

Illocutionary force and attitude mode in normative disputes

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Abstract:

In this paper, I assess recent Stalnakerian views of communication in moral and normative domains. These views model context updates with normative claims. They also aim to explain how people disagree when they follow different norms or values. I present four problems for these Stalnakerian views. I conclude that the problems require a new conception of how common ground relates to illocutionary force and attitude mode, which is still lacking.

Keywords: Expressivism; Norms; Communication; Moral disagreement; Coordination

1 Introduction

There is a large literature on expressivism and contextualism about moral and normative discourse, and much of it is critical. Some new explanations of normative communication and disagreement aim to respond to some of that criticism. Perez Carballo and Santorio (2016) have offered a model of communication for expressivists, which tackles the problem of explaining forms of communication that do not ‘merely’ describe the world. Khoo and Knobe (2018) have offered a contextualist model for moral disagreements, which tries to explain how people can reasonably be described as disagreeing even when they accept different values or normative standards. Both papers adapt Stalnaker’s model of assertion, and I take them to be compatible.

This is the problem of communication for expressivists. When people share information about the world they make assumptions about the intentions and purposes of their interlocutors, their rationality, and about reality itself. A speaker cares to share information with others and she expects her words to receive uptake. Speaker and hearer can assume that they have the same goal of exchanging information about the world, and believe that there is an actual world. This

means that they expect that there are right and wrong answers to the questions they ask. It also pressures them to arrive at interpersonal agreement.

Yet, the function of expressive discourse is not primarily to give information about the world, but to express the speaker's attitudes. Expressivism must explain why it is rational to engage in normative communication without assuming that the world will settle answers to the questions under discussion. The absence of an external constraint on interpersonal agreement – the external world – raises a problem for expressivism. What could replace it in ensuring that people care about communicating about norms or values? Pérez Carballo and Santorio's paper acknowledges that this is a central problem that expressivism needs to address (2016: p. 607).

Khoo and Knobe's paper focuses instead on contextualism and apparent faultless disagreements. Evaluative (or normative) claims are only true or false with respect to a presupposed value or normative standard. A speaker says something that is true or false only with respect to a standard she accepts or presupposes. The same is true of her interlocutor, but the standards they accept can differ. It is then possible that two people that seem to disagree nonetheless speak truly. Although Khoo and Knobe's and Pérez Carballo and Santorio's projects differ I take them to be compatible; they both adapt Stalnaker's model, which rests on *doxastic* acceptance of propositions. The proposed modifications add the acceptance of normative or evaluative standards to the model.

Like these authors, I want to understand normative and evaluative communication, particularly how communication induces the sharing of values and norms. I lack the space to offer a positive account here. I present the two proposals in the next section, and in the third section I present four problems for these accounts. The problems posed are varied. The first concerns the constitution of an evaluative and normative common ground, and the role that the Stalnakerian notion of acceptance plays here. I argue that this notion is insufficient, because it

does not predict shared norm acceptances. The second problem concerns the selection of the questions that are under discussion (QUD), and I argue that questions may be under discussion even if not all speakers intend to answer them. The third concerns the illocutionary force of answers to QUDs, and I claim that there are lies that we cannot discriminate from veridical assertions if we don't have a finer grained notion of assertion. The final problem concerns so-called faultless disagreements, and whether any norm is in force in such situations. Together, these problems show the underlying insufficiency of metasemantics theories based only on speakers' psychological states in general, and of their application to normative communication in particular.

2 *Stalnakerian models*

Pérez-Carballo and Santorio (2016) and Khoo and Knobe (2018) modify Stalnaker's model of assertion and common ground to account for communication and disagreements about moral values and norms. For Stalnaker, communication occurs against a background of shared information that speakers take for granted, the *common ground*. Assertions modify and restrict common ground. To assert that φ is to propose that φ become common ground. Common ground is in turn defined in terms of the mental states of the interlocutors:

It is common ground that φ in a group if all members accept (for the purpose of the conversation) that φ , and all believe that all accept that φ , and all believe that all believe that all accept that φ , etc. (Stalnaker, 2002, p. 716)

Acceptances are belief-like states:

To accept a proposition is to treat it as true for some reason. One ignores, at least temporarily, and perhaps in a limited context, the possibility that it is false. (Stalnaker, 2002, p. 716)

The body of information that is accepted in a context can be represented as set of worlds called the 'context set', that is, the set of worlds that validate all and only propositions in the

common ground. The content of a declarative sentence is a proposition, understood as set of possible worlds. The effect of an assertion on the context set is understood as a set-theoretic intersection: the effect of an assertion whose content is modelled with a set S of possible worlds is that of eliminating from the context set those worlds that are not in S . Finally, in this model a speaker presupposes that p in a conversation just in case the speaker believes that it is common ground among the interlocutors in the conversation that p .

I will next introduce the two modifications of Stalnaker's account.

2.1 Communication for norm expressivists

Expressivists claim that there are areas of human communication that go beyond the sharing of information, for instance moral discourse. Pérez Carballo and Santorio 2016 argue that

In any conversation where certain minimal assumptions are satisfied, it is presupposed that there is a unique normative standard on which the participants' attitudes ought to converge. (2016: 608)

Their aim is to account for minimal expressivism in normative discourse:

Minimal Expressivism

- a. Normative claims are not apt for describing, stating, or reporting facts;
 - b. Normative claims express a noncognitive nonrepresentational attitude of some sort.
- (2016: 610)

On the Stalnakerian model, communication is an exchange of information. Pérez Carballo and Santorio suggest modifying it by accommodating Gibbard's norm-expressivism (Gibbard 1990), where norm acceptance is a practical attitude towards a possible course of action. A complete system of norms n , in contrast with a set of propositions S , determines a three-way partition of possible courses of action – those that are forbidden according to n , permitted but not required according to n , and those that are required according to n (Perez Carballo and Santorio 2016, p. 611). On the proposed Gibbardian-inspired modification, each assertion of a sentence is assigned a set of world-norm pairs, and sets of world-norm pairs model

speakers' mental states. The two following examples illustrate how sentences like those in (1) and (2) are assigned a set of world-norm pairs. A set of norms is only relevant to the content of the second sentence:

- (1) Rita is a dancer.
- (2) Dancing is ok.
- (3) $\{\langle w, n \rangle: \text{Rita is a dancer in } w\}$
- (4) $\{\langle w, n \rangle: \text{Dancing in } w \text{ is permitted by } n\}$

The proposal is that common ground includes both possibilities and norms that are left open by speakers' attitudes. The effect of assertion is calculated by intersecting the semantic value of the sentence asserted with the common ground. One problem with this view, as I will argue, is that this proposal does not capture the shared practical acceptance of norms.

Pérez Carballo and Santorio rely on a thin notion of assertion to represent context updates.

We understand assertion as the speech act whose functional role is to update the common ground in a certain way—in particular, assertion is the speech act that updates the common ground by intersection. Given our expressivist friendly understanding of acceptance, and the plausible claim that utterances of declarative normative sentences can update speakers' acceptances, the expressivist is entitled to characterize utterances of declarative normative sentences as assertions in this sense. (2016: 615)

Conversations can be better represented by considering the question under discussion (QUD). Each QUD is represented as a partition of the context set. Two worlds are in the same set just in case they agree on the complete answer to a question Q . Once we introduce QUDs, possibilities that are not ruled out and make up the common ground can be thought of as cells of the partition that are induced by the QUDs. The set of QUDs in a conversation is the set of questions such that all speakers in a conversation intend to engage in inquiry to settle them, and all speakers believe that they intend to engage in inquiry to settle them, and they believe that they believe it, etc. Let us call this the intentional model of QUDs.

As I said in the introduction, the problem for the norm-expressivist is finding a model of communication where norms are collectively endorsed. There is a good explanation of the rationality of communication with ‘descriptive’ propositions. But the question Pérez Carballo and Santorio address is why it is rational for a speaker to expect her normative assertions to receive uptake. Conversely, why does a hearer care about other people’s normative claims? Normative language is meant to express norm acceptances, which have specific functions:

The biological function of the mechanisms underlying our normative capacities is to coordinate. Hence the psychic mechanisms that produce normative judgments are not systems of natural representations, they are coordinating systems. Their biological function is not to put something in the head in correspondence with their subject matter; it is to coordinate what is in one person’s head with what is in another’s. (Gibbard 1990: 110)

When a speaker describes reality to others, she makes assumptions about the intentions and purposes of her interlocutors, about their rationality, and about reality itself. She cares about communicating on the assumption that her interlocutors think the same. Yet, if the function of communication in normative domains is to foster coordination, how can she know that others care about coordinating on the systems of norms that she accepts?

Pérez Carballo and Santorio main thesis is that normative communication presupposes that *speakers are subject to a joint standard that applies to them in virtue of being communicators*. Their proposal seeks to explain how language can help people coordinate. This is an apparently simple but ambitious claim. Their thesis can be put formally:

CONVERGENCE The following claim is common ground in any conversation:

$(\exists n)(\forall s) \text{ Ought } (\{n\} = \text{Acc}_s)$

In CONVERGENCE, which is inspired by the Gricean Cooperative Principle, n stands for systems of norms and s for speakers. The ‘ought’ is practical, it concerns what a rational agent has reasons to do. What CONVERGENCE says is that, in a normal conversation, speakers presuppose that there is a unique norm such that they are “rationally required, in light of their

own goals as communicators, to have their attitudes converge on that norm” (Pérez Carballo and Santorio 2016: 622).

The authors claim that CONVERGENCE holds on the basis of minimal assumptions. The first is a requirement that NOT ANYTHING GOES, a fundamental assumption. What motivates NOT ANYTHING GOES is that there would be no point for a person B to talk about normative matters with person A unless B assumed that there is a system of norms that A does not rule out. Formally, it looks like this:

$$\text{NOT ANYTHING GOES} \\ \text{Acc}_B \text{Acc}_A (\exists n \text{ Ought } (n \in \text{Acc}_A))$$

Notice the *different font* in ‘Acc’ and ‘Acc’. This difference indicates that there are two attitude types at stake. The former denotes doxastic acceptance state, and the latter refers to practical norm acceptances. Expressivists must make sense of this difference in communication. What NOT ANYTHING GOES says, then, is that B accepts that A accepts that there is a set of norms which A has (practical) reasons to not rule out. Assuming NOT ANYTHING GOES, the authors can show that it is common ground that there is a system of norms that A does not rule out. This means that A presupposes that B presupposes that there is a system of norms that A should not rule out (2016: 629):

$$\text{Acc}_A \text{Acc}_B \text{Acc}_A (\exists n \text{ Ought } (n \in \text{Acc}_A))$$

With this assumption, Pérez Carballo and Santorio show that for each speaker in a conversation, there is a set of norms that she should not rule out:

$$\text{Acc}_A (\exists n \text{ Ought } (n \in \text{Acc}_A))$$

$$\text{Acc}_B (\exists n \text{ Ought } (n \in \text{Acc}_B))$$

Here their argument reaches a crucial point. Any proposition φ can be taken for granted as true (doxastically) for the purposes of the conversation. For example, the descriptive

proposition *that a speaker believes that there is a norm that she does not rule out* can be the proposition φ that becomes common ground.

However, in order to establish CONVERGENCE, Pérez Carballo and Santorio need to show that, in any normative conversation, there is a single system of norms that interlocutors ought not rule out. In CONVERGENCE, what comes to be shared is not just a proposition that is common ground, but a particular norm. The authors claim that, by making basic assumptions about speakers' rationality and assertion, they can show that there ought to be a norm that rational interlocutors have a reason not to rule out. I.e., assuming minimal rationality from speakers this principle is common ground:

CAN GO WRONG

$(\exists n)(\forall s) \text{ Ought } (n \in Acc_s)$

The argument for CAN GO WRONG goes as follows:

Suppose that it's not true that speakers accept that there is a norm they both ought to accept. For example, suppose that B doesn't accept that. By the previous argument, we know that B accepts that there is a norm that she ought not rule out: call that norm ' n^* '. According to B, it might be that A is allowed to rule out n^* . This allows for a situation of the following kind. Suppose that A utters a normative claim: for example, "Tax evasion is wrong." (...) since B doesn't accept that she and her interlocutor are coordinating on the same norm, she has no reason to assent to A's assertion. It might be that the proposition expressed by "Tax evasion is wrong" is okay to accept for A but not for B, i.e., it might rule out n^* , the norm that B ought not rule out.

In this situation, it is not rational for B to engage in communication with A. If she did, she would risk being in violation of the normative requirement that she takes herself to be subject to via $[Acc_B (\exists n \text{ Ought } (n \in Acc_B))]$, (A3) below]. Hence, in order for B to engage in communication with A, she will accept that there is a unique norm that both A and B ought not rule out. Of course, a parallel conclusion holds for A. (2016: 630)

Let us summarize the steps of the argument so far.

NOT ANYTHING GOES

$Acc_B Acc_A (\exists n \text{ Ought } (n \in Acc_A))$ (A0)

What B accepts is a descriptive proposition about A's attitudes. So, (A0) is just an instance of the general thought that a speaker engages in a conversation by making some assumptions about her interlocutor's mental states. On the assumption that A is rational, it follows:

$$Acc_A Acc_B Acc_A (\exists n \text{ Ought } (n \in Acc_A)) \text{ (A1)}$$

That is, A accepts that B accepts a descriptive proposition about A. Which in turn allows the inference of

$$Acc_A (\exists n \text{ Ought } (n \in Acc_A)) \text{ (A2)}$$

$$Acc_B (\exists n \text{ Ought } (n \in Acc_B)) \text{ (A3)}$$

Each speaker who enters a conversation ought (rationally) to accept that at least one of the normative possibilities that each regards as open ought to not be ruled out. Pérez and Carballo hold that (A0) – (A3) should then entail

CAN GO WRONG

$$(\exists n)(\forall s) \text{ Ought } (n \in Acc_s) \text{ (A4)}$$

CAN GO WRONG is needed to prove CONVERGENCE, with an additional principle requiring speakers to rationally converge on *some* norm:

UNIQUENESS

$$\text{Ought } ((\exists n)(\forall s) Acc_s = \{n\}) \text{ (A5)}$$

But the two principles (A4) and (A5) don't follow from (A0) – (A3), as I will argue. Two speakers can rationally enter in conversation about a practical question, and not presuppose instances of (A4) or of (A5). In the quote above, Pérez Carballo and Santorio say “it is not rational for B to engage in communication with A” when B accepts n^* and A rules out n^* . If B were to engage in communication about n^* , which she rules out, she would violate (A3). This is not true, and if I'm right, as I argue in the next section, (A5) is not true either.

2.2 Normative disputes

Khoo and Knobe (2018) claim that some moral conflicts are such that (a) two speakers can disagree, and (b) none of the speakers says something false (incorrect). This is a way of framing the idea that moral disagreements can be faultless. This topic has been covered extensively in the literature in the last decades. Contextualist semantic theories hold that evaluative (or normative) claims are only true or false with respect to some presupposed value or normative standard. This accounts for the apparent *faultlessness*, but many have objected that it does not account for the appearance of *disagreement*.

Khoo and Knobe also adapt Stalnaker's model of assertion, and focus on the redefinition of *disagreement*, which does not require incompatible or exclusionary contents, on their view. A pair of propositions is exclusionary when at least one of them must be false. The problem for contextualists is, arguably, that it does not identify the exclusionary contents, and without these there is, allegedly, no disagreement. Khoo and Knobe propose to redefine disagreement as part of conversational practice defined in terms of the Stalnakerian notion of context update:

Update disagreement: In the ordinary sense of disagreement, two people disagree if they propose incompatible updates to their context.

Like Pérez Carballo and Santorio, Khoo and Knobe want to represent normative or evaluative claims as assessments of possible courses of action as permitted, forbidden, or required. A speaker who makes a moral claim affirms some moral norms and opposes others (Khoo and Knobe 2018: 19). Unlike Pérez Carballo and Santorio, though, Khoo and Knobe don't make the kinds of attitudes involved in accepting moral claims explicit. In a couple of footnotes (fn. 26 and fn. 28) Khoo and Knobe admit that their proposal is compatible with some expressivist views, and that they take no stance on whether endorsing a norm is a conative or a cognitive attitude. I will succinctly introduce the aspects of their theory that I think are

necessary for understanding the solution the problem of apparent faultless disagreements, and where, in my view, it fails.

An assertion of $\ulcorner \varphi$ is wrong \urcorner is a proposal to update the norms of the context and what is common ground in that context. A context c will be a triple $\langle w, X, N \rangle$ that includes a context set X , a set of norms N , and an index which is here just a possible world w . A pair of context and index is a point of evaluation. After Kaplan (1989), they use $[[\]]$ as an interpretation function from sentences to truth-values (0 and 1), and define truth at a point of evaluation for a sentence S , and moral (or normative) contextualism as follows:

TRUTH AT A POINT OF EVALUATION: $[[S]]^{c,w} = 1$ iff S is true relative to c, w .

CONTEXTUALISM: $[[\ulcorner \varphi$ is wrong $\urcorner]]^{c,w} = 1$ iff N_c forbids φ at w .

An assertion that an action φ is wrong is true in a context just in case the norms of the context forbid φ . But not all ordinary conversational contexts are fully determinate and often they don't initialize a unique norm parameter.

Khoo and Knobe introduce the new notion of a speech situation, after work by von Stechow and Gillies (2011), to help modelling contextual indeterminacy. A speech situation S is modelled as a set of Kaplanian contexts c_1, \dots, c_n . When it is indeterminate which set of norms are the norms of a speech situation, the speech situation is said to initialize different norms (2018: 25). The authors then define truth in a speech situation:

TRUTH IN A SPEECH SITUATION

- a. p is true in S if $\forall c \in S [[p]]^{c,w} = 1$;
- b. p is false in S if $\forall c \in S [[p]]^{c,w} = 0$;
- c. p is neither true nor false in S otherwise.

Given contextualism, $\ulcorner \varphi$ is wrong \urcorner is true in S if all contexts $c \in S$ are such that N_c

forbid φ in w_c (false if all N_c don't forbid φ in w_c , and neither true nor false otherwise). A speech situation is updated when some of the contexts that are members of S are updated by an assertion p , represented as $S[p]$. An assertion can update a speech situation, and is represented as an utterance of p that changes S to $S[p]$.

Khoo and Knobe can now introduce the conditions in which intracontextual non-exclusionary disagreement occurs:

Suppose that A and B are in a conversation in speech situation $S = \{c_1, c_2\}$. Suppose that N_{c_1} forbids action Z in w_{c_1} and N_{c_2} does not forbid Z in w_{c_2} , and that $w_{c_1} = w_{c_2}$. Finally, suppose also that both of these facts are (determinately) common ground. Hence, for each $c \in C$: every world $w \in X_c$ is such that N_{c_1} forbids Z in w and N_{c_2} does not forbid Z in w . (Khoo and Knobe 2018: 30)

In a situation of intracontextual non-exclusionary disagreement, we can have dialogues such as the following:

(5) A: Z is wrong. (A is proposing to eliminate c_2 from S)

B: No, Z is not wrong. (B is proposing to eliminate c_1 from S)

If neither A nor B accepts the other's proposal, the speech situation $S = \{c_1, c_2\}$. A and B make incompatible context update proposals, and their assertions are neither true nor false. A and B nonetheless disagree, on this account, since the context update proposals are incompatible. This is an interesting way of capturing the notion of a disagreement in act, which presumably diverges from a disagreement in state or attitude (see Cappelen and Hawthorne 2009, Huvenes 2012, Huvenes forthcoming, Marques 2014, 2015).

In the next section, I present four problems to the modified Stalnakerian models, involving acts of non-convergent communication, derogation, lying, gaslighting, and misleading. In these cases, speakers communicate and disagree, but the Stalnakerian models, as I suggest, make it too easy for communication to breakdown.

3 *Four problems*

In this section, I offer four problems to challenge the proposals presented earlier. The first problem is about the nature of the propositions and attitudes that make up common ground. This is a critical problem for the proposals. The second and third problems are about the selection of QUDs and of their permissible answers. The arguments target idealized models of discourse more generally. The problems are presented as objections to certain simplifying assumptions that purport to model communication on the basis of individual psychological states like beliefs and intentions. Since the models here discussed make the same simplifying assumptions, the criticism applies equally to them. The fourth concerns the selection of the norm of a context in cases of normative or moral disagreements.

The models that are here criticized cannot give us the relevant kind of practical rationality that pressures speakers to converge when engaging in normative discourse.

3.1 Flat propositions do not a normative common ground make

I will now argue that there is a critical objection to Pérez Carballo and Santorio's model of normative communication. The objection rests on the fact that they have not shown that practical rationality requires convergence on shared norm acceptances. This means that although basic presuppositions, (A0)-(A3), can be true in a conversation, the principles (A4), CAN GO WRONG, and (A5), UNIQUENESS, still don't follow.

Note first how implausible it is that, just by rationally engaging in assertoric discourse, speakers need to assume what Pérez Carballo and Santorio claim. They (2016: 633-4) raise a problem for Egan's relativist account of normative discourse about taste that can be easily turned into one for them, along lines I have previously developed (Marques and García-Carpintero, 2014). Imagine two critics who know each other very well and have been debating the issue over the years. *Alex: Have you listened to the Tebaldi recording you borrowed? Ben: Yes, very nice ... but Callas is also better here. Alex: Nuh-uh, Tebaldi is better.* They accept

that, in principle, they could be mistaken, in the sense that (A2)-(A3) capture; these things are complicated. But they are entirely committed to the two conflicting norms they accept (which we may grant are the only two at stake in the context). Their conflict is entirely manifest to them; and they are not prepared to bulge on the basis of the very familiar considerations they typically raise. Are they irrational? Most of us have been in situations of this kind, without finding ourselves irrational in any way. It is at the very least highly implausible to contend that in such a situation “it would make little sense to attempt coordination by way of utterances of declarative sentences” (*ibid.*, 627), simply because this is precisely something we may well do, and in fact sometimes do. What I think makes little sense is to work with a model of rationally sought coordination that has this implication. Let me give another example.

Recipes are directives. A recipe for a dish, for instance, a tagine, specifies the ingredients needed to cook the dish, and the steps that must be followed to produce it. Suppose that Bei, who is east Asian, asks Aisha, who is Moroccan, how to cook tagine. That – *how is tagine cooked?* – is the QUD. Aisha can say that some ingredients can vary; tagine can be cooked with lamb, chicken, chickpeas, etc. Other ingredients, like olive oil, honey, turmeric, lemon, cilantro, don’t vary. However, Bei is part of the 21% of east Asians to whom cilantro tastes like soap. This case can illustrate (A0) – (A3). Among other things, Aisha says:

(6) The recipe for tagine requires cilantro.

First, Bei accepts the descriptive proposition *that Aisha believes that she does not rule out that tagine ought to be cooked with cilantro* (instance of (A0)). Second, Aisha knows that Bei accepts that descriptive proposition (instance of (A1)). Third, Aisha further accepts that tagine ought to be cooked with cilantro, as she says in (6) (instance of (A2)). Fourth, Bei accepts that tagine (like everything else) is not to be cooked with cilantro, since it would taste to her like soap (instance of (A3)).

Gibbard's claims that the function of normative discourse is to facilitate coordination with other people's mental states. Aisha and Bei are both rational and reasonable, and having mutual knowledge of all the above facilitates coordination in a range of possible future situations. Bei wants to be informed about how tagine is cooked for many reasons. If she goes to Morocco, she knows tagine will probably have cilantro and will avoid it. If anyone asks her for a recipe of tagine, she can pass on Aisha's recipe, with a note that she herself skips the cilantro. If Aisha asks for help with the shopping to cook tagine for a dinner party, Bei will buy cilantro. If Aisha invites Bei for the party, she can further plan ahead and prepare a portion of tagine for Bei without the herb. Adding the proposition that describes how to cook tagine to the common ground facilitates coordination in indefinite future situations, such as Aisha's dinner party that Bei will attend.

The tagine case illustrates a conversation that allows for coordination,¹ but crucially doesn't require that speakers presuppose instances of (A4) or (A5): there isn't a single way of cooking tagine that Aisha and Bei ought not rule out, or that there ought to be a single way of cooking tagine. As I said, the case meets Gibbard's requirement to facilitate coordination.

It could be objected that contexts like tagine are defective². A defective context, according to Stalnaker, is one where the speaker will "say something that shows that she believes that it is (or will be) common belief that φ where the addressee does not believe that φ , even after recognizing that the speaker is presupposing it" (Stalnaker 2002, p. 717). But this objection fails. First, Stalnaker's notion of a defective context requires the accommodation of a *false* (descriptive) presupposition. In the above case, all the *descriptive propositions* that are accommodated by Aisha and Bei are true. The QUD is in order, and it does not hide a hidden presupposition such as *the speaker and hearer must eat the same thing*. Sharing recipes, a global

¹ See Marques (2016) for further examples of differences in attitudes that allow for coordination.

² I'm grateful to a referee for this journal for raising this possibility.

and historical practice, makes no such presuppositions. Second, we can't say that Aisha's and Bei's failure to accept instances of (A4), CAN GO WRONG, and (A5) UNIQUENESS, are a *normative* defective context. That begs the question in favour of the very conclusion that Pérez Carballo and Santorio want to establish. Since practices like sharing recipes are part of rational conversations between cooperative speakers, they meet (A0) to (A3) without requiring (A4) or (A5). And hence CONVERGENCE doesn't follow. The practice of engaging in assertoric conversation about normative matters, if modelled after Pérez and Carballo's account, *need not* presuppose that there is a unique normative standard (a way to cook tagine) on which attitudes of conversational participants ought to converge.

It is not just that sharing recipes need not presuppose that there is a unique normative standard on which attitudes ought to converge. Situations of this kind are acknowledged when considering statements of law, another normative domain. H.L.A. Hart (1961) distinguished between *internal legal statements*, statements of law made from the point of view of someone who adheres or endorses a particular legal system, and *external legal statements* that are made about particular legal systems or laws. A speaker describing a legal system externally may be in a NOT ANYTHING GOES SITUATION, and provides a different type of instance of (A0). A speaker who adheres to that legal system can in turn instantiate (A1).³

On behalf of Pérez Carballo and Santorio, a referee for this journal offered an analogy that is worth discussing to pinpoint my objection:

We can make an analogous point about non-normative discourse. Some conversations are inquiries: their purpose is to exchange information about the actual world. Other (more unusual) conversations are attempts to flesh out what happens in some counterfactual scenario. The analogue of Pérez Carballo and Santorio's point about normative discourse is that it is not enough for two interlocutors to presuppose that each one is trying to gain information about what is true at some possible world — if communication is to have a purpose, they must presuppose that they are trying to gain information about the same

³ For a discussion defending a version of expressivism for legal statements, see for instance Toh (2005, 2011).

possible world. If I am interested in what is actually the case and you are interested in what is the case in the world of the Harry Potter series, my assertion of ‘There are no dragons’ is not something you should update on. If you do, you won’t arrive at the truth about the world of the Harry Potter series. It needs to be common ground that this sort of mismatch in the goal of inquiry is not happening in order for playing the assertion game to make practical sense.

This is entirely right, but only because the sort of counterfactual discourse that the referee is considering is precisely analogous to standard assertoric discourse, as opposed to the assertoric discourse with normative implications that is at stake here. This is perspicuously clear if we model the relevant counterfactual discourse along the contextualist lines that Predelli (1997) promotes. The context in which ‘The battle happened here’ is uttered might require us to evaluate the assertion not with respect to the place where the utterance takes place, but rather with respect to another contextually provided location. On Predelli’s view, the context for ‘There are no dragons.’ that the referee envisages similarly leads us to evaluate its truth not at the actual world, but at a counterfactual or imaginary one, “the” world of the fiction (actually, of course, a plurality thereof if these are taken as standard possible worlds).

There are of course other options for the semantics of fictional discourse, but many of them would similarly agree on the point that its “direction of fit” is, as Stock (2017, 23) has it, the same one as for straightforward descriptive discourse, *thetic* or *word-to-world*. In contrast, Pérez Carballo and Santorio are trying to model assertoric discourse used to track truly normative matters, as in my previous examples. The examples suggest that it is misguided (specially on expressivist views) to impose on them the assumption that there is a “unique” (small-world-like unique) norm that rational assertors should converge on, as there is a “unique” world that ordinary assertors or those tracking a fictional world assume they should converge on. This just unwisely imposes a procrustean model of coordination with assertoric discourse.

Our philosophical task should lie in looking for the proper account of practical coordination that is sought after here.

I will now show why we cannot build a normative common ground out of “flat”, i.e. descriptive, presuppositions. The problem can be introduced with a detour through expressivism about slurs and pejoratives. The propositions Pérez Carballo and Santorio argue must be presupposed in order for normative discourse to be practically rational are “flat”. But the contents of normative statements are not, on their view, flat – they are sets of norms, not of worlds – and they are supposed to update exclusively the normative component of the common ground, leading interlocutors to change what they practically accept. I will now argue that Pérez Carballo and Santorio’s model cannot explain how the normative component of common ground is updated because their presupposed propositions are flat.

Now, some accounts of derogatory words – slurs or pejoratives – are normative, and some authors argue that this normative content is conveyed through expressive presuppositions, on the basis of the projection behaviour of such words under negation, conditionals, different sentence moods, modals, etc. (see for instance Macià 2002, 2014; Schlenker 2007; Cepollaro and Stojanovic 2016). Some of the options on offer for the content of those presuppositions are:

- (A) The speaker of the context believes in the world of the context that members of group *G* ought/may be treated with contempt/are bad.
- (B) The speaker of the context condones the permissible/required treatment of members of group *G* with contempt/as bad.

These are descriptive conditions on Stalnakerian contexts. Philippe Schlenker’s account, for instance, explains the derogatory meaning of slurs as presuppositions similar to (A). On his view (2007, 238), the meaning of ‘honky’, a slur for poor white people in the US, includes the following presupposition:

The agent of the context believes in the world of the context that white people are despicable.

This is a clear-cut condition on a Stalnakerian context. Note that Pérez-Carballo and Santorio's proposal for what updates contexts include presuppositions similar to (A), or to (B); either the speaker of the context believes that a course of action φ is permissible, required, or forbidden, and that becomes common ground, or the speaker of the context does not rule out φ -ing, and that becomes common ground.

There's a well-known argument against presuppositional analyses of slurs that reduce normative presuppositions to flat, descriptive, contents (see Williamson 2009: 151-2; Nunberg 2018: 284, Marques and García-Carpintero 2020). A non-bigoted audience of a speaker who utters (7) below will refuse to accept the utterance, and may challenge the speaker.

(7) That honky is watching Eurovision tonight.

If the at-issue-content in (7) is that the demonstrated white person is watching Eurovision, hearers can accept it since it is true. If the not-at-issue content is that the speaker believes that white people are despicable, hearers can also accept it; they have just learned that the speaker believes that white people should be despised. And yet, hearers still don't accept (7), nor are they disposed to accept that white people should be despised.

Consider now an alternative reading, that the presupposition describes the speaker's conative state, not his belief:

The agent of the context condones despising white people (as bad) in the world of the context.

This faces the same objection. Hearers accept the true at-issue content, and have just learned the not-at-issue content that the speaker condones despising white people. The non-bigoted audience does not thereby come to also condone despising white people. But an audience that not only understands, but is entirely ok with (7), does come to condone treating

poor white people with contempt. Therefore, what is missing is a theoretical explanation of what it is that the bigoted audience *accepts* that the non-bigoted audience *refuses*.

The argument against flat presuppositions shows that a hearer can accept a proposition of the form of (A) or (B) and not adhere to the relevant practical requirement. Arguably, moral evaluations expressed in statements with ‘wrong’, ‘good’, etc., put similar pressure on hearers to condone or reproach certain courses of action or people. They don’t just add descriptive propositions like (A) or (B) to context: it is expected that the hearer acquires the practical stance, that the hearer comes to approve/disapprove of φ -ing. Since Pérez Carballo and Santorio’s model requires descriptive presuppositions to become common ground, and, as I argued, they have not succeeded in establishing convergence in norm acceptances, it follows that their model of normative communication cannot explain the central aspect of normative discourse that they had set out to account for. Therefore, Pérez Carballo and Santorio distinction between two kinds of acceptance states makes no difference to common ground, contrary to what they argue is the case.

Khoo and Knobe take no stand on whether endorsing a norm is a cognitive or conative state (Khoo and Knobe 2018: 15 ff), but because their discussion assumes the Stalnakerian notions of acceptance and common ground, we can infer that their model also lacks the resources for explaining how normative communication prompts shared norm acceptance.

What is lacking, then, is an account of shared acceptances of norms (or evaluations). We could call them “joint acceptances” or “plural acceptances” (as does Toh 2011). I will not do this here; my aim was to show that we need a proper account of such shared acceptance states to make sense of normative expressivism. The need is evident once we see the difference between accepting that a person (or persons, or cookbook, or legal system) requires doing φ , on the one hand, and condoning, adhering to, or endorsing norms that require doing φ , on the other.

Some successful communication acts achieve the latter, not merely the former. We thus need a better grasp of how communication effects normative commonality.

3.2 *Selecting a QUD*

Pérez Carballo and Santorio (2016: 618) defend an intentional model of QUDs. On this model, a question is under discussion only if all speakers participating in the conversation intend to settle that question. However, questions can be under discussion when not all speakers intend to engage in inquiry to settle them.⁴ Consider the following example. In June 2017, Jeff Sessions, then attorney general of the US, testified in a senate hearing about his possible conversation with Russians at the Mayflower hotel during the campaign in 2016. In the hearing, he declined to answer that question with a series of remarks, which we can summarize in the phrases in (9) below:

(8) I do not remember, do not recall, have no recollections, have no knowledge, not to my mind, and I racked my brain.

Jeff Sessions clearly had no intention to engage in inquiry to settle *whether he may have colluded with the Russian effort to interfere in the 2016 election*. This was the question under discussion. The case shows that a QUDs is not the set of questions that all speakers in a conversation intend to engage in inquiry to settle, and all speakers believe that they intend to engage in inquiry to settle, and they believe that they believe it, etc. Sessions did not intend to engage in inquiry to settle the above question, and therefore not everyone at the hearing believed that they all intended to engage in inquiry to settle it. But since it is undisputable that

⁴ Pérez Carballo and Santorio consider a related point. They say, “Note that implicitly raising an issue need not automatically result in a modification of the set of questions under discussion. Suppose you have a conservative uncle who often makes in-passing claims that are off topic and which presuppose some of his views about say abortion. In conversation about different topics, you may want to avoid pointless confrontation and you choose not to pick up on these remarks. In these cases, the question whether abortion is permissible has no effect on the common ground.” (Pérez Carballo and Santorio 2016: fn: 21) The conservative uncle in the cited example invokes a particular procedure – asking a question – but the circumstances are not appropriate for the invocation. This is a case of an infelicitous or unhappy question, as Austin would put it (Austin 1962: 14ff).

that question was what was under discussion, and moreover that this particular case is not unique, it follows that the intentional model of QUDs is inadequate. Something else other than speakers' intentions in a conversation must select the QUDs.

One hypothesis is to consider that, for a question to be under discussion, the inquisitor(s) must be in the right position to raise it. The hypothesis suggests that some normative preconditions must be satisfied for questions to be under discussion. If some normative preconditions must be met, it is better to look for metasemantic views on communication that contemplate them.

John Austin claimed that there are three sets of rules that identify necessary conditions for the (happy) performance of a speech act (Austin 1962: 14ff). The *A* rules state that it is necessary that there be an established conventional procedure that has certain conventional effects, and that “the particular person and circumstances in a given case must be appropriate for the invocation of the particular procedure invoked” (Austin 1962: 15), as the hypothesis just formulated suggests. The Senate hearing case satisfies the *A* rules, and the hearing was conducted correctly. The infelicity rests in Session's violation of the *G* rules: the procedure inaugurates “certain consequential conduct on the part of any participant, then a person participating in, and so invoking the procedure, must in fact have those thoughts or feelings, and the participants must intend so to conduct themselves.” Sessions agreed to participate in the hearing, but in fact did not have the required thoughts or feelings, in the case, the intention to settle the QUD. This meant a failure of *G* rules. This failure does not mean that the rules that determine the inauguration of the procedure, the *A* rules, which are the ones that determine the QUD, were not met.

This is not a fully-fledged normative account of how QUDs are selected in conversations, but it points to a more promising line of work, even if it is more complex than

the intentional model here criticized.

3.3 *Illocutionary force matters in the answers to QUD*

What is a proper answer to a QUD? The two proposals discussed in section 2 assume a thin view of assertion:

We understand assertion as the speech act whose functional role is to update the common ground in a certain way—in particular, assertion is the speech act that updates the common ground by intersection. (Pérez Carballo and Santorio, 2016: 615)

This notion does not draw finer grained distinctions between the illocutionary effects of assertions and other related speech-acts. This raises an additional problem. Some answers to a QUD can be *correct* (assuming the thin assertion notion), but in real life be rejected as *misleading* or *deceitful*. This is a fact the Stalnakerian models don't explain.

Consider this case. Early in 2019, an ongoing investigation led by Special Counsel for the Department of Justice Robert Muller focused on Russian interference in the 2016 US elections, and on suspicious links between Trump, Trump associates, and Russian officials.

In an article in the *New York Times*, Maggie Haberman describes how Rudy Giuliani, then Donald Trump's lawyer, said on January 20 that Trump told him the negotiations over a Moscow skyscraper continued through "the day I won," and that the president recalled "fleeting conversations" about the deal after the Trump Organization signed a letter of intent to pursue it. This statement was made after days of conflicting declarations by Giuliani on whether he had any knowledge of collusion. As it turns out, the statement on January 20 was true and answered correctly the question under discussion: *Did Trump Tower Moscow negotiations continue until after the election?* Giuliani's claim was a bona fide Stalnakerian assertion—it reduced the possibilities that were left open by interlocutors.

However, the next day, Giuliani said:

My recent statements about discussions during the 2016 campaign between Michael Cohen and then-candidate Donald Trump about a potential Trump Moscow ‘project’ were hypothetical and not based on conversations I had with the president.

What was Giuliani doing? Haberman describes it as a “walk-back”. But was he *retracting* what he had said the prior day? Laura Caponetto (2020) offers a good account of how we *undo* things with words. She distinguishes between annulments, retractions, and amendments. *Annulments* apply to fatally infelicitous acts that are mistakenly taken as felicitous – there was no actual speech act, and the annulment registers that failure. *Retractions* cancel deontic updates that were successfully generated by past illocutions, for instance, when one realizes that one's assertion was not true, or not sufficiently warranted, and says ‘I guess I was wrong, I take that back’. Finally, *amendments* merely tamper with the normative strength of the act already performed without changing the illocutionary kind: whether constative or directive, say. For instance, speakers can change an order into a request by weakening the directive force.

There are two implausible views about what Giuliani did. Giuliani did not annul a failed assertion. He also did not retract; he did not say that his claims were false, wrong, or out of order. He never said “I take it back”. This leaves only two possible interpretations. Giuliani could have amended his previous declarations. On one day he could have asserted that the negotiations over a Moscow skyscraper continued after the election, and the next day he could realize he could not commit to that and weaken the illocutionary force from a full assertion to an ‘hypothetical’. Nonetheless, the presumed amendment came after a week of contradictory claims. This belies the plausibility of a bona fide amendment. And he did not signal an amendment and settle on one single version of the events. So, Giuliani did not annul, retract or amend – he did not ‘walk back’ in any relevant sense.

Giuliani claimed that his statements that week were ‘mere hypotheticals’. He said that

p one day, and said that not- p the next. The sequence of claims made throughout the week still fit the Stalnakerian assertion model: Giuliani's assertions were said as updates of the media's 'daily conversation' with propositions that can be taken as true for some purpose, say, for TV ratings. But readers' reactions belie this explanation, since their comments of Haberman's article strongly disapprove of Giuliani's statements. One reader said, "What a farce. Aren't you tired of all this gaslighting, Americans?" Gaslighting is not just lying; it is lying for the purposes of emotional and psychological manipulation, with some truth thrown in. This suggests that his claim that his statements that week were 'mere hypotheticals' was a lie about their illocutionary force. Hence, the only plausible explanation of what Giuliani did on January 20, when he said the truth, was that (i) he asserted, (ii) it was common ground that the assertoric force had its proper deontic effects, and (iii) Giuliani then lied about (i). And that's what is reprehensible in his conduct. Had he not asserted and then lied about it, readers would not have been outraged. The thin notion of assertion of the Stalnakerian cannot predict or explain this.

The problem here concerned the need to keep track of the illocutionary effects that become part of common ground in a conversational context. A thin notion of assertion lacks the necessary complexity to keep track of those effects and distinguish lies from veridical assertions.

3.4 *Incompatible normative context update proposals*

I agree that incompatible context update proposals are a possible kind of disagreement in act. However, Khoo and Knobe's proposal, in spite of its complexity, does not avoid some obvious problems, and creates new ones. They introduced the possibility of indeterminate situations where it is not clear what, if any, is the norm of the context. A speaker A can assert that some action Z is wrong, meaning to update what is common ground in that context, and if true, the norms of the context will forbid Z -ing. An interlocutor B replies that Z isn't wrong, thereby

trying to update common ground such that the norms of the context will tolerate Z-ing. If neither speaker accepts what the other says, they find themselves in a speech situation that includes the contextual norms that each accepts. The assertions are as a result neither true nor false. Now, that seems like a neat solution for the problem of faultless disagreement, but it faces obvious problems.

Khoo and Knobe's solution makes it easy for bad actors to boycott conversations and to get rid of norms they don't want to comply with. Moreover, the problem over generates to any stubborn, lazy, or ill-informed agents unwilling to revise their commitments, and to any cases where normative commitments are hard to ascertain, as the Callas-Tebaldi case mentioned earlier. To borrow a phrase from Lewis (1989/2000: 72), the solution neglects the "multifariously iffy connection" between the values or norms that may well be those of the context, and speakers' motivation to act as they should. In all such cases, the model would predict that what people say is neither true nor false. This is a failure of the model.

Consider this case. On May 6, 2020, in the middle of the coronavirus pandemic, when 30 million people were out of work in the US, businesses were collapsing, and the number of deaths quickly growing, Donald Trump pushed for reopening the economy, and said:

- (9) Will some people be affected badly? Yes. But *we have to get our country open, and we have to get it open soon.*

We can imagine medical advisor Dr Antony S. Fauci disagreeing:

- (10) It is too soon to do that.

This can be described as a speech situation of the sort Khoo and Knobe consider. Trump proposes to remove a norm from the context (that people and businesses should follow social distancing measures, wear masks until the pandemic is controlled). Dr Fauci proposes to remove another norm from context (one that allows for businesses to operate as before the

pandemic). The two context update proposals are incompatible. Two different sets of norms have been initiated, generating the kind of situation Khoo and Knobe describe: “neither accepts the update proposed by the other. Then $S = \{c_1, c_2\}$, in which case both sentences uttered by A and B are neither true nor false in S” (Khoo and Knobe 2018: 28). On this model, (9) and (10) are neither true nor false. As the death toll in the US continues to grow, it is evident that this result is unacceptable, Dr Fauci’s recommendation in (10) is true, and Trump’s is wrong. In the very speech situation where the claims were made, it was already true that Fauci was right.

The problem here mirrors that of the selection of the QUD from section 3.2. We cannot account for the normative or value standards of a context by relying only on the proposals and intentions of the interlocutors. This makes it too easy for communication to break down.

4. Largely negative conclusions?

Although the arguments I offered were largely negative, I am sympathetic to the aims of capturing a genuinely expressivist-normativist account of communication. I argued that we need an account of the different attitude modes that create a normative common ground, but that Stalnaker’s notion of propositional acceptance does not meet this need. I further claimed that the explanation must register the variety of conventional and normative requirements of felicitous normative communication. To this end, the explanation must accommodate the distinct illocutionary effects that can update context. The thin notion of assertion also falls short here. And we cannot explain how QUDs are selected if we rely only on participants occurring psychological states. Finally, I argued that we also cannot explain how normative standards are selected if we rely only occurring psychological states. A better expressivist-normativist theory must recognize additional requirements on practically rational and felicitous normative context

update proposals.⁵

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