**Conservative speech**

**Kathryn Lindeman**

Department of Philosophy, University of South Carolina, Columbia, South Carolina, 29201, USA

Correspondence

Kathryn Lindeman, Department of Philosophy, University of South Carolina, Columbia, South Carolina, 29201, USA

Email: LINDEMK@mailbox.sc.edu

**Abstract**

In this paper, I argue that an utterance can function to conserve or maintain the truth of its asserted content, what I call conservative speech. Conservative utterances can work to preserve the truth of their asserted content in two ways. In the first, directive conservatives, the utterance serves as an indirect directive for interlocutors to act in ways that serve to maintain the asserted content. In the second, constitutive conservatives, serve to partly constitute the truth conditions of the asserted content directly. Constitutive conservatives, I argue, are particularly important because they are a central tool for how social groups enforce and thereby maintain facts about group norms and values in the face of deviation. They thus have a central role to play in understanding the role of language in the abilities of social groups to create and maintain their norms and values.

KEYWORDS

conservative speech, normative enforcement, speech act theory, truth preservation, value construction

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1. INTRODUCTION

In 2014 President Barak Obama infamously gave a speech including the following lines:

Now, let’s make two things clear: ISIL is not Islamic. No religion condones the killing of innocents. And the vast majority of ISIL’s victims have been Muslim. And ISIL is certainly not a state. It was formerly Al Qaeda’s affiliate in Iraq and has taken advantage of the sectarian strife and Syria’s civil war to gain territory on both sides of the Iraq-Syrian border. It is recognized by no government, nor by the people it subjugates.(White House Office of the Press Secretary 2014)

Obama clearly gives *No religion condones the killing of innocents* as grounds for accepting the claim *ISIL is not Islamic.*[[1]](#footnote-1)Critics roundly took this inference to be impermissible. After all, they claimed that the Islamic affiliation of ISIL made the very actions Obama mentions evidence that religion *can* condone the killing of innocents. Critics accused Obama of thereby displaying an unwillingness to accept the force of the evidence that religions *can and do* condone the killing of innocents, and instead impermissibly used his wishful belief to deny the possibility of that evidence. He thereby was taken to display a greater concern for believing the world is the way he wanted it to be than for believing the truth.[[2]](#footnote-2)

This sort of utterance and inference isn’t particularly unusual, either in specific topic or general form. Many prominent Muslim clerics and community leaders had been making similar claims about Islamic extremists since the September 11th attacks.[[3]](#footnote-3) And the form of utterance *No [group member] [does/would do] [particular disapproved of behavior]* and their use in responding to seeming non-conformity is widespread enough that these uses of it have been given a name—the No True Scotsman Fallacy—to label, if not explain what is wrong with, instances of these utterances.[[4]](#footnote-4) Such utterances are thus controversial but, I’ll argue, poorly understood.

 Obama, and others who make utterances like *No religion condones the killing of innocents*, are clearly not disinterested observers of the world. They do care about the way they want the world to be, but they are not, I’ll argue, attempting to maintain belief that the world is how they want it to be in a way that displays a lack of concern for the truth. Despite common objections to these utterances, I think they often have a very important and poorly theorized role to play in our normative lives that can be overlooked if we think that utterances must exclusively *report* the way the world is or *affect* the way the world is. In this paper, I’ll argue that utterances like Obama’s are a form of speech meant to *preserve or maintain* their represented content’s truth—what I call *conservative speech*.[[5]](#footnote-5) Conservative speech, I’ll argue, can be used to maintain normative truths, even (or especially) in the face of threats to those claims.[[6]](#footnote-6)

The paper proceeds as follows. First I motivate the existence of conservative speech by demonstrating the existence of *directive conservatives*, assertions that function to direct others in ways necessary to maintain the truth of the asserted content. I then turn to identify a distinct type of conservative utterances, constitutive conservatives, which directly constitute the truth conditions of their content. I begin by considering certain institutional speech acts, like those of umpires and judges, that institutionally establish the truth of their asserted content. Despite their institutional roles, I show that such speech acts are not conservatives. I argue that, instead, constitutive conservatives have to be understood as partially constituting the truth of their asserted content, rather than institutionalizing it. I argue that in some circumstances enforcing a normative standard can itself partially constitute the truth of the enforced norm. In such cases, if a speaker enforces a norm by asserting it, that utterance is a type of what I call a *constitutive conservative*. I then return to address utterances like Obama’s and argue that they are norm enforcing constitutive conservatives. I close by discussing implications of conservatives for conceptual ethics and the abilities of social groups to create and maintain their norms and values.

2. DIRECTIVE CONSERVATIVES

Utterances can have quite varied force in our lives. We can use them to do things as different as command, request, advise, inform, question, subordinate, and silence.[[7]](#footnote-7) It’s increasingly acknowledged that the ability to do things with language can have wide-ranging and often unnoticed effects on our normative and social lives.[[8]](#footnote-8) Though there is substantial disagreement on how we should theorize the phenomena of linguistic force, it is generally accepted that we can fruitfully taxonomize speech acts according to the different impacts they have on the conversational context or score and the different ways they have these impacts.[[9]](#footnote-9) I have claimed that there is a distinctive way in which language can be used to *keep its content true.* Establishing this requires two things. First, we must establish that there are utterances that both have content that can be kept true and have the force of the sort that affects the world. With this established, we will still need to show that it is possible to affect the world with an utterance in order to maintain the truth of its content.

The first challenge is the following. I’ve noted that conservatives are performed, if they are at all, by declarative sentences and, at least in the case of Obama’s purported conservative, can be used in inferences. They must therefore, in some sense, have assertoric force. In addition, however, they must have a distinct type of force which aims to keep the asserted content true.

Though it’s sometimes assumed that utterances can only have a single type of force,[[10]](#footnote-10) there are clearly some indirect directives made with declarative clauses that *also* seem to be assertions, or at least have at-issue propositional content that they add to the common ground.[[11]](#footnote-11) Some requests are this way. For example, I can clearly *ask* you to close the window with the utterance *I’m cold*. But when I do, I just as clearly *tell you* that I’m cold. My request must also be a telling because, if successful, it would be infelicitous for you to say, ‘Okay, I’ll close the window, but why do you want me to do it?’ and perfectly felicitous for you to respond ‘That’s concerning; it’s 80F in here. But I’ll get to it in a second.’ The referent of *that* is clearly *I’m cold* and the referent of *it* is *close the window.* It’s infelicitous for you to ask for a reason for my request because I’ve *told you* my reason: *I’m cold.* My requesting is accomplished by my telling.[[12]](#footnote-12)So this is *both* a direct assertion with a content that can be true or false (*I’m cold*) and an indirect directive with a content that can be added to your practical commitments (*close the window*).[[13]](#footnote-13)

It’s possible to make indirect requests in this way in part because it is contextually salient that the truth of the asserted content is unwelcome. It’s unpleasant to be cold, and so informing my interlocuter that I’m cold can serve as a *very* indirect request that the interlocuter close the window (thus helping me warm up).[[14]](#footnote-14) This thus allows my assertion of *I’m cold* to function as a request that *you close the window*, by providing you with the reason I’d like you to close the window.[[15]](#footnote-15)

Conversely, some states of affairs are conventionally or contextually understood to be welcome and thus we should expect, with the right context, that directly asserting those states of affairs could function as indirect requests that an interlocuter do something that counts as maintaining or not undermining them. So, for instance:

Situation: The waiter offers A either the pork tenderloin or brisket for their entrée.

A: I keep kosher.

Situation: B’s roommates come home and start playing loud music in room she is in.

B: I’m doing my homework in here!

A’s utterance of *I keep kosher* is an indirect request for the brisket, that also directly asserts the reason for the request*.* B’s utterance of *I’m doing my homework in here!* is an indirect demand that B’s roommates go to another part of the apartment, for the reason that *I’m doing my homework in here.* These are the mirror-image of the use of *I’m cold.* Given the context of their utterance, these assertions serve as indirect requests/demands that interlocuters act in ways consistent with maintaining the welcome state reported in the assertion. Such indirect speech acts can thus be conservatives.

Such directive conservatives, as I’ll call them, aren’t as uncommon as we might think and don’t require the asserted content to be presented as a reason for the interlocuter to follow the directive. We could imagine a speaker who is being interrupted by a particularly persistent audience member during a Q&A respond by firmly and sternly uttering *I intend to finish my answer.* Chastened, the audience member might immediately relent without taking the speaker’s intention to finish her answer as itself a reason for him to stop talking. He presumably could tell that she intended to finish prior to her utterance. His reason for being quiet is something like having been publicly shamed; he need not also be acting to help the speaker finish her answer.[[16]](#footnote-16) The speaker’s utterance, like *I keep kosher*, was clearly asserted, and was clearly asserted in the face of a threat to its truth in order to diffuse that threat. But while *I keep kosher* was presented as a reason that A was requesting the brisket, *I intend to finish my answer* was not presented as a reason for the audience member to stop interrupting. But by stating her intention the speaker can succeed in shaming the interrupter into silence. So, despite not relying on the interlocuter’s recognition of the content as to-be-preserved, the speaker’s utterance is nonetheless a directive conservative utterance: it has the function of changing the practical commitments of listeners in ways needed to maintain the truth of its content.

We should thus accept that there are at least some conservative utterances: directive conservatives. But Obama’s utterance and those that share its form are not plausibly directive conservatives. They do not seem to make requests or orders or otherwise change the practical commitments of interlocuters.[[17]](#footnote-17) But additionally, the threats to the truth of their asserted content are not taken by critics to be the sort of thing that their assertion *could direct others to affect*. According to Obama’s critics it is ISIL’s behavior, not the behavior of his audience, that plausibly affects whether or not *No religion condones the killing of innocents.* Worse, the behavior of ISIL that is threatening the truth of Obama’s utterance has already happened, Obama isn’t in a position to influence it by issuing a directive even if ISIL were his listener. If Obama’s utterance can block the effect of ISIL’s behavior, it can’t work indirectly. It must work by directly maintaining its truth. So, if Obama’s utterance and those like it are conservatives, there must be another way for an utterance to be a conservative that allows it to directly maintain its truth in the face of existing threats to its truth.[[18]](#footnote-18)

3. REPRESENTATIVE DECLARATIVES AREN’T CONSERVATIVES

I will argue in the next section that many conservative utterances that assert normative content partially ground the truth of that content. Such *constitutive conservatives* differ from *directive conservatives*, introduced in the last section, because directive conservatives only indirectly maintain the truth of their content (if they do at all) where constitutive conservatives do so directly. It will first be useful to see why another type of assertion, what Searle calls representative declarations, that seem to preserve the truth of their contents aren’t conservative utterances. [[19]](#footnote-19)

Representatives, as Searle introduces them, are like assertions in that they aim to add a propositional content to the conversational score or otherwise commit the speaker to the propositional content. Declarations, on Searle’s account, are speech acts which have the function of directly making their propositional content true by the utterance of the content. So, for example, the King is able to make it the case that war is declared simply by the successful utterance of *I declare war!* Though clearly most representatives are not declarations and most declarations not representatives, Searle argues that there are a class of speech acts that are both representatives and declarations. Given that declarations make their content true and representatives present their content as true, we might think that representative declarations could be constitutive conservatives. But what makes this distinctive type of speech act possible also makes them unable to be used to maintain the truth of their asserted content. They cannot, as Searle claims, represent and make true by declaration the same content.

According to Searle, the possibility of an overlap between the two otherwise disjoint types of speech act arises from a certain institutional structure. One of Searle’s examples is a baseball umpire who utters *You are out!* Searle is clear that whether you were tagged off base determines whether the umpire’s representative is true. But having some procedure for determining when we can treat you as out for the purposes of the game is important. Searle says ‘some institutions require representative claims to be issued with the force of declarations in order that the argument over the truth of the claim can come to an end somewhere.’[[20]](#footnote-20) The institution thus delegates the task of determining the facts and settling the question to the umpire, whose representation of the facts (*you’re out!*) is given the institutional force of a declaration. So, when the umpire says *You’re out!* he both represents the world as being one in which you’re out AND makes it the case that ‘for baseball purposes,’ you’re out ‘regardless of the facts in the case.’[[21]](#footnote-21)

Declarations make their content true and representatives present their content as true. But the umpire has not performed a conservative utterance when he makes the representative declaration *you’re out!* even when you *were* tagged off base. In order for it to be a conservative, the same content that is represented as true must be the content maintained by the declaration and there is no such content. To see why, consider what happens when the umpire makes a successful *lying* representative declaration*.* In this case, the umpire misrepresents how things are: you were *not* tagged off base, you are *not* out. Even so, given that the lying representative declaration is successful, the umpire succeeds in making the content of his declaration true, let’s write this ‘*you’re outd*.’ Importantly, the lying declaration and the truthful declaration make the same content true. What differentiates the lying declaration from the truthful one is that it is also a (willful) *mis*representation*.* As a misrepresentation, whatever is represented by the utterance, let’s write this ‘*you’re outr,’* is false. But what differentiates the umpire’s misrepresentation in the lying case from the accurate one in the good case is not the difference in content, but whether the content is true. If successfully declaring *you’re outd* made *you’re outr* true, it would be impossible to make a lying representative declaration. So because the institutional role the umpire serves makes it possible for him to make a lying representative declaration, his successful declaration of *you’re outd* cannot make *you’re outr* true.

So, regardless of whether the umpire is lying or not, the content that is represented in his utterance must be different from the content that is declared. The difference in the contents explains why the umpire’s declaration is just as impotent to affect the truth of the representative in the good case as it is in the lying case. The umpire’s representative declaration uses one utterance to perform two speech acts because his role gives him the power to declare people institutionally out by representing them as non-institutionally out.[[22]](#footnote-22) Because the umpire is only in a position to institutionalize the truth of what is represented, his representative declarations aren’t conservatives.

The problem, it seems, is that the umpire’s declaration can’t affect the truth conditions of what is represented. The truth conditions of the represented content are already decided by the time the representative declaration is made. The declaration of *you’re out!* cannot be part of what makes the content represented by *you’re out!* true. We can learn from this failure; if there are non-directive conservatives, the exercise of their non-assertoric force must partially constitute the truth conditions of their asserted content. If there are such conservatives, what I’ll call *constitutive conservatives,* there would need to be an utterance that had truth evaluable content, whose utterance could somehow satisfy a truth condition for its own content.In the next section, I’ll show that normative standards are sometimes uttered in order to enforce them, and in some cases these utterances, in the face of deviation, partially constitute the truth of the asserted content.

4. CONSTITUTIVE CONSERVATIVES

Self-referential utterances like *I spoke during this faculty meeting* uttered during a meeting would be a basic constitutive conservative, except that in order to *maintain* the truth of an utterance it seems that the content must be a) true prior to your utterance and b) at some risk of falsification that the utterance addresses. But if you always say exactly one thing at faculty meetings, and that utterance is (annoyingly) *I speak at every faculty meeting,* your utterances are constitutive conservatives*.* This is the most explicit way of making a constitutive conservative: make a report of an ongoing practice of making that very report. Like all practices, the practice of speaking at every faculty meeting requires you to *keep it up*. Practices are what I’ll call deviation sensitive.

**Deviation Sensitivity**: N is deviation sensitive =def deviation from N is possible, and the truth of N may be compatible with some amount of deviation, but is incompatible with either universal or persistent unaddressed deviation.

The particular content of *I speak at every faculty meeting* is VERY deviation sensitive (if it is at all), but there are less deviation sensitive practices. You could say *I speak at most faculty meetings* or the generic *I speak in faculty meetings* which are both compatible with some faculty-meeting silence (say, you could miss one a semester). But still, the fact that at *this* faculty meeting you said *I speak at most faculty meetings* is part of what makes it true that you speak at most faculty meetings, if you do. Of course, you don’t have to report the practice to participate in it, and for most you can’t, but for this particular one you *can.*

Of course, most constitutive conservatives (including Obama’s) don’t directly assert participating in the practice their utterance constitutes. But they do involve assertions that participate in a practice that partially constitutes the truth of the assertion. Consider the case of Connie, who first set her daughter Nina’s curfew at 10pm by uttering *Curfew is at 10pm* at a family meeting last year. Connie’s utterance then *made it the case* that curfew is at 10pm. Thereafter, other uses of the utterance become available. Now Connie can remind Nina of the curfew or give a reason by uttering *curfew is at 10pm*. Centrally for our purposes, after the curfew has been set, Connie can also enforce Nina’s curfew by asserting *curfew is at 10pm!*

In such a case, Connie’s utterance asserts the content to enforce it. When Nina comes home at 11pm and Connie utters *curfew is at 10pm!* Connie marks Nina’s behavior as in violation of curfew. This is just what it is to enforce a norm, as I’m understanding it here,

**Enforcement**: N is enforced by U =def U is produced in order to mark some at issue content (actual or possible) as in violation of N.

 As far as I can tell, all normative truths can be uttered in order to enforce them. But not all normative truths are deviation sensitive, because some normative truths are based in evaluative standards rather than arbitrary practice. So, it’s a normative truth that *knights should be moved before bishops.* I can enforce it by uttering it, as when I correct my niece during a game when she brings her Queen’s bishop out too early. But normative truths about what makes for better and worse chess moves is determined by facts about what makes for a more successful chess move, rather than the enforcement behavior of chess players. Because of this, the truth of the norm can’t be affected by my niece’s mistake. There’s no amount of deviation from the norm that could threaten its truth. Part of what this means is that no amount of enforcement or lack of enforcement could affect the truth of the norm. Even *universally* failed enforcement cannot undermine the truth of this norm*,* because it is true in virtue of facts about what makes chess moves better or worse and what makes chess moves successful is something that norm enforcement has no bearing on. The standards of successful chess moves are to be discovered, given the facts about chess, rather than brought about or maintained by the behavior of chess players or officials.

Nina’s curfew, on the other hand, *is* deviation-sensitive. But Nina’s breaking curfew itself is unable to change curfew. All toddlers and teenagers instinctually know that rules like curfew (and bedtime) are sensitive to *unaddressed* deviation. Connie might prefer to let the curfew violation go unaddressed. She’s tired. Nina’s a good kid. But Connie knows that even though it might not matter this time*,* letting violations go unaddressed is risky business. And she also knows that the way that curfew violations are addressed is by *enforcement*. What threatens the truth of curfew isn’t deviation, but a lax practice of enforcement. Because Connie can enforce curfew by asserting *curfew is at 10pm!* these enforcing utterances are part her enforcement practice. And just as each utterance of *I speak at most faculty meetings* is part of your practice of speaking at most faculty meetings, each enforcement of curfew by asserting *curfew is at 10pm!* is an instance of the enforcement practice that maintains curfew. Connie’s utterance is a constitutive conservative.

 5. NORMATIVE GENERICS AND CONSERVATIVES

Obama’s utterance of *No religion condones the killing of innocents* similarly asserts and enforces a deviation-sensitive normative truth. But defending this claim turns on establishing several controversial claims. First, *no religion condones the killing of innocents* is a normative claim. Second, *no religion condones the killing of innocents* is deviation sensitive. Finally, Obama’s utterance of it would need to be part of a practice of enforcement that addressed deviation and that constituted the claim’s truth. In the next section, I’ll motivate these commitments. The first claim to defend here is that Obama’s utterance *No religion condones the killing of innocents* is a normative claim. I’ve elsewhere argued that there are generic readings of sentences with negative indefinite subjects like Obama’s.[[23]](#footnote-23) Here I’ll briefly motivate this reading.

First, it’s widely accepted that sentences of the form *Any X is Y* is a generic strengthening of the indefinite plural and singular generics *An X is Y* and *Xs are Y* that indicates a reduced tolerance of exceptions*.*

A: An owl hunts mice.

B: A healthy one, that is?

A: No, any owl does. [[24]](#footnote-24)

The fact that there are baby owls who don’t hunt mice is compatible with both A and B’s claims, but *any* in A’s response serves to indicate that sick owls are no exception.[[25]](#footnote-25) But curious things happen when the generic has a negated clause. We might think that the strengthening of negative generics would also involve *any*, except it is notoriously difficult in Germanic languages to get grammatical sentences with *any-*subjectsin negated clauses. The strengthening use of *any* evident above will therefore be unavailable in the case of negative generics like the following:

A. Adolescent owls don’t hunt during the day.

B. What!? No owls hunt during the day.

#*What?! Any owl doesn’t hunt during the day.*

I’ve elsewhere argued that given that bare plurals with negative predication (*X wouldn’t y*) have such clear generic readings, and they cannot be strengthened with *any,* we should expect to find their strengthened generic readings as negative indefinite generics (*No X would Y).*[[26]](#footnote-26) Here are some negative indefinite sentences I think have natural normative generic readings.

No scientist would falsify data.

No captain leaves his ship.

No mother would abandon her child.

These sentences can have normative generic readings because they can be understood as making strong kind-characterizing normative claims about their subjects. *No scientist would falsify data,* though Marc Hauser did.[[27]](#footnote-27) *No captain leaves his ship*, though Francesco Schettino did.[[28]](#footnote-28) *No mother would abandon her child,* though Jocasta abandoned Oedipus.[[29]](#footnote-29) What we know about Hauser, Schettino, and Jocasta is that they do not manifest the values attributed to scientists, captains, and mothers, respectively. These normative generics are strong kind-characterizing generics that express characteristic values.

Given that there are values characteristic of religions—as Qadir identifies them the values of Islam are peace, mercy and compassion—we might expect a negative indefinite normative generic about religions in general to list things that are incompatible with the values of any religion. Moreover, it is highly plausible that condoning killing of innocents will be such an incompatible thing. There should be, then, normative generic readings of *No religion condones the killing of innocents.*

These normative generic claims can be true, and when they are true, it is in part because of what counts as required of members in good standing in the normatively characterized kind *scientist, captain, mother, religion.* This, in part, is determined by which norms group members are willing to enforce and who they are willing to treat as a member in good standing. This is the structure needed for the enforcement of a normative standard to be partially constitutive of its truth. And given that the report of a normative standard can be a way to enforce it, these normative standards should be capable of being used as conservative utterances.

Normative generics about the characteristic values of social kinds are also deviation-sensitive, though, they are deviation sensitive in the way Nina’s curfew is. What matters isn’t how many scientists falsify data, but whether those scientists who falsify data are *good*, whether they characterize the values and virtues of scientists. Unlike with chess moves the values and virtues of scientists are something that enforcement is relevant to. The values of scientists, and thus what counts as a good scientist, are determined in part by what scientists are willing to treat as behavior of a scientist in good standing.

So, while *scientists wear white coats* is something that can change depending on the coat-wearing habits of scientists, data falsifying scientists have less control over the truth of *scientists don’t falsify data.* They are more like boundary-testing teenagers staying out after curfew. What affects the truth of *scientists don’t falsify data* is not only how willing scientists are to falsify data, but how willing scientists and others who have standing to enforce the acknowledged value commitments of scientists are to enforce the normative generic by refusing to treat data falsifying scientists as scientists in good standing. Are they invited to collaborate on projects? Are they allowed positions of honor in professional organizations? Are they treated with deference and extended professional courtesies?

It should be pretty clear, I think, that if *No scientist would falsify data* were a normative generic that was deviation sensitive in ways that enforcement was relevant to, its utterance could serve as such a form of enforcement. Suppose in a television interview, the president of Harvard were asked to comment on the current scandal involving Marc Hauser falsifying data. Surely the president’s utterance that *No scientist would falsify data* would be a particularly strong way of framing Marc Hauser as not a scientist in good standing. But a very prominent scientist like Marc Hauser’s very public data falsification poses a serious threat to the truth of this claim, in just the same way that your not getting on the queue to speak poses a serious threat to your very deviation sensitive practice of *speaking at every faculty meeting.* If he faces no censure and everyone continues to treat him as a scientist in good standing, this is very good evidence that the values of scientists do not really include not falsifying data. Insofar as we take the values of scientists to, in part, be a feature of what they in fact treat as valuable, this is evidence that they do not, in fact, value good research practices. So, it is important that, when confronted with deviation they convey that the deviant scientist is not in good normative standing. Data falsifying scientists do not typify the values of scientists. And I think we should see *No scientist would falsify data* said in response to being asked about Marc Hauser to be a very strong condemnation of him.

To see this as a condemnation as a scientist and not as a classification as a non-scientist, we can look to the very inference that people often make for which the so-called fallacy I mentioned at the outset is named. They often say *No scientist would falsify data; Marc Hauser is not a true scientist.* But evidence now shows us that denying someone is a *true scientist* is not denying that they are a scientist, but denying that they characterize the values of scientists.[[30]](#footnote-30) Which is exactly what I am claiming the enforcement of the normative generic amounts to. I think we similarly have very good reason to understand Obama’s utterance of *No religion condones the killing of innocents* as an assertion of a normative generic that is enforcing the values of religions in the face of deviation. It makes sense both of its use in response to ISIL and for the inference it is used to make.

Understanding the utterance as a normative generic expressing a commitment to the values of religions explains the utterance as part of a practice of prominent Muslims and religious leaders after September 11th speaking about what the true values of Islam in particular and religions in general are. The claims of the attackers to be motivated by Islam involved a serious threat to the claims of Muslims more generally that the characteristic values of Muslims were peace, mercy, and compassion, as Hanif Qadir says. ISIL posed a more proximal threat, as they attempted to change what was understood as the characteristic values of Muslims. But facts about the values of religious groups are not normative facts that obtain independently of what individual group members are willing to treat as grounds for being the proper subject of praise and censure. So, expressing these normative values would be an expected practice when those values are threatened by deviation and division. Understood as part of this practice, Obama’s utterance would be an expression of a claim about the values of religion in the face of deviation, and would clearly be a mode of enforcement.

Understanding the claim as a normative generic would make sense of its use to support the claim that ISIL is not Islamic. Understood as a negated universally quantified claim about religions it is just clearly strange to conclude from it that ISIL is not Islamic. If you didn’t know *before* that ISIL wasn’t Islamic, you certainly couldn’t conclude that from a merely descriptive claim that religions don’t (as it happens) condone the murder of innocents. ISIL definitely *does* condone that. It only makes sense of this inference to see Obama as *condemning* ISIL by calling them not Islamic. They do not stand for Islamic values, they will not be acknowledged as in good standing. This is not reached by a descriptive claim, but by enforcing a normative one. Contrast this with the inference provided to support the claim that ISIL is not a state. This is a clearly descriptive claim, and is supported by appeal to purely descriptive criteria of statehood: it is not recognized by governments or the people under its control.

Understanding Obama’s use of *No religion condones the killing of innocents* as asserting and enforcing a normative generic claim about the kind-characterizing values of religion makes most sense of the utterance in both its local and historical context. It is thus a conservative utterance: it aims, in asserting its content, to maintain its truth.

6. CONSERVATIVE UTTERANCES AND CONCEPTUAL ETHICS

A correct understanding of conservative utterances allows us to recognize an important role our agency plays in the construction of the normative and social world. It also, I think, puts us in a better position to ask important questions about the appropriateness of engaging in such conservative speech acts.

 The use of generics is already an important topic in conceptual ethics.[[31]](#footnote-31) For instance, Langton, Haslanger, and Anderson argue that use of racial kind generics permit slides between kind-characterizing and salient property in ways that can be used to evade falsification.[[32]](#footnote-32) Speakers who endorse racial generics like *Mexicans are lazy,* might first accept the generic because of a salient property reading, on which being lazy isn’t a characteristic property of being Mexican, but it’s just a salient property associated with Mexican people.[[33]](#footnote-33) When faced with statistical evidence that would undermine the truth of the salient property reading of the generic, however, like that most Mexican people are very hard working, they slide to the kind-characterizing reading on which it is just connected to what it is to be Mexican, so that the non-conformity of most Mexicans can be explained away by other factors.[[34]](#footnote-34) On these grounds, Langton, Haslanger, and Anderson caution against any uses of racial generics, because of the prevalence of this slide.[[35]](#footnote-35) Importantly, their caution about racial generics can, I think, be heeded without denigrating all uses of kind-characterizing generics.[[36]](#footnote-36)

 Correctly understanding the speech acts in utterances like Obama’s allows us to raise important *ethical* questions about them. For example, I think we have seen that there is a clear reason to think many conservative normative generics have important and valuable roles to play in normative dimension of social groups. Because of this, attempts to prevent such valuable uses seem to amount to attempting to prevent a central activity of social groups, the activity of constructing and maintaining their norms and values. At the same time, there are certainly uses of such conservatives that deserve critical scrutiny. Given the role I’ve argued claims like *No religion condones the killing of innocents* can have as normative generic conservatives, we should shift our attention to the ethical questions raised by both criticism of them and their use.

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References

Austin, John (1963). *How To Do Things With Words.* Oxford: Oxford University Press.

Brown, Penelope & Levinson, Stephen, (1987). *Politeness: Some Universals in Language Usage*. Cambridge: Cambridge University Press.

Egan, Andrew (2009). Billboards, bombs, and shotgun weddings. *Synthese*, *166(2),* 251–279.

Enç, M. (1991). The Semantics of Specificity. *Linguistic Inquiry, 22(1)*, 1–25.

Ervin-Tripp, Susan (1976). Is Sybil there? The structure of some American English directives. *Language in Society, 5*, 25–66.

Flew, Anthony. (1975). *Thinking about Thinking.* Glasgow: Fontina Press.

——— (1978). *Thinking about Thinking* Glasgow: Fontina Press.

——— (1998). *How to Think Straight.* New York: Prometheus Press.

Fogel, Daniel, Daniel Harris, & Matt Moss. (2018). *New Work on Speech Acts.* Oxford: Oxford University Press.

Gadd, Sophie. (2014) `#NotInMyName: Young British Muslims stand up to ISIS in online campaign’, *The Mirror*, 17 Sept 2014. Available at: https://www.mirror.co.uk/news/uk-news/notinmyname-young-british-muslims-stand-4274392 (Accessed: 1 Sept 2019)

Haslanger, Sally. (2011). Ideology, generics, and common ground. In C Witt (ed), *Feminist Metaphysics: Explorations in the Ontology of Sex, Gender, and the Self.* Dordrecht: Springer, 179–209.

Hooper, John. (2012). Francesco Schettino: the captain who refused to return to ship. *The Guardian*, 17 Jan 2012. Available at: <https://www.theguardian.com/world/2012/jan/17/francesco-schettino-captain-costa-concordia>.

Kadmon, Nirit & Landman, Fred. (1993). Any. *Linguistics and Philosophy, 16(4),* 354–422.

Knobe, Joshua, Sandeep Prasada & George Newman. (2013). Dual character concepts and the normative dimension of conceptual representation. *Cognition, 127,* 242–257.

Langton, Rae, Sally Haslanger, & Luvell Anderson. (2012). Language and race. In *The Routledge Companion on the Philosophy of Language.* New York: Routledge, 753–767.

Langton, Rae (1993). Speech acts and unspeakable acts. *Philosophy and Public Affair*s, *22*, 305–330.

Lee, James, & Pinker, Steven (2010). Rationales for indirect speech: the theory of the strategic speaker. *Psychological Review, 117 (3),* 785–807.

Leslie, Sarah-Jane. (2013). Essence and natural kinds: when science meets preschooler intuition. In *Oxford Studies in Epistemology,* ed. by Tamar Gender and John Hawthorne. Oxford: Oxford University Press, 4, 108–66.

——— (2015). Hillary Clinton is the only man in the Obama administration, character concepts, generics, and gender. *Analytic Philosophy, 56(2),* 111-141.

Leslie, Sarah-Jane. & S.A. Gelman. (2012). Quantified statements are recalled as generics: evidence from preschool children and adults. *Cognitive Psychology, 64*, 186–214.

Lindeman, Kathryn. (ms). No Negative Normative Generics?

MacKinnon, Catharine. (1987). *Francis Biddle’s Sister: Pornography, Civil Rights, and Speech*, Chapter 14. Cambridge, MA: Harvard University Press.

——— (1993). *Only Words*. Cambridge, MA: Harvard University Press.

Martinich, A. (2002). On the proper treatment of performatives. in Grenwendorf and Meggle, eds., *Speech Acts and Social Reality,* Kluwer Academic Publishers, 93-104.

McKinney, R. (2016). Extracted speech. *Social Theory and Practice, 42(2),* 258–284.

McGowan, Mary Kate. (2004). Conversational Exercitives: Something else we do with our words. *Linguistics and Philosophy,* *27,* 93–111.

Michaelson, E. & Stokke, A. (forthcoming) Lying, Deception, and Epistemic Advantage. in Khoo and Sterken, eds., *The Routledge Handbook of Social and Political Philosophy of Language.* Routledge.

Penka, Doris. (2011). *Negative indefinites*. Oxford University Press.

Searle, J. (1975). A taxonomy of illocutionary acts. In Gunderson, K., editor, *Language, Mind,*

 *and Knowledge*, volume VII of *Minnesota Studies in the Philosophy of Science*,

 Minneapolis: University of Minnesota Press, 344–369.

Stanley, J. (2015). *How Propaganda Works*. Princeton, NJ: Princeton University Press.

Sterken, R.K.. (2015). Generics, Content and Cognitive Bias. *Analytic Philosophy*, *56(1),* 75–93.

Taranto, J. (2014). No True Believer: Obama’s ISIS illogic leads him in surprising directions. *Wall Street Journal,* August 21, 2014, Retrieved from:http://www.wsj.com/articles/best-of-the-web-today-no-true-believer-1408653315.

Teichman, M. (2014). *Characterizing Kinds*. Ph.D. thesis, University of Chicago.

Tirrell, L. (2012). Genocidal language games. In Maitra, I. and McGowan, M. K., editors, *Speech and Harm*, Oxford: Oxford University Press, 174–221.

Wade, Nicholas(2010). Harvard Finds Scientist Guilty of Misconduct. *The New York Times*, 20 August 2010, Available at: <https://www.nytimes.com/2010/08/21/education/21harvard.html>.

White House Office of the Press Secretary. (2014). *Statement by the President on ISIL.* 10 September 2014, Retrieved from: https://obamawhitehouse.archives.gov/the-press-office/2014/09/10/Statement-president-isil-1

Wodak, Daniel, Sarah-Jane Leslie, & Marjorie Rhodes. (2015). What a Loaded Generalization: Generics and Social Cognition. *Philosophy Compass 10(9),* 625–635.

1. A premise or two are missing from Obama’s enthymeme. Obama’s argument is like the inference from *No baseball player tries to injure an opponent,* to the conclusion: *Pedro is not a Red Sock*. Thanks to Jamie Dreier for this example. [↑](#footnote-ref-1)
2. So, to get the flavor, here’s one objection published in the Wall Street Journal (Taranto, 2014): ‘But in context, the statement ‘No religion condones the killing of innocents,’ is surely meant to be understood as another way of denying that ISIS is motivated by religion--that *no true believer* would commit such atrocities. […] Thus, what he appears to be trying to suggest is that the ISIS terrorists are not true Muslims.’ [↑](#footnote-ref-2)
3. To give just one other example (Gadd, 2014), Hanif Qadir, the founder of a British Muslim group Active Change Foundation ACF who began the hashtag #notinourname has said: ‘The murder of an innocent man has no justification in any religion or walk of life.’ and ‘These terrorists in ISIS are not true Muslims, they do not practice the true teachings of Islam; peace, mercy and compassion and they are the enemy of all mankind.’ [↑](#footnote-ref-3)
4. Flew introduces this name and develops an account of what is fallacious about utterances of this form in his (1975, 1978, 1998). [↑](#footnote-ref-4)
5. An interesting contrast for conservative utterances is the category of self-realizing lies, introduced by Michaelson & Stokke (forthcoming). Self-realizing lies are a form of bald-face lie with which a speaker intentionally misrepresents what they are doing in full view of the interlocuters. Conservative utterances work to *maintain* the truth of the utterance, but the truth of the utterance need not be independently known by interlocuters. [↑](#footnote-ref-5)
6. It is importantly not aspirational or proleptic speech; it doesn’t aim to bring or usher its truth into existence. It aims to maintain the truth that it reports. [↑](#footnote-ref-6)
7. For work on silencing see, e.g., (Hornsby 1993; Hornsby & Langton 1998; Langton 1993, 2009; MacKinnon 1987, 1993; Maitra 2012). [↑](#footnote-ref-7)
8. For work on how language harms through implicatures see (Tirrell 2012). Stanley (2015) argues that propaganda is speech that updates the conversational score without consent. McKinney (2016) argues that some speech, extracted speech, involves utterances made against the speakers will. [↑](#footnote-ref-8)
9. I’m indebted to Fogel, Harris, & Moss (2018) for this presentation. See their (2018, p. 18n24) for extensive citations on this approach. [↑](#footnote-ref-9)
10. So, for example, (Martinich 2002, p. 95–96), attributes this to Searle ‘Each proposition had at most one illocutionary force per utterance… illocutionary forces were mutually excluding, always semantically and sometimes even syntactically.’ Later, (ibid., p. 103) the motivation is described as ‘the intuition is that the illocutionary force of an utterance is the form of the utterance and the proposition is the matter. Since an Aristotelian form is what makes a thing to be the kind of thing it is, there can only be one illocutionary force for any proposition.’ I think this takes the force/form metaphor too far. [↑](#footnote-ref-10)
11. I call this an indirect directive because its sentential force doesn’t align with its illocutionary force. So, *go to bed* is a direct directive because it has the sentential force of an imperative and the illocutionary force of a command. The canonical indirect speech act is *could you pass the salt?* is an indirect speech act because its sentential force is interrogative but its illocutionary force is as a request. See (Austin 1962). *I’m cold* seems to have the illocutionary force of a command (making it indirect) *and* the illocutionary force of an assertion (making it direct). [↑](#footnote-ref-11)
12. Searle famously explains such indirect requests as *pretending* to perform assertive acts in order to perform directive ones, but this seems to be mistaken for reasons I explain above. [↑](#footnote-ref-12)
13. That a single utterance can be more than one speech act is not surprising, a humorous example is due to Fogel, Harris, Moss:

[Imagine a] harried Wall Street trader shouting, ‘Sell!’ while holding a phone to each side of his face—one connecting him to stockbroker A, who handles his Apple stock, and the other connecting him to stockbroker B, who handles his Google stock. A plausible description of what is going on here would be that the trader is telling A to sell his Apple stock and telling B to sell his Google stock—two distinct directives, aimed at different addressees, performed by means of a single utterance. (2018, p. 11)

This case (and others, see Egan (2009) and dog whistle literature for examples of assertions and directives with different content) involve different addressees. [↑](#footnote-ref-13)
14. Such requests are sometimes called Hints and are identified by Ervin-Tripp (1976) as the most indirect form a request can take and that their use often depends on shared understanding of rules and obligations.

Other examples: *You’ve left the kitchen in a mess* (Hint: clean the kitchen)*. It’s too dark to read* (Hint: turn on the light)*. The music is quite loud* (Hint: turn down the music)*. I’m trying to concentrate.* (Hint: Leave me alone) *Your car is blocking mine.* (Hint: move your car) *I’m looking for the stapler.* (Hint: help me find the stapler) *The trash cans are still at the curb.* (Hint: move the cans from the curb) [↑](#footnote-ref-14)
15. It thus has another reason for indirect speech that is not merely politeness as Searle claimed, or managing conversational cost by keeping content off-record (Lee & Pinker 2010), or community expectations or practice (Brown & Levinson 1987): it can serve to provide reasons for the request and actually be more informative than literal direct speech. [↑](#footnote-ref-15)
16. It is, in some interesting sense, the opposite of what McKinney (2016) has recently called elicited speech. Rather than elicit speech from the audience member, the speaker has silenced him. [↑](#footnote-ref-16)
17. This is excepting the way in which they are conversational exercitives, where they change what it is permissible in the conversation to say. See (McGowen 2004). [↑](#footnote-ref-17)
18. Note, that if there *were* no threat to the truth of the utterance, then the utterance also couldn’t be a conservative, because conservatives work to maintain the truth of their content. If some content is true and its truth is not at risk, then there is no sense in which the utterance of the truth *maintains* that truth. This will be clear in the next section. [↑](#footnote-ref-18)
19. Searle 1975. [↑](#footnote-ref-19)
20. ibid. p. 360–361. [↑](#footnote-ref-20)
21. ibid. p. 360 [↑](#footnote-ref-21)
22. We might also note that a runner who was called out by a lying umpire could object both ‘I wasn’t out!’ where this is outs and ‘I shouldn’t have been out!’ where this is outr. Thanks to an anonymous referee for this helpful example. [↑](#footnote-ref-22)
23. Lindeman ms [↑](#footnote-ref-23)
24. There are context-less examples of *any K* generics, one use (Kadmon & Landman 1993, p. 354) is *any lawyer could tell you that*. See (13b) below. [↑](#footnote-ref-24)
25. Kadmon & Landman 1995, p. 358. Similarly, Krifka et al. (1995, p. 99–102) argue that *any* noun phrases should not be analyzed as a quantified noun phrase but as a strengthened indefinite noun phrase. Enç (1991) argues that sentences with *any K* subjects have almost exclusively generic readings. [↑](#footnote-ref-25)
26. Cf., (Penka 2011, p. 29) where she denies *no* has this widening use, in direct contrast to *any.* [↑](#footnote-ref-26)
27. Wade 2010 [↑](#footnote-ref-27)
28. Hooper 2012 [↑](#footnote-ref-28)
29. This is possibly unfair to Jocasta, given her situation, but she did send a servant to leave her infant son on a hillside to die from exposure. [↑](#footnote-ref-29)
30. See, e.g. Knobe, Joshua, Sandeep Prasada & George Newman (2013). [↑](#footnote-ref-30)
31. Teichman (2015, p. 7-8) also ties generics to the possibility of sliding between characterizing and other readings of generics and explicitly connects this to the No True Scotsman fallacy. He claims that this might motivate skepticism about generics, on the grounds that ‘believing any generic statement at all means committing oneself to No True Scotsman reasoning patterns.’ [↑](#footnote-ref-31)
32. Langton, Haslanger, & Anderson 2012. See, e.g., (Leslie 2012, 2013). [↑](#footnote-ref-32)
33. This example is Langton, Haslanger, and Anderson’s from their (2012). [↑](#footnote-ref-33)
34. See also (Sterken 2015) which presents an error theory on which striking property generics are systematically false. Adopting such an account would give an alternate strategy for dealing with this sort of slide. [↑](#footnote-ref-34)
35. Also, Haslanger (2011) argues that some generics, even if true, are objectionable because of their false presuppositions or implications. Wodak et al. (2015) claim that certain generics should not be asserted, regardless of their truth, because of potential social harm. [↑](#footnote-ref-35)
36. There is, of course, potential overlap, as certain racialized groups have interests in maintaining normative commitments that conservative speech acts, with racial generics, could serve to preserve. [↑](#footnote-ref-36)