard for us to imagine how to take the relevant sentences under the assumption that performatives, with or without 'hereby', are not standardly used to achieve their primarily intended effect.

Aside from that, Jary himself provides an account of how the derivation proceeds in the 'hereby'-absent cases which, as far as I can tell, does not depend at all on the idiosyncrasies of his own theory, and hence can be co-opted by self-verification theorists to complement Eckardt's suggestion – thus justifying, in 'hereby'-absent cases, the move from the frequentive locuted meaning to the singular content ascribed in 2:

> The performative prefix contains, on the one hand, a verb denoting an act which can be performed by communicating the intention to perform that act, and, on the other, a pronoun which encodes information which matches precisely the mode of presentation that an individual must be represented under if she is to be taken to be performing the act denoted, i.e. as the speaker of the sentence uttered. What is more, that mode of presentation will be highly accessible (being linguistically encoded), and the only one available in a minimal context. Thus, the association of the character of 'I' and the nature of the act denoted will make the hypothesis that the speaker does indeed intend to perform that act . . . highly accessible, so that strong contextual or linguistic clues will be needed to override this hypothesis. (2007, p. 225)

If the context is not really minimal, and it includes the information that 'hereby'-inserted explicit performatives are a standard procedure to make the relevant speech act (as it typically does), then the derivation will of course be compressed, as in the 'hereby' case.

In this section, I have shown that performative sentences, with or without 'hereby', have clear-cut stative uses – predictable from their compositional semantic content. I have provided a version of the self-verification model, on which performative uses can be explained in such a way that the main speech act ''strategically'' intended by the speaker is conveyed as an indirect speech act, to be conversationally derived from the semantic content of the sentence – the ''tactical'' specification of its literal stative content. In the next section I will take up Jary's (2007) criticism of such views, together with precedents in Searle (1989) and Reimer (1995), and I will critically discuss their alternative proposals to round off my defense of the self-verification model.

2. Are performatives *self-guaranteeing*?

Jary's main point against the self-verification, indirect-speech act model for explicit performatives is that the self-verifying assertions the model ascribes to explicit performatives would be (if they existed, which of course he thinks they do not) highly unusual. The reason is that, according to him, they could neither be false nor be taken to be so. This would distinguish them even from analytic, a priori, obvious necessary claims such as '1 + 0 = 1'. This alleged asymmetry between ordinary assertions and the assertions posited by the self-verification model decisively tells against the account, Jary thinks. He provides an alternative model on which the self-referential contents are not asserted but *shown*, in a sense to be explained below.

Jary makes the objection relative to Stalnaker's (1978) well-known account of assertion as a proposal to add the asserted proposition to the ''common ground'' of asserted propositions (but this is not essential; it could be equally made relative to other accounts of assertion):

> If this [(1), with 'hereby' inserted] is uttered felicitously, then it is a fact that the speaker has promised never to drink again. Moreover, this fact must be accepted by all participants: it cannot be rejected by being judged false. There is a clear asymmetry here with straightforward assertions, for [. . .] a felicitous assertion can fail to result in its content being added to the common ground. [. . .] In the case of assertoric explicit performatives, such as [(2), with 'hereby' inserted], what requires acceptance before it can be added to the common ground is the proposition expressed by the embedded clause. The proposition expressed by the whole sentence, by contrast, is automatically added. (2007, p. 212)

Jary's point is related to Searle's contention that explicit performatives are ''self-guaranteeing'', which he (1989, pp. 546–567) also invokes to reject the self-verification account. Searle (1989, p. 538) characterizes the relevant feature in this way: when I performatively utter (1), ''I can't be lying or mistaken about its having the *force* of a promise, because, in some sense that we need to explain, my uttering the sentence and meaning literally what I say gives it the force of a promise.'' I think this is wrong; the alleged asymmetry on which Jary relies does not in fact exist. Of course, typically the self-verifying claims would be true, taken to be true, and thereby accepted and added to the common ground; but in certain rare circumstances they might fail. Searle in fact would not disagree with this, because unlike Jary he does not claim that explicit performatives are self-guaranteeing in the unqualified way the quotation might suggest. He acknowledges that an act made with a sentence such as (1) ''can fail to be a promise if certain of the presuppositions fail to obtain (e.g., if the person I take myself to be addressing is not a person but a fence post)'', and hence warns that the speaker ''can fail to perform the act if certain other conditions fail to obtain'' (1989, pp. 538, 539).

Thus, for instance, if a suspected dissident is required by the secret police to express his views about the state's leadership, he might utter a performative like (2): "I (hereby) assert that our leader is good and provident", or one like (1): "I (hereby) promise to praise our leader every day"; but it might well happen that neither the promise nor the assertion are in fact taking place. In the case of ordinary assertions (and promises, etc.) – as opposed to formal contracts, say – it is unclear when conditions of duress, deception, etc., make it the case that a purported assertion is null, void or does not count as being made; but such conditions do exist. So it might be that the speaker is not in fact really making the promise or the assertion about the dictator. It is at least possible to think so, and thus to refuse to add the literally signified claim (i.e., the claim posited by the self-verification model that the assertion or promise takes place) to the common ground. It would be slightly strange for the audience to do so in the kind of example I have considered, but I think we can imagine a conceptually sophisticated but sadistic torturer replying "no, in fact it is not true that you promise (assert) this – I have left you in no position to assert/promise such things; but we are going to make sure that you behave as if you had, don't worry."[16]

Jary in fact considers this sort of objection, with respect to an order ('I hereby order you to clean the latrines') given without the required authority.[17] This is what he says about it:

> There are two points that need to be made about this. The first is that the general cannot respond to the corporal by saying, 'That's not true'. What she can say is, 'You can't order me: you don't have the authority'. [. . .] The fact that the general cannot respond to the private's utterance by denying its truth is thus further evidence that it is wrong to characterise that utterance as an assertion. The second point is that an objector to the view that explicit performatives are assertions can accept that it is false that the private ordered the general to clean the latrines [. . .] Agreeing that it is false that the private ordered the general does not commit one to the view that [his utterance] is an assertion: what one is agreeing with is an assertion about the private's act. (2007, pp. 213–214)

Jary's second point is irrelevant: the assertion he considers – an independent one, to the effect that it is false that the private ordered the general to clean the latrines – is not one at stake. What is at stake is the assertion literally made with the explicit performative utterance that the self-verification model posits and he rejects – so he is not granting anything relevant to what is being discussed, but rather something that nobody should question.

The first point, however, is worth discussing, if only because it is frequently made.[18] In reply, I first insist that, as in my previous example, there is nothing wrong if the general replies, "no, it is not true that you are ordering me to clean the latrines, you are in no position to order me to do anything at all". Aside from this, I appeal to Dummett's metaphor: the self-verifying assertion made in the present mode with explicit performatives is merely *tactical*, intended to help the *strategic* goal of performing a different speech act, an assertion in the case of (2), a promise in the case of (1), or an order in the example Jary discusses. It is not surprising that the tactical act is not salient to ordinary speakers, especially given that the procedure is by now highly standardized. This point (made in one way or another by all proponents of the self-verification account) explains the intuitions that Jary's objection relies on, disposing of it.

Aside from this, what is dialectically surprising about Jary's reply is that it does not in fact address the contention that it allegedly purports to answer. It does not contradict the claim that the previous examples support, his own included: that, as Hedenius (1963, p. 118) points out, the "tactical" assertion that the self-verification model assumes that explicit performatives make, even if it will typically be true and will be typically accepted, *may* be false, and *may* not be added to the common ground – so that the asymmetry he assumes does not in fact exist.

One can make the following suggestion on Jary's behalf. Let us stipulate that any act that is not a felicitous assertion/promise/order is no assertion/promise/order at all. In the counterexamples I have provided to the asymmetry claim, the acts denoted by the performative verb were not felicitous, so they were not taking place. When, on the other hand, it is judged that they do take place, the literal propositional content of the performative sentence is thereby accepted and added to the common ground. But then there is an asymmetry: when an explicit performative utterance is judged felicitous, the proposition expressed is automatically added to the common ground; i.e., when a speaker of such an utterance is judged to have succeeded in performing the act denoted by the performative verb phrase, the content of his utterance is automatically added to the common ground. By contrast, an ordinary assertion (one not involving an explicit performative utterance) can be judged felicitous (i.e., to have occurred) without adding the content of the utterance with which it is made to the common ground.

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[16] The possibility of such a reply shows that Eckardt (2012, p. 28) is mistaken when she takes it to be an unqualified piece of data that performative utterances "differ from assertive utterances in that they cannot be denied by responding 'no'/'no, that's not true'." I agree that responses such as these are "marked"; but this only manifests the fact that only in very unusual situations will the assertions be untrue, which is perfectly compatible with the self-verification model.

[17] Cf. also Hedenius (1963, pp. 117–120).

[18] Recanati (1987, pp. 147, 165) argues in a similar way, and Eckardt (2012, p. 28) takes it to be a basic datum for theories of performatives, as indicated above. As Bach (1975, p. 230) points out in critically discussing the issue along the lines I follow below in the main text, this was also Austin's (1962, p. 70) only consideration for the main alternative to the self-verification account.

This is certainly correct, but it cannot establish an asymmetry between ordinary assertions and those made in performative utterances on the self-verification model without begging the question at stake. Jary's claim is that there would be an asymmetry between explicit performative utterances, considered as assertions of their literal contents, and ordinary assertions. By limiting the claim in the way suggested to cases in which the act denoted is felicitously made (in the stipulated sense), he would just be putting aside the cases that might show that the asymmetry he mentions does not exist; for by that stipulation he would be just limiting himself to cases in which, as the opponents would put it, the statement that performative utterances make *is accepted as true.* My contention is that the asymmetry that I take him to be positing does not exist: *the assertions* that in my view performative utterances make – as opposed to the acts they purport to constitute – can be felicitous (in the stipulated sense) without being added to the common ground, exactly like ordinary assertions. The examples that establish this are precisely ones in which the denoted speech acts are *not* deemed to be felicitously made, and hence are deemed not to have taken place. What is certainly right in the suggestion is that the examples refute the alleged asymmetry only if they involve *felicitous* explicit performative utterances whose content is nonetheless not added to the common ground.

Another response to the examples goes in the opposite direction. One might think that, in the cases of the victim of the sadistic torturer and of the private, the promise and the order were in fact made, although in an etiolated way lacking the normative features of such acts.[19] I do not accept this characterization of the cases, because I do not accept that there can be promises, assertions or orders that lack what I take to be their constitutive normative features. I agree we can *say* that the speaker in the examples ''gave an order'' or ''made a promise'', but I submit that we are speaking loosely: we mean only that the speaker went through the motions which in the proper circumstances produce an order or a promise, without in fact making one.

This issue is important for Jary because, if I am right, it puts pressure on his own positive account of explicit performatives. He relies on a factive notion of *showing an object by making it perceptible*, and provides the following account:

> Explicit performatives . . . are acts of showing consisting in a state of affairs and an act of pointing. What is special about them is that the utterance constitutes both the state of affairs and the act that points to it: it is both the act of showing and the event being shown. I show that I am promising by pointing to my utterance and referring to it as a promise. In showing that I am promising, I necessarily promise. Performing the illocutionary act that one refers to when showing that one performs that act is an unavoidable consequence of that act of showing (2007, p. 220).

The above point appears to refute the consequence of the account stated in the last two sentences, and hence the account itself. Jary's private's utterance cannot really *show* an order to the general, because no order has been made; and the same applies to the cases of promises and assertions made under duress I presented above. Unless, of course, those cases are not in fact performative utterances, as they appear to be.

As we have seen, Jary's argument in fact elaborates on Austin's main consideration in favor of his alternative view to the self-verification account, on which an explicit performative like (1) directly expresses a promise. The main problem with this is the existence of constative readings of performative sentences, together with the systematicity considerations that make them predictable, which we established in the previous section. Jary acknowledges this by deriving the promise from an act whose propositional content is that of the ''tactical'' statement in the self-verification model, but contends that it is not an act of stating but of showing, for the reasons I have just rebuked. Let me now briefly examine two other previous variations on Austinian themes also informed by the main challenge to it: Searle's (1989), and Reimer's (1995).

Searle (1989, p. 546) observes that the ''tactical'' assertions posited by the self-verification account can fail, for reasons such as those just mentioned against Jary. He correctly points out that, because of this, the most that we could conclude from such an assertion is that the speaker *is committed to have* the intentions required for him to make in addition the ''strategic'' act; we cannot conclude that he *does* have that intention. This is right, as variations on the previous examples of the promise extracted under duress corroborate. Thus, the sadistic torturer could correctly guess that his victim does not have any intention of promising, and reply to the victim: ''no, it is not true that you promise (assert) that, you must be joking or being ironical – you know very well that I have left you in no position to promise (assert) such things; but we are going to make sure that you behave as if you had, don't worry.'' Searle argues that the ''tactical'' act must be a *declaration*, and not an assertion. Declarations are supposed to differ from assertions in that, while the latter have the word-to-world direction of fit (they normatively depend on how the world is), the former have both this and the opposite, world-to-word direction of fit. Paradigm examples are adjourning a meeting, marrying, declaring war, etc. Utterly unwarrantedly in my view, Searle

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[19] This was Jary's proposal (p.c.). As the reader may remember, Jary's second point in his discussion of the private case (which I argued was irrelevant to the point at stake) was that someone holding his views ''can accept that it is false that the private ordered the general to clean the latrines''. This indicates that he in fact does not accept it – which is understandable, because otherwise his own account is in jeopardy, as I explain immediately in the main text.

contends that, if we assume this the problem vanishes (Searle, 1989, p. 553): "Just intending to assert that the utterance is an order or even that it is intended as an order doesn't guarantee the intention to issue an order. But intending that the utterance *makes it the case* that it is an order is sufficient to guarantee the intention to issue an order."

I do not think that Searle can justify this claim; for the very same examples above show that, even though someone promising under duress or someone commanding without authority commit themselves to having the intentions required to make it the case that they effect – respectively, a promise and a command – they may well lack the intentions required to promise and command. Both if we count the tactical act as an assertion or as a declaration, what is needed to infer the required intentions for promising or ordering, from the sheer commitment to having them, is *that the circumstances are adequate*: there is no deception or duress, the speaker has the required capacities and authority, etc.[20]

More generally, with Hedenius (1963, p. 127), I fail to see that we gain anything by classifying performatives not as assertions but as declarations, just because, in the proper circumstances, they contribute to making themselves true. As I indicated in the previous section, I am in fact closer to Searle's normative conception of speech acts than to Bach and Harnish's, and, as a result, I think it is important and correct to assimilate explicit performatives to paradigm declarations, such as adjourning a meeting, marrying or transferring property. In fact, one of the main criticisms of psychological accounts of speech acts may relate to a valid objection we could derive from Searle's "self-guaranteeing" point. I have in mind the sort of cases Alston (2000, p. 48) calls "don't care", as when the clerk in the information desk utters 'the plane will arrive on time'. He may lack the Gricean intentions constitutive of belief-expression on the Bach & Harnish account, but nonetheless he is making an assertion; normative views can account for this. Correspondingly, it seems that the utterer of an explicit performative, even though he represents (describes) himself as having the intentions required for the act the performative verb describes, by assuming a Gricean account might (preposterously) contend that he in fact fails to have them and as a result has not performed this act. There is more to say here in defense of Gricean accounts, but what is clear is that normative accounts are in a better position to explain why the act described by the performative verb has nonetheless been performed, to the extent that the circumstances are proper (the speaker is conscious, understands the words, etc.).

Nonetheless, whether or not we can develop along these lines a sort of "self-guaranteeing" objection to intentionalist versions of the self-verification model of performatives, I fail to see any good reason to resist the idea that some declarations are effected by means of statements, and hence I fail to see any good reason to oppose a normative version of the self-verification model itself. Something more is indeed needed in addition to the statements for the success of declarations, both in the case of marriages and in the case of promises: a practice such as convention (in the case of marriages) or a social contract (in the case of promises, assertions and orders), and the proper circumstances for it to apply to the given case; but as far as I can tell this is compatible with their being made in the case of explicit performatives by means of statements.[21] Unlike Austin, Jary and Reimer, to his credit Searle does not deny that explicit performatives are also statements; he just contends that, contrary to the self-verification model, "the truth of the statement derives from the declarational character of the utterance and not conversely . . . the assertion is derived from the declaration and not the declaration from the assertion" (Searle, 1989, pp. 553–554). It is this subtle priority claim that I find unwarranted.

Recanati (1987, ch. 6) also contends that explicit performatives are declarations. Unlike Searle, he relies on "direction of fit" considerations. I do not find Recanati's argument compelling, because I do not accept the (not sufficiently spelled out) account of the *direction of fit* asymmetry on which it is based – cf. again the very judicious discussion of these matters by Hedenius (1963, pp. 124–127). Recanati (1987, p. 146) suggests that the state of affairs making true an assertion should be independent of the assertion. But he correctly acknowledges that this should be "softened": I can predict, i.e., assert to you: 'you will succeed', thereby giving you the confidence you need to succeed, and decisively contributing to make my assertion true. Recanati does not say how "direction of fit" should be understood, in view of cases like this; without such elaboration, his argument is inconclusive. Aside from this, Recanati just relies on the intuition that performative utterances are not true or false, which I am questioning here.

I will conclude this section by critically examining a third Austinian view. Reimer's (1995, p. 660) main consideration against self-verification accounts of explicit performatives is stated thus: "it strikes me as implausible to suppose that the interpreter of a performative utterance, however linguistically competent, will be in a position to *recognize* that the speaker is *constating* anything at all"; "no amount of reflection on the matter would uncover the presence of any such [assertoric] force" (1995, p. 663). This, I take it, gives voice to the intuition behind Austin's original claims. Reimer contrasts in this respect explicit performatives with cases for which she is prepared to accept a "standardized indirection" account, such as utterances of 'Can you pass the salt?' intended as requests, or scalar (generalized) implicatures. She contends that in the latter cases, reflection will lead competent speakers to recognize the purported direct, literal meaning, but not in the case

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[20] Bach and Harnish (1992, p. 103) make essentially the same point against Searle.
[21] The view advanced here is thus ultimately close to the one put forward by Condoravdi and Lauer (2011). They also take performatives to be primarily statements, and they also assume a normative account of speech acts.

of explicit performatives. I think the availability of the stative readings, together with examples like the ones above, suffices to dismiss this alleged asymmetry.

Reimer provides an example worth discussing: while acknowledging a debt of 1000$ to my creditor, I utter 'I (hereby) promise to pay back every penny of what I owe you' at the same time as, at the creditor's request, I write down on a scrap of paper (which the creditor does not bother to read) 'I promise to pay back exactly one dollar of what I owe you'. She says that, after paying back only one dollar, ''it seems intuitively unlikely that I could claim that I was simply *lying* when I said that I promised to pay back all of the money'' (Reimer, 1995, p. 666). Now, intuitions here are clouded by the deceptive nature of the situation; as Reimer tells the story, the audience (the creditor) is intended to think that the written utterance is merely a transcription of the oral one, which, the way the context is set up, can only be understood in the self-referential way which on the self-verification account results in the making of the promise. At least on the sort of normative account of the nature of speech acts I would favor, this might suffice for having incurred the commitments constitutive of the promise. However, we can easily think of situations in which the speaker *can* sensibly claim that the verbal utterance was a mere (false) assertion, with the 'hereby' referring to the written utterance, in accordance with the NF semantics in the previous section; just imagine that the speaker manifestly points to the written utterance while uttering the oral one. (The very fact that competent speakers can make sense of this possibility proves her main contention quoted above to be wrong.)

In this section, I have discussed three variations on Austin's main consideration against the self-verification account, namely, that explicit performatives are not true or false – all of them being sensitive to the problem that the fact that performative sentences do have stative interpretations poses to Austin. The proposals reject the main claim of the self-verification account to different extents. Searle (1989) accepts that performative uses are also statements, but contends that this is only derivatively so. Reimer (1995) accepts that performative sentences are truth-evaluable, like declarative sentences used in fiction or in irony, but claims that, as in such cases, no true statement is made in performative uses. Jary (2007) contends that the self-descriptive proposition of the self-verification model is not *asserted* but *shown*. I have argued that we have not given good reasons to prefer any of them to the self-verification account.

This concludes my defense of the self-verification model. Jary (2007, p. 211) complains that defenders of such accounts proceed too quickly from systematicity considerations to the claim that a statement is made in performative uses, ignoring the ''question of why they cannot be true or false'' (2007, p. 217). My argumentative strategy has proceeded more carefully. In the preceding section, I established that performative sentences have stative interpretations, and I showed why, assuming that they retain them in performative uses, it can be explained both how the strategically intended speech act in those uses comes about, and how it is pragmatically conveyed. In this section, I have rejected the presupposition that performative sentences in performative uses cannot be true and false, implicit in Jary's contention that there is a question why they cannot be true or false.

3. Is assertion a communicative act?

In this final section, I will confront an argument by Peter Pagin (2004) against ''social'' conceptions of assertion. If successful, Pagin's argument would refute the account of assertions made with explicit performatives such as (2) that the self-verification model provides; I will try to show that the argument fails.

Pagin characterizes social speech acts thus: ''In saying that a speech act type is social I mean that all acts of this type not only have a social significance, consisting in the social effect intended by the speaker, but also *communicate* this intended effect'' (2004, p. 834). According to Pagin, *promises*, *requests* and many other speech acts are social in this sense, but assertion is not; assertions may in fact have social effects, but they are not communicated: ''I think that assertion is essentially different from virtually all other types of act . . . assertion is not a *social* act. . . . [social] effects, whether intended or not, are not part of what is communicated. What is communicated in an assertion is whatever is stated in the utterance, e.g. that there is a traffic jam on the Brooklyn Bridge . . .'' (2004, p. 835).

I think the positive aspect of Pagin's view (that only the propositional content is communicated in an assertion) is questionable. All kinds of propositional content might be communicated in a speech act, well beyond asserted contents; presupposed contents, for instance, are communicated. Being aware of this point, in order to distinguish asserted contents from other communicated contents Pagin may be led to the view that others have held, that an assertion consists of the communication of the proposition *p by means of a sentence that means p*[22]; but this incorrectly makes it definitionally impossible to make assertions of *p* with sentences that mean something else (or even with fully non-linguistic means): in asking 'Who the heck wants to read this book?', I am asserting that (to put it mildly) nobody wants to read it. Aside from direct counterexamples like this, we might ask: why would assertion be special, in that it is the only speech act

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[22] Cf. Alston (2000, pp. 116–120), and Jary (2010, pp. 15–16). Pagin's (2011, p. 123) more recent account of assertion embraces this consequence; cf. his discussion of this objection, *op. cit.*, 128.

that cannot be made indirectly? Pagin's argument against communicative accounts of assertion might be a response to this rhetorical objection; let us now focus on it.[23]

Pagin's argument involves the deployment of what I will call "Pagin's recipe". For illustration, let us consider a communicative analysis (in Pagin's sense) of assertion such as A1:

A1   To assert *p* is to commit oneself to the truth of *p*.

This is taken to be a social analysis in that it is assumed that, in order to acquire the indicated commitment (a social status), one must communicate that one does so. Now, while (3) below instantiates the alleged analysis A1 (because one thereby acquires the relevant commitment by communicating that one does so), Pagin claims that it is not an assertion that *p*, which would refute the analysis: "When I assert that *p*, what I say implies that *p*; it is logically incompatible with the falsity of *p*. By contrast, in the case of [(3)] . . . what I say is logically compatible with the falsity of *p*" (2004, p. 839):

(3)   I hereby commit myself to the truth of *p*.

By appeal to the distinction from Bach that I developed in the first section, and the account of explicit performatives based on it outlined there, I will argue now that the contrast that Pagin's argument trades upon does not really exist: relative to a first way of interpreting 'what I say' – Bach's *locutionary* sense – the first claim is false: it is not true that whenever I assert *p* what I say (*what I locute*) implies (validly commits me with assertoric force to) *p* (because I may be indirectly asserting *p* by locuting something else, which does not logically entail (validly commits me with assertoric force to) *p*); on a second way – Bach's *illocutionary* sense – the second claim is false: it is not true that what (3) says in that sense (*what it states*) is logically compatible with the falsity of *p* (because what (3) says in that sense is just *p*).

I will approach the issue by considering first a point that Pagin himself notices, namely, that his recipe suspiciously appears to overgenerate; this will take us to the aspect of his discussion that most interests me in the context of this paper. It is manifest that, even though A2 is not an analysis of assertion, it is certainly true – as A1 is meant to be. But deploying Pagin's recipe then leads us to the claim that the explicit performative (4) is not an assertion of *p*:

A2   To assert *p* is to assert *p*.
(4)   I hereby assert *p*.

Consistently, Pagin declares that this is indeed the case: (4), he contends, is not an assertion of *p*. This of course contradicts the self-verification analysis of explicit performatives in the first section, which entails that, in the proper circumstances, (4) as much as (2) can be an assertion of *p*. In addition to invoking intuitions, Pagin provides two arguments in support of his view; the arguments are closely related to the one for the claim that (3) is not an assertion quoted above. I will present the two arguments before addressing them, because they are connected.

Pagin's first argument is that utterances of (4) fail an "inferential integration test", in that the argument below "is not an acceptable deductive or quasi-deductive inference" (2004, p. 855), i.e., one such that "the truth of propositions that are asserted by utterances of the premises guarantees the truth of the proposition that is asserted by an utterance of the conclusion" (2004, pp. 851–852):

(5)   (Assertoric prem.): If 73 is a prime number, we cannot share the stones equally.
       (Performative prem): I (hereby) assert that 73 is a prime number.
       ∴ (Assertoric concl.): So, we cannot share the stones equally.

The same applies, he claims, to (6):

(6)   (Assertoric prem.): If 73 is a prime number, we cannot share the stones equally.
       (Performative prem): I (hereby) commit myself to the truth of the statement that 73 is a prime number.
       ∴ (Assertoric concl.): So, we cannot share the stones equally.

In contrast to these failures of inferential integration, Pagin contends, we do have integration with assertions indirectly made by means of rhetorical questions or ironical claims[24]:

(7)   (Assertoric prem.): If 73 is a prime number, we cannot share the stones equally.
          (Rhetorical quest. prem.): Is 73, perhaps, divisible?
    ∴ (Assertoric concl.): So, we cannot share the stones equally.

(8)   (Assertoric prem.): If 73 is a prime number, we cannot share the stones equally.
          (Ironic prem.): 73 is nicely divisible.
    ∴ (Assertoric concl.): So, we cannot share the stones equally.

Pagin's second argument for the claim that (4) is not an assertion of *p* goes as follows: on the one hand, (a) "the sincerity conditions for asserting that p and asserting/declaring that one asserts that *p* are different. In most situations, indeed, by uttering [an instance of (4)] I would imply that it is true that *p*, and so would be insincere if I did not believe that, but not in all. In some situations, where for some reason or other the question is precisely what I assert, I can sincerely say that I assert that *p* while still believing *p* to be false. I am not then insincere at all". On the other, (b) "On the indirect assertion view … I would still be making an insincere indirect assertion" (855).

In response, I will argue that the intuitions that Pagin appeals to, and his two related arguments, trade upon the fact that explicit performatives involve the kind of indirection articulated by the self-verification model. On this model, the asymmetry that Pagin's second argument assumes does not exist, and – relatedly – there is no asymmetry between arguments (5)–(6) and (7)–(8) either. Regarding the issue of intuitions (whether the integration test works intuitively more smoothly in the case of (7)–(8) than in (5)–(6), whether (3) and (4) are or are not intuitively assertions of *p*), I should say that I do not give it much weight, for reasons I already mentioned in the first section in connection with Jary's claims about intuitions. I myself have failed to share them from the very first confrontation with the examples; more relevantly, I doubt that non-philosophical speakers would without hesitation share Pagin's intuitions, or that we should accept their judgments as data if they did.

Let us first consider Pagin's second argument that (4) is not an assertion of *p*. Pagin's point (a) is correct. Remember the examples we have already seen of the frequentive or habitual use that, as Pagin and others point out, present-tense uses of 'to assert' have (2004, p. 850). Addressing his team, after rhetorically asking himself, "Do you know what I do whenever I consider the match next weekend?", a character of Pagin's, the hockey coach, answers his own question thus: "I assert that we will win the series". In this frequentive sense, as a description of his assertoric inclinations, the speaker would not be "insincere at all" relative to the assertion he performs, even if he does not believe what he declares that he asserts. The reason is that he is not making that further assertion in the very same act, but merely claiming that this is something that he does at some or other occasions. Consider also a variation on a famous Clinton story. The anchor man asks him, "Do you then deny that you had an affair with Gennifer Flowers?", and he replies, "I frequently say so, and so does she"; the anchor man – aware of Clinton's pragmatic skills – insists, "yes, but did you or did you not have an affair with her?" It is now clear to all participants in the conversation that Clinton only made the assertion about what he frequently says, not the sought-after assertion about the affair – and so is not being "insincere at all".

Putting aside these cases involving the frequentive reading, Pagin's point (a) can also be made with the "suspected dissident" example I gave above, who utters an instance of (4): "I (hereby) assert that our leader is good and provident". It might happen that, while he is sincere with respect to what he tactically asserts – namely, that he thereby asserts that the dictator is good and provident – the *strategic* assertion is not taking place, because the "preparatory conditions" of the absence of duress are not met. If so, he cannot be either sincere or insincere about it, and hence he is not "insincere at all": if the speaker is unaware of not being in fact really making the assertion about the dictator, then he is indeed not being "insincere at all", but is just unknowingly making a false assertion.

Part (a) of Pagin's alleged contrast in his second argument is hence correct; however, part (b) is not: "On the indirect assertion view … I would still be making an insincere indirect assertion". In order to make an indirect assertion, as I insisted in the previous section, the conditions for making it must be in place; the fact that the assertion of *p* is only indirectly made (pragmatically, on the envisaged account) precisely entails that it is possible to make the tactical act (the one fitting what is locuted), while failing to make the strategic one.[25] The previous examples involving the frequentive

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[24] As a referee noticed, here Pagin appears to be taking for granted that assertions can be indirectly made, which is in tension with what his view that assertions of *p* just communicate *p* appear to require, as I said before.

[25] As Bach and Harnish (1992, p. 100) put it in their response to Searle, the self-verification model is not meant to suggest that "the connection between the statement and performance of the act named by the performative verb is one of entailment … Uttering 'I promise' counts as a statement and as a promise not in virtue of any entailment between the statement and the promise and not in virtue of any inference on the part of the hearer."

sense are also cases in which the speaker is only performing the primary act – the one corresponding to what his utterance locutes under those conditions – without implicating the assertion of p. Aside from these frequentive cases, variations on the one in the previous paragraph serve to make the same point; it could be, for instance, that it is manifest in the context that the suspected dissident relies on the assumption that the preparatory conditions of absence of duress are not satisfied, so that, while he is making the tactical assertion, he does not really mean the strategic one.

Let us now move on to Pagin's first argument that (4) is not an assertion of p. The second premise might indeed not integrate in the inference (5). This might happen because the assertion that 73 is a prime number is only indirectly made by locuting (4); hence, there are contexts in which the implication is cancelled. We have already considered some such contexts. If the 'hereby' is absent, (4) can be read in the frequentive sense, without any further performative implication. Even with the 'hereby', above I described cases in which 'hereby' refers to a different, contextually salient act (one in a recording, for instance), also without performative implications. But the same applies to the second premises in (7) and (8); there are contexts in which the question in (7) is not assumed to be rhetorical, or the second premise in (8) is not taken to be ironical (perhaps the speaker is known to be arithmetically incompetent, for instance), and in those cases the premises fail to integrate and the inferences do not go through. On the other hand, in most ordinary contexts the inference goes through in the latter arguments, but the same applies to (5), in spite of Pagin's claims; given that the performative uses do exist (and are mandatory when 'hereby' is inserted, putting aside non-reflexive cases), when taken in that way the inference does go through.[26]

We thus see that Pagin's arguments do not merely need the existence of a purely self-descriptive, non-performative reading of explicit performatives – which I of course grant, because it is part and parcel of the self-verification model. He needs to establish that one cannot at all assert p by uttering 'I (hereby) assert that p' – i.e., that one cannot truly make the tactical assertion locuted by this sentence; but neither of the arguments we have examined supports this. Corresponding claims for 'I promise' or 'I vote' are obviously wrong; I can surely vote by truly uttering 'I vote for Peter', and this performative reading is almost mandated if 'hereby' is inserted. Pagin acknowledges as much, for he advances the following hypothesis: ''an act type A can be performed by means of an explicit performative if, and only if, acts of type A communicate their own social significance'' (2004, p. 857). Given that he takes voting or promising to be social acts, he thus grants that these acts can be made by means of explicit performatives, and he might also grant that, at least when 'hereby' is inserted in an utterance like (1), the self-verification model explains how that happens.

However, the same applies to 'I assert', for all we can tell – i.e., for all that the point about the frequentive reading of the simple present uses of speech-act verbs establishes, and as we have seen Pagin's two arguments do not give us good reasons to the contrary. Pagin says: ''This is not altered if an 'hereby' is inserted, for that only serves to make it clear that my utterance is a declaration of my position rather than a report. The conveyed content of [(4)] is roughly the same as in: In virtue of this very utterance my view that p is expressed (taken literally, though, [(4)] is false while [the conveyed content] is true)'' (2004, pp. 855–856). Why should (4) be false, given that corresponding claims with 'promise' or 'vote' replacing 'assert', which also have frequentive readings, are typically true? If one inserts 'hereby', a true non-frequentive interpretation is almost mandated, *in all these cases*, for reasons given in the first section, and Pagin's two arguments do not discredit this result.

In personal communication, Pagin has made an interesting related point against the model for assertions made by means of explicit performatives I have been defending, which is worth discussing.[27] Pagin puts it like this:

> On this view, a speaker can assert that p and immediately assert that $\neg p$, without contradiction. For there is no contradiction in
>
> (i) I hereby assert that p. And I hereby assert that $\neg p$.
>
> At best there is a Moorean oddity in it. This can be strengthened by noting that
>
> (ii) I believe that p. And I believe that $\neg p$.
>
> is not inconsistent on anyone's view. The subject has inconsistent beliefs if both attributions are true, but is not contradicting himself by ascribing them. Anyone who claims that (i) is a contradiction, because the indirect assertions contradict each other, must explain why (i) is so different from (ii). I can easily accept that by (i) the speaker commits himself to inconsistent propositions, but not that he asserts any.

In reply to this point, I would again appeal to the distinction I have made between locuting and stating. Pagin is right that, with respect to the respective *locutions*, neither (i) nor (ii) are contradictory. We can use one of the above examples to pinpoint this; imagine that the first 'hereby' refers to an act I am doing in a recording I am currently watching, and the second to a different one. However, with respect to what is said in the other disambiguated sense, the assertion in (i) is indeed contradictory, so it is not the case that there one asserts *p* and one immediately asserts ¬*p* ''without contradiction''. The explanation Pagin asks for concerning the difference between (i) and (ii) lies in that the conjuncts in the former, but not those in the latter, allow for the self-verifying performative uses that the previous section accounted for. One can make an assertion by stating that one so does, but one does not ''make'' a belief in that way. One *can* constitute a judgment, and thereby a belief, in a performative way; but I fail to see any relevant asymmetry between (i) and *I hereby judge that p. And I hereby judge that ¬p*. Some awkwardness might remain, but I think the account sufficiently explains whatever intuitions worth respecting we may have through our integrated pragmatic/semantic theories.

Let us finally go back to Pagin's argument that (3) is not an assertion that *p*: ''When I assert that *p*, what I say implies that *p*; it is logically incompatible with the falsity of *p*. By contrast, in the case of [(3)] . . . what I say is logically compatible with the falsity of *p*'' (2004, p. 839). If we take 'to say' in the *locuting* sense, the second part of the contrast is correct, but not the first: in the case of indirectly made assertions (assertions made ironically, by means of rhetorical questions, conversational implicatures, or, indeed, explicit performatives), what is locuted does not logically imply (validly commits the speaker to) the assertion. If we take instead 'to say' as *stating*, the opposite is the case: the first side of the contrast is correct; but, for all Pagin's arguments have established, the second is not. If analysis A1 is correct, then it might well be that, in uttering (3), one does commit oneself to the truth of *p*, and thereby (assuming that the analysis is correct) asserts *p*.

Pagin rejects this on the basis of previously discussed considerations, that ''there can be situations where the Gricean model wouldn't apply, simply because in those situations there would be no apparent conflict with the maxim of relevance'' (850). This applies, for instance, to manifest frequentive uses, as in the examples of the coach or the scientist above. He concludes that ''despite the Gricean model of indirect speech acts, one can commit oneself to the truth of *p* without asserting it''. On my view, this conclusion is not warranted. I would rather put the point like this: one can say that one commits oneself to the truth of *p* without asserting it, because in such situations the speaker is stating what he does and is disposed to do, not committing himself to the truth of *p* in that very act.

In this section, I have discussed a more limited criticism of the self-verification model, Pagin's arguments that it cannot be applied to assertions allegedly made on that model by means of explicit performatives. We have found no better reasons here to question the model than those offered by the more sweeping criticisms discussed in the previous section. All in all, I think that the traditional indirect speech act account of explicit performatives is still the best proposal.

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