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Problems with norms of assertion*

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Abstract

In this paper I draw attention to a number of problems that afflict norm accounts of assertion, i.e. accounts that explain what assertion is, and typically how speakers understand what assertion is, by appeal to a *norm of assertion*. I argue that the disagreements in the literature over norm selection undermines such an account of understanding. I also argue that the treatment of intuitions as evidence in the literature undermines much of the connection to empirical evidence. I further argue that appeals made to conversational patterns do not require the existence of any norms at all.

1. Introduction

The literature on assertion is a crossroads where several sub-disciplines of philosophy meet: over and above speech act theory/pragmatics itself, the area is shared by the subjects of truth/metaphysics, epistemology, and ethics. While for a long time most of the writings on the topic came from speech act theory/pragmatics on the one hand, and writings related to truth and metaphysics on the other (e.g. Dummett 1976; Putnam 1981), during the recent fifteen years or so, the area has been dominated by writings either in epistemology or at least produced from an epistemological perspective.

The impetus clearly were the seminal writings by Tim Williamson (1996; 2000) and Keith DeRose (2002). Williamson emphasized the importance of *knowledge*

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by the speaker that what she asserts is true. As Williamson himself pointed out, this in itself was not new; it had been done before by Peter Unger (1975, pp. 253-70) and Michael Slote (1979, p. 185). Unger and Slote suggested that the speaker who asserts that *p* represents herself as knowing that *p*. To this Williamson added that assertion is governed by an assertion-specific *norm*, the *knowledge norm*:

(K) One must: assert *p* only if one knows *p*.

(Williamson 2000, p. 243).

The idea that assertion is governed by the knowledge norm was endorsed by DeRose (2002), who took that, together with the premise that standards of proper assertion vary between contexts, as the basis for inferring contextualism in epistemology. Shortly after that, the debate over norms of assertion was in full swing. In this debate, a number of alternative norms have been put forward. Intuitions have been marshaled, but also dismissed. There is little consensus in the area.

The wide disagreement about what norms govern assertion is itself an empirical problem for some of the claims about the significance of appealing to norms, or so I shall argue. The rest of the paper looks as follows. In section 2, I shall give a birds-eye view of the different proposals regarding norms of assertion that we can find in the literature today. In section 3, I discuss the nature of these norms and their relation to the speech act type. In section 4, I argue that the disagreement between norm proponents empirically undermines the claim that speakers understand what an assertion is by means knowing its governing norm. In section 5, I discuss the intuitive support for norm theories, especially with respect to the tendency to dismiss intuitions as something else than correctness by the governing norm. In section 6, finally, I discuss appeals to conversational patterns in support of various norm theories, especially the knowledge norm.

2. The variety of norms

In this section I give a brief overview over the literature on norms and evaluations of assertion. The reason for this, is that the disagreement itself is an empirical problem for accounts norm accounts of assertion, as we shall see.

The point of departure, again, is Williamson's knowledge norm:

(K) One must: assert *p* only if one knows *p*.

Over and above Williamson himself, the knowledge norm has been favored, in a number of variants, by among others Keith DeRose (2002), Steven Reynolds (2002), Jonathan Adler (2002, p. 275), John Hawthorne (2004), Jason Stanley (2005), Pascal Engel (2008), Jonathan Schaffer (2008), and John Turri (2010a).

(K) is purely prohibitive, stating under what conditions one may not assert something. A biconditional *strengthening* of (K) adds a sufficiency part, stating that the speaker is *permitted* to assert if the knowledge condition is met:

(K2) It is permissible for *S* to assert that *p* iff *S* knows that *p*.

Williamson gives only the prohibitive version. The biconditional version is discussed in Hawthorne 2004, p. 23 and Lackey 2011, pp. 251-75, as well as in Brown 2010 and Brown 2011. Brown (2010) points out that DeRose's argument for epistemic contextualism requires (K2) (Brown 2010 also argues against the sufficiency part).

Some have proposed norms that are similar to (K), but instead set the condition in relation to the *transmission* of knowledge to the hearer. An example is Manuel García-Carpintero (2004, p. 156):

(TK) One must (assert *p* only if one's audience comes thereby to be in a position to know that *p*)

Similar norms have also been proposed by Pelling (2013) and by Hinchman (2013). Carpintero suggests that his version is preferable to Williamson's because it brings out the social, communicative function of language (2004, p. 157). He argues that only (TK) could be expected to be a *convention*, and takes that to speak in its favour.

Most theories proposed as alternatives to the knowledge norm are weaker in demanding less than knowledge. It has been proposed that assertion only requires truth, or only belief, or only justification. Matthew Weiner (2005) proposed a truth norm:

(T) Assert only what is true.

(this formulation is close to what Weiner says. Cf. also the survey article Weiner 2007). MacFarlane (2014, p. 103) also proposes a truth rule, but requires it to be qualified as being *reflective*: this means, in the context of MacFarlane's relativism,

that the proposition should be true in the context of utterance, as assessed from *the same* context of utterance.¹ According to MacFarlane, the truth rule needs to be complemented by a *retraction rule* (see below).

A corresponding statement of a belief norm would be

(B) Assert only what you believe.

With ‘say’ instead of belief, this is close to Grice’s second submaxim of Quality (“Do not say what you believe to be false.” Grice 1989, p. 27). The belief norm is explicitly stated by Bach (2008, p. 77). Bach directly infers that the norm of assertion is the belief norm from the fact that an assertion is sincere if and only if the speaker believes what she asserts.

A *justified belief* norm requires more than (B):

(JB) Assert only what you believe with justification.

Exactly what justification amounts to varies between authors. Igor Douven (2006; 2009) argues for a norm of *rational belief*.

Several authors have argued that it is the *justification* itself that is the key to evaluating assertions. A standard formulation would be

(J) Assert only that for which you have proper justification.

This view has been taken by Jonathan Kvanvig (2009, p. 145; 2011, pp. 249-50). Kvanvig proposes that the relevant concept of justification is such that it suffices for knowledge, provided the proposition is both believed and true (and the justification is undefeated). Justification is also emphasized by Jennifer Lackey (2007, p. 608), who proposes a *Reasonable to Believe* norm, according to which belief is not required; what is required is that it is reasonable to believe that *p*, and that the speaker asserts that *p* for this reason (even if in fact not believing that *p*). Lackey backs this idea up with thought experiments about so-called “selfless” assertions, where speakers make assertion in accordance with their evidence but

¹Selecting the context of utterance itself as the context of assessment relevant for assertion avoids an early critical point made by Gareth Evans (1985, pp. 349-50): if it is left open when to assess an assertion, so that an assertion can be correct at one time and incorrect later, the speaker aiming at correctness cannot decide what to say. If the context of assessment is the context of utterance, then the speaker does know. One problem is that this alters the traditional connection between correctness and truth. Cf. Garcia-Carpintero 2008; Greenough 2011; Marques 2014; Caso 2014 for further discussion of assertion in connection with relativism.

against their beliefs. Also, Ishani Maitra and Brian Weatherson (2010, p. 112) propose what they call *The Evidence Responsiveness Rule*, that one should assert that p only if one's attitude towards p is properly responsive to the evidence (they also propose to complement it with an *action rule*, that it is proper to assert that p only if acting as if p is "the thing for you to do".)

These alternatives to the knowledge norm all propose norms with weaker requirements. But a stronger requirement has also been suggested by Stanley (2008):

(EC) Assert only what is epistemically certain.

Here one is *epistemically certain* of a proposition p is "if and only if one knows that p (or is in a position to know that p) on the basis of evidence that gives one the highest degree of justification for one's belief that p " (2008, p. 35). Stanley also considers as an alternative a *subjective certainty* norm, where it is the degree of confidence of the speaker that matters, but in the end opts for regarding this norm as derivable from the epistemic certainty norm.

Some authors have proposed norms for what to do *after* an assertion. MacFarlane (2014, p. 108) holds that a speaker is required to *retract* an assertion if it turns out not to be true, in a context of assessment:

(R) Retract an (unretracted) assertion if it turns out not to be true.

Again, in MacFarlane's case, this rule is stated in the context of his relativism, with respect to a context of use and a context of assessment. In MacFarlane's theory, assertion is governed jointly by the (reflective) truth norm and the retraction norm. According to Michael Rescorla (2009), there is no norm at all for proper *making* of assertions. There are only norms that govern later reactions. He proposes three similar alternatives, which share the idea that when a speaker is challenged with respect to an assertion he has made, he must either defend the assertion or else retract it (Rescorla 2009, pp. 103-5).

Many authors have noted that standards for judging assertions vary between contexts, and have proposed to work that into the account. The first to do so was Keith DeRose (2002). DeRose argued from the knowledge norm and the varying standards for assertion as premises, to the conclusion that epistemic contextualism is true (2002, p. 182). Epistemic contextualism is the view that 'know' is

semantically context dependent. The truth value of a knowledge attribution ‘X knows that *p*’ depends on standards of knowledge in the context of the knowledge *attributor*.

DeRose’s argument has been challenged by several authors. For instance, Stanley criticizes DeRose, despite accepting that the standards of proper assertion vary between contexts. According to Stanley, the reason this does not lead to contextualism about knowledge is that assertion is governed by the certainty norm (EC) (2008, pp. 55-6). According to Stanley, the varying standards of proper assertion depends on the context dependence of ‘certain’, not on any context dependence of ‘know’ (which Stanley rejects). According to Schaffer (2008), on the other hand, knowledge itself is relative to a *question under discussion*, which is reflected in his version of the knowledge norm (Schaffer 2008, p. 10).

Some authors who note that standards of proper assertion appear to vary between contexts suggest that there is not a single norm with a contextual parameter. Instead, different norms apply in different contexts, still governing one and the same speech act type. This line has been taken by Jim Stone (2007) and by Janet Levin (2008). In some contexts knowledge is required, in some contexts something less demanding, such as justified belief. Patrick Greenough (2011) takes this line even further by proposing *norm-relativism*: what norm is relevant for an assertion in a context is *relative to a perspective*.

One question that arises with respect to such views is this: if the speech act type is individuated by the norm governing it, and norms of utterances vary between contexts, is it still the case that actions of one and the same speech act type is performed across contexts? One who has denied this is John Turri (2010a). Turri suggests a class of “alethic” speech acts, including conjecturing, asserting, and guaranteeing. The first is weaker and the third stronger than assertion. They are ranked on a so-called “credibility index” (2010a, p. 85), depending on what degree of credibility is required by the speech act type. In contexts with different demands on credibility, different speech acts are performed. For assertion itself, the standard is invariant, it is simply knowledge. Turri uses this view to counter DeRose’s argument for epistemic contextualism (Turri’s view itself seems, however, not to agree with the standard conception of the extension of ‘assertion’).

A more radical conclusion from the assumed normative variation has been drawn by Herman Cappelen (2011). According to Cappelen, the proper conclu-

sion is that assertion as a speech act type doesn't exist. In Cappelen's words, the term 'assertion' "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" (2011, p. 21).²

The picture is complicated even further by the fact that many accounts recognize more than one evaluation of assertions. This is proposed by Williamson himself (2000, pp. 256-7), who speaks of a cases where it is strictly improper but yet *reasonable* to assert that *p*, provided one reasonably believes that one knows that *p*. The same distinction between what the norm requires and what is reasonable in its light has been drawn by DeRose. In the terminology of DeRose (2002, p. 180), it is known as the distinction between *primary* and *secondary* propriety. It is primarily improper but secondarily proper to assert what you reasonably believe yourself to know but in fact don't. Similarly, Adler (2002, pp. 235, 275) distinguishes between *proper* assertions, requiring knowledge, and *warranted* assertions, requiring full belief. Equally, Turri (2014) distinguishes between *good* assertions, requiring knowledge, and *permissible* assertions, requiring reasonable belief.

Some authors reject this distinction between primary and secondary propriety. Examples are Lackey (2007, p. 604), Engel (2004, p. 56), and Kvanvig (2011, p. 242). They all think that we need an unequivocal notion of when a speaker has acted appropriately and when not: if one has acted inappropriately, then one is subject to legitimate criticism, and otherwise not.³ We shall return to the question of primary and secondary propriety in section 5.

This completes the brief survey. We turn now to the question of the nature and status of these norms.

3. The status of norms

For the most part, the literature on norms of assertion has concerned the question *which* the norm of assertion is. That is, it is in general not asked whether

²In my view, this is throwing out the baby with the bath water.

³Lackey (2011), on the other hand, proposes that justification has two aspects, a quantitative and a qualitative. The first concerns *how much* justification the speaker has, the second *the kind* of justification it is. She suggests (2011, p. 273) that the knowledge norm may be appropriate for quantity, and appeals to examples of what she calls "isolated second-hand knowledge" to show other parameters than quantity of justification are relevant.

there *are* norms of assertion (in some sense or other), what status such norms have, how speakers are guided by them, whether they are constitutive, or what constitutivity amounts to. It is simply normally taken for granted that there is a norm, or a collection of norms, that holds for all assertions and for assertions specifically. Some of the authors, however, especially Williamson himself, are more explicit about the nature and status of norms of assertion. Here I shall list what I take to be the properties most authors seem to ascribe to norms that they favour. After that I'll raise some further questions about *being in force*, and *guidance*.

The first *norm-property* to mention, and one which all concerned appear to agree on, is that the norm in question is *specific* to assertion. Below, I'll use '*N*' as schematic letter for a norm of assertion, or alternatively a *set* of norms of assertion.⁴

(N1) *N* uniquely applies specifically to assertion.

By (N1), the norm is a norm only for the making of assertions (or for consequences of an assertion, such as retracting). *N* is specific to assertion, i.e. governs an action iff it is an assertion. *N* is unique in having this feature: any other norm that applies to assertions is more general and relates to features of assertions that are shared by other actions. Moral rules, rules of etiquette, norms of prudence, are examples.

(N2) The condition of *N* uniquely identifies assertion.

If (N2) holds for (K), then there is no other action type *A* and norm *N_A* such that by *N_A* an agent *X* is permitted to do *A* with respect to a proposition *p* iff *X* knows that *p*. Thus, if we know the condition of permissibility, we also know the action type. This adds to (N1), for (N1) leaves it open that another norm with the same condition (knowledge that *p*) could hold for some other action type than assertion. Williamson (2000, p. 241) clearly takes (K) to uniquely identify assertion.⁵

⁴A list of characteristics that partly overlaps with the present one is given in Turri 2014.

⁵A referee objected that Williamson only considers what he calls "simple accounts" (p. 241), excluding e.g. accounts that assess assertions as better or worse but not as outright unacceptable. I do take it that Williamson favors a simple account. He leaves out discussion of the alternatives, not a stance towards them.

(N3) Being governed by *N* is essential to assertion.

(N3) goes beyond (N2) insofar as (N2) leaves it open that assertion is only *actually* individuated by *N*, and that assertion *could have* been governed by some other norm. That is, on such an alternative, in other possible worlds, speakers perform assertions as governed by other norms.⁶ The typical contemporary position is that (N3) is property of the favoured norm. In Williamson 2000, p. 241, the essence claim is explicit.

It should be emphasized here that on the norm view, it is *being subject to* the norm that characterizes assertion, not *conforming to the norm*. An assertion that violates the norm is still an assertion.

(N4) A speaker understands what an assertion is *by means of* knowing that it is the act governed by *N*.

(N4) rules out the possibility that a speaker understands what assertion is well enough for fully taking part in an assertoric practice, *without* knowing that assertion is governed by *N*. The “fully” qualification here is added to allow for some partial participation in a practice in which one is not completely competent. On this alternative view, it could well be the case that being governed by a rule *N* is an *essential* property of assertion which speakers don’t need to know. The analogy is competence with ordinary language natural kind terms, like ‘water’, where it is not required to know that water is H₂O.

(N5) Assertion is *constituted* by *N*.

This is a stronger property than (N3), and stronger than (N4), but several of the theorists do claim that their proposed norm has this property. Williamson himself (2000, pp. 238-41) is an example. He writes:

The C rule is constitutive of the speech act: necessarily, assertion is a speech act A whose unique rule is ‘One must: perform A with the content p only if p has c. Furthermore, the envisaged account takes the C rule to be individ-

⁶This was in fact Dummett’s view (1976, p. 89). According to Dummett, only *convention* settles what warrants assertion in a community. It is e.g. a convention that an assertion in mathematics is correct only if made on the basis of a proof, and it could have been different.

Note that even (N3) does not rule out that in other worlds there are norms with the same condition that govern other action types. This has not been an issue in the literature.

uating: necessarily, assertion is the unique speech act A whose unique rule is the C rule. In mastering the speech act of assertion, one implicitly grasps the C rule, in whatever sense one implicitly grasps the rules of a game or language in mastering it (Williamson 2000, p. 241).

(where the ‘C’ parameter corresponds to ‘N’ here, but restricted to so-called “simple” norms, such as K). The *mastery* part of the quote, as I understand it, affirms the (N4) property of the norm. What is added by affirming constitutivity is the reference to games: one knows what assertion is by knowing its governing norm as one knows a game, and the game actions, by way of knowing the rules of a game. You know what football or chess is by knowing the rules for football or chess, respectively. And as a game of chess cannot be played unless the rules of chess are in *force*, so an assertion cannot be made unless the governing norm of assertion is in force and applies to the utterance. Other adherents of the constitutivity claim, for their respective norms, are Stanley (2008, p. 52), Rescorla (2009, pp. 99-101), Kölbel (2010, pp. 109-11), and MacFarlane (2014, pp. 101-2).

- (N6) A particular assertion can be subject also to other rules with different areas of application, such that the all-thing-considered outcome is that an assertion ought not to be done, even though not a violation of *N*.

As we shall see, although this is a property everyone agrees on, it has been used in the debate over the intuitive support of some candidate norms over others.

- (N7) Norms are related to evaluations of assertions. An assertion that violates *N* is *incorrect/improper*. An assertion that satisfies all relevant norms is *correct/proper*.

(N7) sounds like a truism, and is often treated like a truism. However, the positive evaluation (correct/proper) is somewhat problematic, as it relates to the biconditional form (K2): only if the norm specifies conditions under which it *is* permissible to assert that *p* do we have a basis for evaluating an assertion as correct. The point is not often emphasized in the literature.

Minor complications arise with the distinction between primary and secondary propriety. More tricky complications arise in connection with *relativism*. In MacFarlane’s framework, assertions are evaluated with respect to contexts of *assessment*, which may and may not be identical with the context of utterance. Mac-

Farlane's truth norm applies exactly when they are identical, but that is only a special case of evaluation.

I think adherence to (N1)–(N7) is fairly typical among those who defend some norm or norms as governing assertion. I shall take endorsement of the first four of the above properties, (N1)–(N4), for some particular norm(s) of assertion, to constitute a *norm account* of assertion.⁷ (N5), the constitutivity norm, is a strengthening of (N4) that I take not be completely essential. Although I'll say a few words about special problems with the constitutivity claim, the main problems with norm accounts do not depend on them. The last two norms on the list are fairly uncontroversial.

The list above of properties does not, however, exhaust the topic of the status of norms of assertion. There are two further central questions that have attracted very little attention in the norms of assertion literature:

(Force) In virtue of what is a norm of assertion *in force* for a speaker at a time?

(Guide) In virtue of what is a speaker *guided* by a norm of assertion?

The idea of being in force is most easily understood for laws and regulations. The traffic law, or traffic regulation, that one must drive on the left hand side on public roads is in force in Great Britain, Australia, and Japan, but not in the United States, France, or Sweden. Some establishments in Japan require guests to remove their shoes, and other don't, and so the rule to that effect is in force in the former establishments but not in the latter. And so on. The question of the basis of the force of rules is a classic question in the philosophy of law (cf. Hart 1961), but has received less attention in the philosophy of language (cf. Pagin 1987).

The list of possible answers to the question of force is open-ended.⁸ In some cases, a law is in force because of the decision of an autocrat. This is rarely the case as regards linguistic practice. In the case of norms governing speech act

⁷The term "account" is widely used in the current assertion literature, and an appeal to the knowledge norm (K) is often referred to as the "knowledge account". It is usually not completely clear what properties of norms are taken to be essential for what is named an "account". Neither does it usually matter, since usually the topic is which "the norm of assertion" is, rather than what being the norm of assertion amounts to.

⁸In fact, it is even not clear that it is a completely objective issue. There can be differences of opinion as to whether a government or a legislative body is legitimate, and hence as to whether certain rules introduced by them are really in force, or only so regarded by a certain group.

types, I think we can distinguish between three main alternatives:

- (F-alts)
- i) N is in force for all speakers as a matter of independent objective fact.
 - ii) N is tacitly accepted, or agreed upon, in a community of speakers.
 - iii) N is (perhaps tacitly) accepted by the individual speaker.

The first alternative corresponds to realism in meta-ethics, the view that there are objective, independent facts about what actions are morally right and wrong. In the case of assertion, on this alternative, it is an objective, mind-independent fact that some norm, the Platonic Norm of Assertion, is in force for all assertions everywhere at all times and in all worlds. The Platonic norm is in force whether we think about it or not, and whether we accept it or reject it. Any possible utterance is an assertion only if governed by this norm.

The second alternative is more complicated, since it leads to the further question of the psychological and social basis of group acceptance, and this is closely connected with the question of guidance. We might think that the basis is a Lewis-style regularity of behavior in a community, together with preferences and expectations (cf. Lewis 1969). Whatever the answer, it should be clear that on this alternative, if two communities A and B accept *different* norms for a particular type of utterance U , then if the U -utterances in A are assertions, the U -utterances in B are not. This is a consequence of the (N1) property, that N is the unique norm that specifically governs assertion.

A particular norm may of course be both objectively valid *and* tacitly accepted in a community, but if it is objectively valid, the acceptance by the community does not have any force-providing power.

The third alternative is that the norm is tacitly, or perhaps explicitly, accepted by the individual speaker. Presumably, a speaker who consciously accepts a norm is also guided by it. It is possible, of course, that a speaker explicitly accepts one norm while tacitly being guided by another. In such a case, it is reasonable to take the guiding norm to be the norm that is really accepted by the speaker, and the speaker to be in error about what she accepts. Exactly what norm guidance amounts to is, of course, a difficult question (cf. Glüer and Pagin 1999).

With these three alternatives in mind as regards the force of norms of assertion, we shall turn to the consequences of disagreement about norms.

4. Problems with understanding

As we have seen in section 2, proponents of norm accounts differ substantially among themselves as to what the norm of assertion is. Such disagreement is common in philosophy, of course, and is in general to be cherished rather than deplored, as it is a driving force in the collective scientific enterprise. However, in this case, matters stand differently, and this is precisely because of the (N4) property, that understanding of assertion depends on knowledge of the norm.⁹ Let's go through the three different being-in-force alternatives, to see what the consequences are.

According to the first alternative, the force of the norm of assertion is a matter of an objective, mind-independent reality. On this alternative, the disagreement over which the norm of assertion is makes perfect sense. This is just like any disagreement in philosophy over the nature of reality. Judging from the history of philosophy, disagreement is just what we should expect. Here as elsewhere in philosophical debates, authors appeal to intuitions about real or imagined cases and try to systematize intuition data by means of reasoning and appeal to principles.

The problem with this alternative is that the norm, the Platonic Norm of Assertion, does not have the property (N4). Being a mind-independent entity, it is clearly difficult to *know* much about it. Perhaps we can reach knowledge about some general properties of such a norm by means of clever a priori reasoning, but that will not be easy, and to pinpoint exactly which the norm is must be more difficult still. Moreover, the disagreement itself, surveyed in section 2, demonstrates that at least many among very able speakers and thinkers have not achieved this knowledge, since they cannot all be right. And since nobody in the debate seems to possess knock-down arguments for his or her favoured norm, it is most plausible that nobody possesses this knowledge at all, even among those who happen to be right, if some are.

But the consequence of this result is that probably no-one understands what assertion is by *knowing* which norm governs assertion. We don't know which

⁹One anonymous referee wonders why despair should be more called for here than e.g. in epistemology, concerning what knowledge amounts to. We do end up in the exactly parallel situation if a) we are said to know what knowledge is by knowing what norm of justification governs it, and b) there is disagreement about the norm of justification. The idea of understanding-through-norm-selection generates the problem.

the norm is, and therefore either don't understand what assertion is, or else understand it in some other way. If we do credit ourselves with having a sufficient understanding of what assertion is, then the Platonic alternative is simply incompatible with the truth of any norm account of assertion (in the present sense), at least in the present epistemic state of human speakers.

Of course, the theory of a Platonic Norm of Assertion can be saved by giving up on the property (N4) that concerns understanding. But if we take this option, and we still want an *account* of assertion, i.e. a theory that explains speakers' understanding of assertion, we must look elsewhere.

Let's move on to the second alternative, concerning community acceptance. On this alternative, there is a direct connection between the force of the norm and speakers' understanding, for it states that speakers tacitly *accept* the norm. In this case, there is an immediate tension with the empirical fact of the disagreement between theorists. This disagreement, together with the assumption that speakers know what norm they accept, has the immediate consequence that speakers do not accept the same norm, and hence that acceptance is not a community matter.

In order to save a norm account on the second alternative, we must assume that speakers, if they consider it, very often are *mistaken* about what norms they accept. Given the distribution of views among the norm theorists, most of them must then be in error. This is highly implausible.

You might want to defend this option by appeal to sub-personal acceptance. That is, the acceptance of a norm of assertion does not take place on a conscious level, and the fact that it has taken place is not easily accessible by introspection or reflection. We are familiar with such phenomena in the realm of syntactic regularities. The ordinary speaker is not aware of the syntactic restrictions she obeys. She will typically not be able to state an even reasonably good generalization on just being asked about it. So why could not the same be true in the case of norms of assertion?

This would have been an option, had the parallel worked, but it doesn't. In the case of syntax, speakers might disagree about generalizations, but they will typically *agree* on judgments in particular cases. It is only the pattern itself that hard to identify. By contrast, in the case of norms of assertion, theorists disagree not only about the generalizations, i.e. the norms, but also about the cases. A belief

norm theorist will not think that a false or badly justified assertion is improper, provided it is sincere (although the belief itself might be improper in that case), while adherents of knowledge or justification norms disagree. The discussions in the literature show that theorists' judgments about individual cases agree well with their own theories and disagree with judgments by their opponents.

We could of course try to save the community acceptance options by the further step that speakers are in error not only about the generalizations, but also often in evaluating individual cases. That is, the speaker's subpersonal system, which on this view is what counts, judges an assertion one way, while the speaker at a conscious level incorrectly judges it differently. This possibility cannot of course be ruled out a priori. Note, however, that this theory of self-knowledge failure goes far beyond the linguistic case, where speakers are credited with typically judging individual cases at a conscious level in accord with, and on the basis of, the verdicts of their subpersonal language module. In the norms of assertion case, by contrast, we would accept the possibility of being out of sync with our own subpersonal judgments, whatever they are. The subpersonal acceptance would guide our assertion performance, and we would therefore often be in error about it. This attempt at saving the community acceptance model is, if not downright absurd, a case of special pleading.¹⁰

It may be added that if neither speakers in general, nor philosophical experts, can reliably tell what norm of assertion they accept, or how they *really* judge instances of assertion, then it looks like the epistemic value of the whole enterprise is undermined. What is the point of pursuing an investigation where few if any of the participants possess any expertise, and where we lack an independent method of determining which.¹¹

¹⁰In light of the discussion about intuitions in Section 5, it might be suspected that theorists will agree to a greater extent about more basic judgments such as "this sounds odd" or "this sounds fine". But this does not essentially change the picture. Unlike in syntax, where theoretical differences over grammaticality of particular expressions are marginal, in the norm of assertion area, different theorists judge simple, common, basic cases of assertion differently. Whatever the explanation, this is a problem for the combination of the (N4) property and the assumption of communal acceptance. Thanks to an anonymous referee for pressing this point.

¹¹Throwing the constitutivity property (N5) into the picture only aggravates the matter. Insofar there are norms of assertion, their status among speakers do not much resemble rules of games. Firstly, players of a game rarely disagree about what the rules of the game are. And if there is a disagreement, it is settled either by appeal to a generally recognized authority, such as a rule-book, or by stipulation, if it concerns a new case to be covered. We don't find players appealing to intuitions or conversational patterns to convince each other of which the rules of Chess *are*.

Let's turn to the third alternative: individual acceptance of norms. This alternative does not have the problems either of the independent fact alternative or of the community acceptance alternative. Each speaker accepts a norm for herself, and that is the norm governing her assertions. There is then no problem with the speaker's *knowledge* what her norm is. And the connection with guidance by the norm appears immediate: you are guided by your norm insofar as trying to conform to the norm you believe governs your assertions. Since your belief is correct, trying to conform to the rule is being guided by it.

That there is massive disagreement between speakers is in a sense an illusion. Each speaker has her own norm, and has a correct belief about which norm it is. The appearance of disagreement only comes from the mistaken assumption that there is a shared norm of assertion.

The problem with this view is that to the extent that speakers, in accordance with (N4), *understand* what assertion is by way of knowing which norm governs it, *and* take other speakers to make assertions just as they themselves do, they have systematically false beliefs about what speech acts other speakers perform. Again, if A and B accept different norms, at most one of them make assertions. They might both call the speech acts in question 'assertion', but the term will have a different sense in their respective idiolects.

This might appear as not very serious. After all, I could have false beliefs e.g. about the colour experiences of my fellow speakers, and this would not impair communication, since we could nevertheless agree on colour classification of physical objects. In following different norms, however, if I understand the speech act type by way of the norm, *and* take others to perform acts of the same type, I systematically *misunderstand* other speakers. I take you to make what I call an "assertion", but in fact you are performing an illocutionary act of a distinct

Secondly, for a constituted game action type, like *castling* in chess, to be performable at all, the rules of chess must by some decision be *in force*; if the rules of chess are not in force for a person at a particular time, her moving two pieces of wood at that time does not constitute castling (cf. Pagin 1987, Chpt. 3; Glüer and Pagin 1999). But this again seems very unlike the relation of norms to assertion. It does not seem that an utterance is recognizable as an assertion *in virtue* of a decision to regard it as subject to this or that norm. Rather, it seems that recognizing an utterance as an assertion precedes seeing it as subject to evaluation. These two points are made in Pagin 2011.

Maitra (2011) also criticizes the game analogy, although differently. She points out inter alia (2011, p. 283) that assertion practice but not games practice accepts flagrant violations of norms if any of the more demanding norms, such as (K), is in force.

kind. On this alternative, given widespread disagreement about norms, there is simply massive and systematic miscommunication.

But this prediction flies in the face of common experience. Sometimes, we do discover cases miscommunication, but by everyday standards, the rate of failure is low. By everyday standards, there just is no massive and systematic failure.

We could of course be collectively wrong about this, as we have been about many things through the ages. But the problems don't end there. The norm account was supposed to explain our mastery of assertion insofar as is required for fully participating in assertoric practice. If you and I do fully participate, and take ourselves to be performing speech acts of the same type (maybe even both calling it 'assertion'), then as far as our competence goes, there just *is* no relevant difference between your type of act and mine. If we still accept different norms, then it simply cannot be the case that we both understand this type of act by means of knowing the governing norm. The (N4) property again fails.

On either of the three alternatives, the norm in question will fail to have the (N4) property. Given disagreement over norms, it just cannot be the case that we understand what assertion is by way of knowing the governing norm. *Accounting* for assertion in terms of norms is simply putting the cart before the horse.^{12 13}

¹²Maitra (2011) criticizes the norm approach in a loosely related manner:

By contrast, neither the knowledge nor the truth norm tells us what it is to assert something. Rather, they each assume that there is something that counts as asserting, and tell us at what an asserter ought to be aiming at when performing the speech act (Maitra 2011, p. 282).

According to Maitra, the reason for this failure on the part of the truth and knowledge norms is that they don't tell us what *counts* as asserting. They cannot be rewritten in that format either, because that would leave them incomplete. If we try "A speaker asserts *p* when he utters a sentence appropriately related to *p* and is criticizable for not knowing *p*", this leaves out a required specification of the kind of *criticizability* at issue (2011, 282, note 12). We might add a specification of this as well, but as I have understood Maitra, this information was supposed to be provided by the norm itself, and if it doesn't, the game analogy is of no help.

However, as far as I can see, this problem is taken care of by property (N1): if the norm is the unique norm specific to assertion, then the criticizability in question is of the unique assertion-specific kind.

¹³MacFarlane (2011) also has a somewhat related criticism, but only directed against some norm accounts. After setting out the conditions under which a player is allowed to castle in chess, he writes:

But knowing this about castling does not tell you what it is to castle; one could know this rule and have *no idea* how to move the pieces in such a way

5. Problems with intuitive support

To a fairly large extent, proposals for norms of assertion are based on intuitions about the evaluation of assertions in particular scenarios, a kind of thought experiments. Authors say things such as “You will still be entitled to feel some resentment when you later discover the merely probabilistic grounds for my assertion” (Williamson 2000, p. 246). This in itself is a sound strategy. Maybe we should not expect intuition to give much guidance about causality or space geometry, but in determining whether an assertion is acceptable or not, our intuitive verdicts have some authority. The fact that there is such a disagreement about the evaluation of assertions might therefore have been expected to cause some concern.

One reason that authors have been less worried about complaints that their theory is counterintuitive is that there is additional disagreement in the literature about what properties of assertions raw intuitions track. We can distinguish between at least four different respects in which an assertion can be evaluated:

- (EvA)
- i) An assertion can be [in]correct with respect to the governing norm of assertion.
 - ii) An assertion can be [in]correct with respect to some other, more general norm.
 - iii) An assertion can [in]correct with respect to a *derived* norm, that depends on the governing norm together with more general principles.
 - iv) An assertion can be [in]correct in an all-things-considered sense, when all applicable norms are taken into account.

When an assertion is judged to be intuitively acceptable or unacceptable, which of these respects is the intuition concerned with? This is a live question, insofar as intuitions normally do not come labeled with theoretical distinctions any more than do feelings of resentment.

as to castle. Similarly, it seems to me, one could know the knowledge rule or the truth rule and have no understanding of what kind of act assertion is, or of how to make an assertion (MacFarlane 2011, p. 86).

MacFarlane does not, however, think this is true of constitutive rules of assertion in general. Indeed, I do not myself deny that a type of action can be uniquely individuated by specifying the conditions under which is done correctly, or incorrectly, or both. I just think our attitudes regarding what is a correct or incorrect *assertion* rest on a prior understanding of assertoric practice.

The relative lack of agreement between authors has been specifically noted with respect to the contrast between evaluations in the first and third category. As briefly noted in section 2, several authors have proposed secondary respects of acceptability over and above their own central notion of propriety. Williamson writes regarding some particular violations of the knowledge norm:

In other cases, one reasonably but falsely believes p , and is in no position to know that one does not know p [...]. One cannot discriminate between one's actual circumstances and circumstances in which one would know p . For example, it is winter, and it looks exactly as it would if there were snow outside, but in fact that white stuff is not snow but foam put there by a film crew of whose existence I have no idea. I do not know that there is snow outside, because there is no snow outside, but it is quite reasonable for me to believe not just that there is snow outside but that I know that there is; for me, it is to all appearances a banal case of perceptual knowledge. Surely it is then reasonable for me to assert that there is snow outside (Williamson 2000, pp. 256-7)

Williamson goes on to characterize the general pattern:

If it is reasonable for me to believe that I have warrant to assert that there is snow outside, then, other things being equal, it is reasonable for me to assert that there is snow outside. Thus the knowledge account can explain the reasonableness of the assertion. However, granted that it is reasonable for me to believe that I have warrant to assert p , it does not follow that I do have warrant to assert p . The term 'warrant' has been reserved for the property C in the rule C of assertion. There may be other evidential norms for assertion, if they can be derived from the knowledge rule and considerations not specific to assertion. The reasonableness of asserting p when one reasonably believes that one knows p has just been derived in exactly that way.

Thus Williamson distinguishes between what he calls "warrant", which is the central notion of propriety with respect to the knowledge norm, and what he calls "reasonableness", which is a property derived from the knowledge norm together with a general principle that relates reasonableness to reasonable belief in having proper warrant (stated in the first sentence of the second quote).

The same distinction between what the norm requires and what is reasonable in its light has been drawn by DeRose. In the terminology of DeRose (2002, p. 180), it is known as the distinction between *primary* and *secondary* propriety. It is primarily improper but secondarily proper to assert what you reasonably believe you do know but in fact don't. Similarly, Adler (2002, pp. 235, 275) distinguishes between *proper* assertions, requiring knowledge, and *warranted* assertions, requiring full belief. Equally, Turri (2014) distinguishes between *good* assertions, requiring knowledge, and *permissible* assertions, requiring reasonable belief.

In these cases, a weaker secondary norm is derived from a stronger primary norm. Others have proceeded in the opposite direction. Both Bach (2008, p. 77) and Frank Hindriks (2007, pp. 403-4) derive a knowledge norm from a belief norm by means of appealing to a knowledge norm for *belief*: since you should assert only what you believe and believe only what you know, you should also assert only what you know. In a somewhat similar fashion, Weiner derives a *reasonable belief* norm from the truth norm (T) by appeal to Gricean cooperation: the requirement that one's utterance have some point is part and parcel of Grice's Cooperative Principle. An assertion does not satisfy this requirement just by being true (2005, pp. 232-8) or by being based on facts equally available to the hearer. The speaker must have additional reasons, and in some cases knowledge.

As already noted, some authors reject this distinction between primary and secondary propriety including Lackey (2007, p. 604), Engel (2004, p. 56), and Kvanvig (2011, p. 242). They all think that we need is an unequivocal notion of when a speaker has acted appropriately and when not. As far as I can see, however, there is nothing wrong in itself with graded notions of acceptability. We have a long tradition of distinguishing between more and less severe violations of rules. What is problematic is rather the way it is used to account for intuitions. For instance, in Williamson's case, as a consequence of the distinction between proper warrant and reasonableness, intuitions to the effect that some assertions made on inconclusive or misleading evidence are acceptable, can be judged *not* to contradict the knowledge account, for these intuitions can be regarded as tracking the reasonableness of the assertion rather than its proper warrant. This makes it difficult to attack the the knowledge account by means of intuitive counterexamples. Kvanvig (2011, p. 235) and Engel (2008, pp. 52-4) have

drawn attention to this situation. Kvanvig writes

The problem for the counter-example approach here is that defenders of the knowledge account have a wealth of resources to explain away the counter-examples in a way consistent with the knowledge account (Kvanvig 2011, p. 235).

Apparently, Kvanvig regards this property as a strength of the knowledge account rather than as a weakness. His conclusion is that a criticism of the knowledge account cannot rely only on “the method of counterexample” (Kvanvig 2011, p. 243).

However, the problematic nature of the appeal to reasonableness is revealed by the fact that just about any competing account can make the corresponding move, and as we have seen, some have.

Suppose an adherent of the belief norm faces the intuition that an assertion that p by a speaker who believes but does not know that p is incorrect. The belief norm theorist can reply by saying that this intuition really tracks the fact that the belief in question did not satisfy the knowledge requirements, and because of this, the assertion was incorrect in a *secondary* sense, although not in the primary sense.

Similarly, a truth norm theorist can avail himself of a principle that in a secondary respect strengthens requirements. Matt Weiner writes:

If an act is governed by a norm, primary propriety is determined by whether the act conforms to the norm, and secondary propriety is determined by whether the agent has reason to believe that the act conforms to the norm. Thus, if assertion is governed by the truth norm, an assertion is secondarily improper if the speaker does not have reason to believe that it is true (Weiner 2005, pp. 235-6).

And clearly, one can strengthen the secondary norm in turn from the requirement of having reasons to believe to the requirement of having knowledge.

Again, from the opposite perspective, since truth is implied by knowledge, a knowledge norm for assertion (or for belief) entails a truth norm, and therefore success with respect to truth is success with respect to something that is required, and this therefore provides a lower degree of acceptability.

Kvanvig, a justification theorist, provides an argument that a speaker who takes herself to satisfy the justification requirement also takes herself to know,

and therefore represents herself as knowing (Kvanvig 2009, p. 154). Kvanvig is against secondary propriety, but demonstrates that he has the resources to employ it.

The resulting picture is pretty unsatisfactory. If we consider the matter abstractly, we can imagine four mutually incompatible theories, A, B, C, and D, and a set of intuitive judgments. Suppose that 25% of these judgments are primarily proper with respect to theory A, while the remaining 75% are primarily improper but secondarily proper. Suppose that the other three theories are in the corresponding situation. By appeal to the primary/secondary distinction *together with* corresponding differences between the theories as to what properties the intuitions are tracking, we get the following result. For each of the theories, a defender can claim that *his* theory is supported by *all* intuitive judgments, for he can explain 25% of the intuitions as tracking primary correctness and the remaining 75% as tracking secondary correctness. He explains those which track secondary correctness because he derives the secondary norm from his primary norm, together with some additional general premise. The result goes a long way towards severing the empirical relation itself between norm theories and intuitive support.

How long, exactly? The problem is not that the same intuitions support mutually incompatible theories. It is not news that the same evidence can support incompatible theories and thereby raise the probability of both. However, in the case of intuitions in support of norm accounts, we have a more extreme situation. The abstract scenario pictured above is one that can be described as follows: all available evidence that supports one of the theories also supports all the others. Hence, in the abstract scenario, the truth about norms of assertion is *underdetermined* by all available intuitive evidence.

More precisely, what is underdetermined is truth about norms of assertion *together with* additional principles used for deriving secondary norms. For each theory X , we have a set of principles P_X used as premises for deriving secondary norms. Here, where X and Y are two norm theories, P_X and P_Y may overlap (if indefinitely many different secondary norms are derived, they may even coincide). What is underdetermined by the evidence is the truth of norm theories in conjunction with additional premises.

We get a more radical situation if there is underdetermination with respect to

all *possible* intuitive verdicts. Then, as regards intuitions of acceptability of assertions, the theories are empirically equivalent. Is it a problem for actual norm accounts if they are empirically equivalent in this sense? It is certainly a problem for the theorist who bases his claim of providing the true account of assertion on the ability to explain intuitions of correctness, for this does not provide any support of his own theory over its competitors. But the problem gets worse if we combine the *understanding* property of norms of assertion, i.e. (N4), with the idea that a speaker's grasp of which norm she accepts *derives* from her intuitions of correctness. Those intuitions underdetermine the norm, and hence she does not know what the norm is, and a fortiori not what assertion is either, given (N4).¹⁴

An alternative for the norm theorist is to say that what the norm account, together with additional theories, predicts, is not just that the language user will find particular assertions acceptable or unacceptable, but also that their intuition will track particular properties of these assertion. With respect to Williamson's example of snow-looking stuff outside the window, the knowledge theorist will predict not just that the assertion that there is snow outside will be generally acceptable to the user, but that it will be more specifically *reasonable* in Williamson's sense. The ordinary speaker will not of course express her acceptance in these technical terms, but her intuition will nevertheless track the properties these terms denote.

With this move, in one sense, different norm accounts will make different predictions. When the the speaker says something like

- (1) Saying that there is snow outside seems fine to me.

the knowledge theorist will say that the intuition manifested specifically supports the knowledge account, since it is an intuition of the *reasonableness* of the assertion, while the justification theorist will say that the intuition manifested specifically supports the justification account, since it is an intuition concerning the *justification* of the assertion.

¹⁴The theories might fail to be empirically equivalent if we take other possible evidence than assertion intuitions into account, for there will be empirical differences between the respective additional principles P_X that will matter e.g. in general psychology. This is not likely to matter much, however, since the principles appealed to tend to be uncontroversial and therefore accepted by all theorists, whether or not they actually use it for deriving secondary norms.

The descriptions of the intuitive verdict, i.e. the utterance of (1), will therefore differ between the theorists because of being *theory-laden*. Underlying the theory-laden description of the event there is a more neutral one, such as “the subject finds the assertion acceptable”, but this neutral description underdetermines the evidential value that the different theorists take the intuitive verdict to have. On this picture of what norm accounts predict, we therefore get a more radical form of underdetermination. For, from a neutral point of view, it is underdetermined *whether* the intuitive verdict expressed by (1) supports the knowledge account over the belief, justification, or truth accounts (of various flavours), or rather supports any of the alternative accounts over its competitors. When it comes to finding empirical support of one account over the other, there just is no neutral, theory-independent relation to the evidence.

This is, I think, how far we come in severing the theory-evidence relation. From a methodological point of view, this is clearly undesirable. It is one thing to explain away the occasional observation that seems to undermine a theory, but if you allow yourself to do it on a large scale, for a substantial proportion of observations, you blur the theory’s predictive content. By allowing norm accounts to explain intuitive verdicts in terms of secondary propriety, the empirical differences between them tend to vanish, or else to lose their objective character.

It should be noted, however, that a far-reaching appeal to secondary propriety is not the only problem with intuitive support. There is a parallel problem with far-reaching appeal to verdicts of the second kind, (EvAii). In this case the theorist explains away an intuition by saying that it tracks something completely different from the governing norm of assertion, e.g. a moral norm. The theorist does not claim that the intuition actually *supports* his theory, only that it does *not undermine* it. For instance, a belief norm theorist might say that intuitions that favour *true* assertions actually track moral considerations rather than those that are proper to assertion.

No doubt speakers’ intuitions in fact are sensitive to various properties, and may track different aspects in different scenarios. After all, everyone agrees that we often judge assertions from the point of view of morality, etiquette or prudence. Kvanvig writes

The methodological worry raised by attempts to undermine the knowledge norm by such counter-examples is that, though the assertions in question

are clearly appropriate, that intuition is fairly clearly an intuition about what is, all-things-considered, appropriate. From the fact that the teacher's assertions are all-things-considered appropriate, it does not follow that they are appropriate from an epistemic point of view. For it may be that the assertions do not survive scrutiny from an epistemic point of view, and yet that there are other factors that come into play to make the assertions appropriate, all things considered (Kvanvig 2011, p. 235).

Kvanvig's remark is no doubt correct and important, as well as uncontroversial. The problem, however, is that to the extent it is an empirical question whether any norm account of assertion is true, and if so which, we are not justified in *antecedently* ruling out other factors than epistemic ones as relevant. Allowing oneself to do so is allowing oneself to explain away apparent counterexamples on a large scale, without any empirical basis.

Apart from his tendency to see only epistemic aspects as relevant, the picture we get from Kvanvig is that of a multitude of aspects of evaluation of assertion that all combine to deliver *all-things-considered* verdicts. One may wonder how the child, who is learning what assertion is by coming to know its governing norm, manages to extract this norm from its highly variegated linguistic experience. From the point of view of justification, one may also wonder whether it is possible at all.¹⁵

6. Problems with linguistic support

Beside the appeal to direct intuitions about various scenarios, the most commonly adduced evidence in favour of norm theories is the appeal to linguistic evidence, i.e. to intuitions about the felicity of particular sentences or conversa-

¹⁵Is the situation with underdetermination worse in this area than in other areas of science? I do not claim that the *badness* of underdetermination or theory-ladenness is worse in any area of science than another. They are equally bad everywhere. The problem is that at the present stage of the discussion about norms of assertion, theorists *endorse* views that lead to these problems. Quine's thesis of radical underdetermination (empirical equivalence; Quine 1975) is controversial, and so is the thesis of the theory-ladenness of observation, by Thomas Kuhn (1962) and others. But in the present discussion, claiming for instance that uttering (1) with respect to Williamson's scenario actually *supports* the knowledge account is taking a substantial step to radical underdetermination, and claiming that it supports the knowledge account *over* competing accounts, because of what the intuition behind the utterance allegedly tracks, is taking a substantial step towards accepting theory-ladenness. Thanks to an anonymous referee for pressing me on this point.

tional patterns. The fact that a particular sentence strikes us as bad or absurd, that such and such an utterance would be unacceptable, such and such a question appropriate, etc., has led to conclusions about what the norm of assertion is.

Williamson himself appeals to three such patterns,¹⁶ exemplified in

- (2) It is raining, but I don't know that it is raining.
- (3) Your ticket did not win.
- (4) How do you know that?

Concerning the first, it is claimed (Williamson 2000, p. 253) that an utterance of (2) is as odd as ordinary belief-related Moorean sentences ('It is raining, but I don't believe that it is raining.'). The oddity is explained by appeal to the knowledge norm. If the assertion is proper, the speaker knows that the proposition expressed by (2) is true. Since knowledge distributes over conjunction, she knows that it is raining and she knows that she does not know that it is raining. As knowledge is factive, since she knows that she does not know that it is raining, she does not know that it is raining. So we have a contradiction. Hence, the assumption that the assertion is proper leads, on the knowledge account, to a contradiction. An assertion that cannot be proper is odd. Since the oddity is explained by the knowledge account, it supports the knowledge account.

(3) is imagined uttered by speaker A in the following situation. The draw of a (fair) lottery with a large number of tickets has been held. It is known that only one ticket wins. B has a ticket, but neither A nor B knows the result. A asserts (3) on merely probabilistic grounds. The probability that the ticket has won is very low (and one can get it arbitrarily low, short of zero, by increasing the number of tickets in the lottery). According to the argument, an assertion of (3) in such a case is intuitively incorrect. According to Williamson (2000, pp. 246-49), A is criticizable, since A represented himself as having an authority for the assertion which he lacked. The conclusion is that only knowledge provides proper warrant, since no probability short of 1 escapes the criticism for lack of authority. Hence, the knowledge account explains the unacceptability of A's utterance.

(4) is a standard response to assertions, and it strikes us as perfectly legiti-

¹⁶As noted by Williamson (2000, 252, n), the appeal to conversational patterns occurs already in Unger 1975, pp. 250-65 and in Slote 1979.

mate. According to Williamson (2000, pp. 252-3), the legitimacy of the question presupposes that the question does have an answer. And if anything short of knowledge of what is asserted would count as proper warrant, it would not be legitimate to presuppose that the speaker knows. Hence, this pattern supports the knowledge account.¹⁷

The basic problem with these arguments is their indirect nature. They are all variations of the Inference to the Best Explanation argument form. As such they are open to the objection that there are alternative explanations that are equally good or perhaps better. Accordingly, the arguments have been criticized by a number of authors, and the most common line is that the data can be equally well or better explained by other competing accounts, extraneous principles, or a combination of these. For instance, Kvanvig (2009, pp. 149-50) presents a derivation to show that the oddity of (2) can be explained by appeal to a justification norm. Similarly, Douven (2009), with respect to his rational belief account. According to Stanley (2008), since the certainty norm requires more than just knowledge, everything that can be explained by appeal to the knowledge norm can also be explained by appeal to the certainty norm. Others have pointed to the general pragmatic/rhetorical infelicity of (2) as a fact extraneous to norms of assertion, including Douven (2006, pp. 474-5), Maitra and Weatherson (2010, p. 110), and Cappelen (2011, pp. 38-40). Maitra and Weatherson claim that there need be nothing wrong with first asserting that *p*, and later, in response to a question, deny that one knows that *p*, but *without* retracting the assertion, and so does Weiner (2005, p. 238) (concerning predictions). What is strange is just conjoining the two statements. The opposite view on the matter (not retracting is bad) was taken by Paolo Casalegno (2009, p. 246).

Concerning the lottery example (3), Weiner (2005, p. 236) explains the apparent unacceptability of the utterance by appeal to Grice's maxim of Manner: putting it categorically, as in (3), instead of in terms of high probability, legitimizes the inference that A has more information than what was known before the draw. Kvanvig (2009, p. 156) claims that the oddity is explained by the justification account, since for a belief to be justified, in Kvanvig's sense, requires that there is no need of further investigation. This is a condition that is not met for

¹⁷Further conversational patterns have been adduced in favor of the knowledge norm. See Benton 2011; Benton 2012; Blaauw 2012. For an overview, see Turri 2014, pp. 565-6.

the utterance of (3) in the lottery scenario. In lotteries, you always have to wait for the draw in order to close the inquiry.

Concerning (4), the assertion challenge, critics have pointed out both that other accounts can explain the felicity of the challenge, and that there are alternative challenges that are not directly accommodated by the knowledge account. Douven (2006, pp. 468-72) points out that the (4) challenge is natural if speakers normally know what they assert, even if knowledge is not required, and claims that the fact that speakers normally do know is explainable by his rational belief account. MacFarlane (2014, p. 113) notes that the truth norm, in combination with a knowledge norm for belief, explains the felicity of (4). For it is appropriate as a way of challenging the speaker's entitlement to the belief that the assertion satisfies the truth norm.

Lackey (2007, p. 610) observes that the question (4) is often put when the interlocutor is only asking the speaker to respond with some reason for believing that the asserted proposition is true. Similarly, Stone (2007, p. 107) says that the force of a question of the (4) form is often "What makes you confident that p ?". Brown (2010, pp. 552-3) points out that in general we can cite a factor in defending or criticising an action even if that factor is neither necessary nor sufficient for proper performance. In particular, the fact that knowledge is cited in defence and criticism of assertion does not show that knowledge is either necessary or sufficient for proper assertion. Brown also notes that we often defend or criticize assertions by citing factors either weaker or stronger than knowledge. We also find similar remarks in Kvanvig (2009, p. 143).¹⁸

Of course, the existence of a multitude of competing explanations does not demonstrate that they are equally good, and much less that none of them is better than the others. However, no serious attempt that I am aware of has been made to systematically adjudicate between the competing explanations. Typically, a new competing explanation is proposed as a means of undermining the

¹⁸Turri (2010b) defends the knowledge account by arguing that weaker challenges, or prompts of assertion, are consistent with the knowledge account, since they appeal to conditions, such as justification, which are necessary for knowledge. This is doubtless correct.

Stronger prompts, on the other hand, are deemed by Turri to be inappropriate. It is unnatural to ask for information e.g. by means of 'Are you certain about what time the meeting starts?' (p. 460). However, the link between the unnaturalness of this question and the truth of the knowledge account seems to me rather weak. That it is over-pedantic seems to me a more plausible diagnosis.

justification claimed for a given account, such as the knowledge account. In some cases, such as in Benton 2011, new conversational patterns are cited that give additional support for a particular account (the knowledge account, in this case). But then the further question remains what the competing accounts can say about the new patterns.

Comparing the accounts of assertion with respect to their overall explanatory power would be a major enterprise. It is also not clear whether it can be done in a theory-neutral manner. This would involve a theory-neutral ranking of explanatory excellence in this area.¹⁹ I have no definitive argument that such a neutral ranking does not exist, but the current state of the debate provides a reason to be skeptical.

There is, however, a stronger reason. A more general problem with the appeal to conversational patterns, which does not seem to have been noted in the literature, is that they don't seem to favor specifically *normative* views over corresponding *non-normative* views. For instance, it appears that any linguistic phenomenon that can be explained by appeal to a knowledge *norm* can be equally well explained by appeal to the view that asserters *represent* themselves as knowing what they say (although there is no norm). Similarly, it can be explained by appeal to any principle which makes the knowledge of the asserter important one way or another. More generally, whatever pattern that can be explained by appeal to a belief norm or a justification norm can also be explained, in a parallel fashion, by a non-normative theory according to which the speaker *implies* that she believes, or that she has justification.²⁰

Explanations can also use appeal to other, non-specific norms. That A's utterance of (3) is bad can be explained by appeal to self-representation of knowledge,

¹⁹Theory-neutrality is illustrated by the following: theorists A and B agree that ranking R_1 is better than ranking R_2 , despite the fact that R_1 favours A over B and ranking R_2 favours B over A.

²⁰As stressed by an anonymous referee, the difference between a norm view and a corresponding non-normative view is not equally important to all theorists. I take it to be important. Williamson (2000, 252n) regards the knowledge account to subsume the self-representation account under a more general principle of authority. But 'authority' here itself has a normative or non-normative reading. Non-normatively, it only means *satisfying sufficient conditions*, which need not be related to any norms.

It should be added here that I have tried to stay clear of the question whether meaning or content in general is normative (cf. Glüer and Wikforss 2010). Those who think that meaning or content is normative, may read 'any norms' above as restricted to norms other than meaning or content norms.

together with the general moral norm that it is wrong to mislead hearers, e.g. by representing oneself as having knowledge. The availability of such alternatives show that not only do these patterns not require any particular norm of assertion, they do not require the existence of any norm of assertion at all.

There is reason to believe that the *explanatory* value of a norm in force in a population is completely exhausted by the preferences and beliefs, among the members, that are associated with the norm.²¹ If this is true, then there cannot in principle be any conversational pattern that favours a norm of assertion over a corresponding non-normative alternative account.

7. Conclusion

In this paper, I have drawn attention to several features of the norm-of-assertion debate that I find problematic. Firstly, I think the lack of attention to the questions of *being in force* and *guidance* is a serious drawback. Secondly, I have tried to show that the combination of disagreement over norms with the (N4) property, understanding-through-norm-selection, is a serious empirical problem for norm accounts. The problem could be avoided by dropping the (N4) property, but then we no longer have any norm *account* of assertion, in the present sense. Thirdly, I have argued that the fairly uncritical appeal to intuitions in the literature, especially in conjunction with the distinction between primary and secondary propriety, tends to generate radical underdetermination, and perhaps, worse, theory-ladenness of empirical evidence. Fourthly, I have drawn attention to the precarious nature of the appeal to conversational patterns as evidence for norm accounts. I am not the first to do this, but I have tried to show that the problem is wider and deeper than has been acknowledged so far.²²

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²¹This holds, I think, whether or not we also, as in the tradition since Lewis 1969 take the norm to consist in the system of beliefs and preferences.

²²This paper has been entirely critical. For my positive views on assertion, see Pagin 2011.

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