



2 **Lies, Common Ground and Performative Utterances**

3 **Neri Marsili**¹

4 Received: 13 May 2020 / Accepted: 22 December 2020
5 © The Author(s), under exclusive licence to Springer Nature B.V. part of Springer Nature 2021

6 **Abstract**

7 In a recent book (*Lying and insincerity*, Oxford University Press, 2018),
8 Andreas Stokke argues that one lies iff one says something one believes to be false,
9 thereby proposing that it becomes common ground. This paper shows that Stokke's
10 proposal is unable to draw the right distinctions about insincere performative utter-
11 ances. The objection also has repercussions on theories of assertion, because it poses
12 a novel challenge to any attempt to define assertion as a proposal to update the com-
13 mon ground.

14 **1 Stokke's Definition of Lying and Assertion**

15 Andreas Stokke's (2018) recent book, *Lying and insincerity*, is one of the most com-
16 prehensive and up-to-date works ever published in the philosophy of lying. It cov-
17 ers a wide range of topics, including the difference between lying and misleading
18 (ch. 5), the notion of bullshitting (ch. 6–7), and the analysis of complex forms of
19 insincerity (ch. 8–10). This paper will mainly focus on one fundamental aspect of
20 Stokke's book: its underlying account of lying and assertion, to which the author
21 devotes the first three chapters.

22 Stokke's definition of lying was first introduced in his paper "Lying and Asser-
23 tion" (2013), and has since been one of the most influential in the philosophical
24 literature. This paper shows that Stokke's definition of lying is incorrect, because it
25 is unable to draw the right distinctions concerning insincere performative utterances,
26 and highlights some consequences for the broader ambitions of his book, in particu-
27 lar concerning its attempt to develop a Stalankerian account of assertion.

28 Stokke (2013, 2018) defines lying as an insincere assertion. His characterisation
29 of assertion, in turn, draws on the account of *common ground* developed by Robert
30 Stalnaker (1978, 2002). According to Stalnaker (2002: 716), "it is common ground
31 that *p* in a conversation if all members *accept* (for the purpose of the conversation)
32 that *p*, and all *believe* that all accept that *p*, and all *believe* that all *believe* that all

A1 ✉ Neri Marsili
A2 nerimarsili@gmail.com

A3 ¹ University of Barcelona, Carrer de Montalegre 6, 08001 Barcelona, Spain

33 accept that p , etc.”. From this, Stokke derives his own account of assertion, accord-
34 ing to which you are *asserting that p* whenever you propose that p is added to the
35 ‘official’ common ground by saying that p . In other words, you assert iff you meet
36 two conditions: (i) you say something (as opposed to merely implicating it), and (ii)
37 you thereby propose to add what you said to the ‘official’ common ground. From
38 this definition of assertion,¹ Stokke derives the following definition of lying:

39 (DLS) A lies to B if and only if there is a proposition p such that:

- 40 (a) A says that p to B, and
- 41 (b) A proposes to make it common ground that p , and
- 42 (c) A believes that p is false

43 2 Common Ground and Performative Utterances

44 When Stalnaker (1978) first proposed to characterise assertion as a proposal to add
45 a proposition to the common ground of a conversation, he stressed that not every
46 such proposal is an assertion. For instance, if a speaker proposes her audience to
47 accept p for the sake of the argument, or as a hypothesis, she is proposing to add p
48 to the common ground without asserting that p . For this reason, Stalnaker (1978:
49 323) specifies that his view should not be interpreted as a *definition* of assertion, but
50 rather a necessary but not sufficient condition for asserting something.

51 Stokke’s (2013, 2018) project is to modify Stalnaker’s account so as to make it
52 work as a definition. To avoid counterexamples, he needs to incorporate a criterion
53 to set assertions apart from other speech acts with similar features, like assumptions
54 and hypotheses. To this end, Stokke introduces a distinction between *official* and
55 *unofficial* common grounds. Unofficial CGs are ‘temporary’ CGs that open up in
56 order to store information that is used for the purpose of an argument; by contrast,
57 official ones are, so to say, ‘permanent’ CGs. Assertion is then defined as a pro-
58 posal to add a proposition to the *official*, permanent CG, so as to exclude speech acts
59 other than assertions (assumptions, hypotheses, etc.). This distinction allows DLS
60 to classify assertions like (1) and (2) as lies whenever they are uttered insincerely
61 (because assertions are meant to be stored in the official CG) and successfully dis-
62 cards assumptions like (3) (because assumptions are only meant to be stored in the
63 unofficial CG).

- 64 (1) I fancy a beer
- 65 (2) Integers can be divided by zero
- 66 (3) Assume that Socrates is right...

1FL01¹ In a footnote, Stokke specifies that he only wants to capture “the aspects of assertion that are relevant
1FL02 for defining lying”, and explicitly denies that his account of assertion is a *definition* of assertion (Stokke
1FL03 2018: 47). However, since DLS is meant to spell out what an ‘insincere assertion’ is, Stokke is de facto
1FL04 committed to define assertion as the joint satisfaction of condition (a) and (b) of DLS (cf. also Stokke
1FL05 2018: 90).

67 While the notion of official CG succeeds in excluding the counterexamples origi-
 68 nally individuated by Stalnaker (assumptions and hypotheses), it is not clear that it
 69 can help us distinguish, on a more general level, between insincere assertions (lies)
 70 and other insincere speech acts. To see this, let us consider some further speech acts,
 71 performed by means of an explicit performative utterance²:

- | | |
|---------------------------------------|---|
| (4) I swear that | (4*) I have not stolen your Nutella jar |
| (5) I solemnly assert that | (5*) I didn't borrow any money from
Mr. Dodo |
| (6) I promise to clean the toilet | (6*) [I will clean the toilet] |
| (7) I command you to clean the toilet | (7*) [you will clean the toilet] |

72
 73 Intuitively, one can lie by *swearing*, *asserting*, or *promising* something: it is natural
 74 to classify (4), (5), and (6) as lies if the speaker believes, respectively, that (4*), (5*)
 75 or (6*) is false.³ By contrast, (7) cannot be a lie, as it is not even clear what could
 76 make (7) insincere: if I utter (7) and I do not believe that you will clean the toilet (or
 77 I do not want you to clean the toilet), my command is perhaps deceptive, but certainly
 78 not a lie. Like the assumption (3), the order (7) should be ruled out by DLS. I
 79 will assume that a good definition of lying should count the insincere proffering of
 80 (1–2) and (4–5–6) as lies, and discard the insincere proffering of (3) and (7) as not
 81 lies.

82 Stokke's definition is unable to deliver these distinctions.⁴ On the one hand, DLS
 83 is underdetermined: since Stokke does not offer a systematic account of how per-
 84 formative utterances contribute to updating the 'official' CG, the predictions of DLS
 85 are in some of these cases (like (7)) underdetermined. On the other hand, if we try
 86 to develop a principled criterion to apply DLS to performative utterances, we are
 87 bound to find that none is compatible with our desiderata. In what follows, I will
 88 review four such criteria. Note that I will focus on criteria that can be extrapolated
 89 from Stokke's own work (exception made for the clarificatory remarks in (A)): I will
 90 not be trying to show that DLS cannot be *changed* to deliver the right distinctions,
 91 but merely that every charitable interpretation of DLS fails to do so.

2FL01 ² Explicit performative utterances are utterances of the form "I (hereby) [performative verb] that *p*", in
 2FL02 which the speaker performs a given speech act (promising, asserting, betting, etc.) by declaring that she
 2FL03 is performing it. In the examples, the starred propositions represent the content of the speech act (what
 2FL04 the speaker is promising, asserting, commanding), identified in a 'non-descriptivist' way. I will clarify
 2FL05 what a non-descriptivist interpretation is in §2.A.

3FL01 ³ See Marsili (2016) for empirical evidence that laypeople overwhelmingly judge insincere promises to
 3FL02 be *straightforward* cases of lying. Only Austin (1962: 11) and Meibauer (2014) have defended the oppo-
 3FL03 site view that promises cannot be lies. However, Austin presents this view only to proceed to challenge
 3FL04 it (1962: 50, 70–1, 135–6), as part of a *reductio ad absurdum* of the distinction between constative and
 3FL05 performative utterances (and the descriptivist semantics associated with it). Meibauer (2014: 76) merely
 3FL06 states, in passing, that "we do not want to speak of an insincere promise or warning as a lie", but pro-
 3FL07 vides no justification for this claim. Marsili (2016) has since challenged Meibauer's view on theoretical
 3FL08 (2016: §2) and empirical (2016: §6) grounds. In addition to this, Meibauer recognises that "it is possible
 3FL09 to lie by using explicit performatives" (2014: 94), so that he would still agree that (4) and (5) can be lies.

4FL01 ⁴ To be sure, Stokke is in good company: as I argue in Marsili (2020), this problem is shared by some
 4FL02 other influential definitions, namely deceptionist ones (e.g. Mahon 2008; Lackey 2013), and some other
 4FL03 assertion-based views, such as Fallis's (2012, 2013).

92 (A) *Descriptivism*—Since DLS should exclude (7), a first tempting move is to dis-
93 card (7) on the ground that it fails to meet the insincerity condition (b). It is a known
94 property of performative utterances that they are true in virtue of the speaker’s say-
95 ing so (Searle 1989). For instance, if I utter (7), it is true that I ordered you to clean
96 the toilet because my saying so *amounts* to issuing the order. Since (7) is true and
97 known to be true by the speaker in every context in which it can be uttered, it always
98 fails to satisfy the insincerity condition (b), and it is correctly excluded by DLS.

99 This solution, however, is not viable (cf. Marsili 2016: 276–277, 2020: §2.1).
100 Simply put, this strategy employs a ‘descriptivist’ interpretation of the content of
101 commands like (7): the propositional content at stake for DLS (i.e., ‘what is said’ by
102 the speaker) is identified with (7), rather than (7*). The problem with this approach
103 is that it entails that no performative utterance can ever be a lie. This means that we
104 cannot classify (4–5–6) as lies, against our desiderata. Much like (7), these utter-
105 ances are true in virtue of the speaker’s saying so; nonetheless, they clearly count
106 as lies when uttered insincerely. The descriptivist strategy is thus bound to fail, as it
107 prevents DLS from counting promises (like 6), oaths (like 4) and even explicit asser-
108 tions (like 5) as lies.

109 One may wonder whether the proponent of DLS can simply bite the bullet, and
110 deny that performative utterances can ever be lies. I doubt that one can do this with-
111 out adopting a radically *revisionary* account of what lying is. To see why, let us con-
112 trast a plain assertion with some explicit performatives:

(8) I have already booked the restaurant for tonight

(9) I swear that

I have already booked the restaurant
for tonight

(10) I guarantee that

I have already booked the restaurant
for tonight

(11) I assure you that

I have already booked the restaurant
for tonight

113

114 Let the context be one in which I have not booked the restaurant, and have no inten-
115 tion to book it. If I were to utter any of the above utterances, I would be lying. This
116 is a fact that virtually every ordinary speaker would recognise as uncontroversial.
117 But the descriptivist is forced to deny it. He is forced to contend that choosing (9),
118 (10), or (11) over (8) will render the speaker immune from the accusation of having
119 lied. This doesn’t seem right. If something, by choosing to *guarantee* that I booked
120 the restaurant instead of merely asserting it, I accept to be held even *more* account-
121 able for what I have said. Rather than preventing me from being accused of having
122 lied, choosing (9–11) over (8) will render me liable to even *stronger* criticisms if it
123 turns out that I had not called the restaurant.

124 In short, the problem with descriptivism is that it rules out also those perform-
125 ative utterances that we want to classify as lies. Insofar as our goal is to offer a

126 *descriptive* definition of lying (one that accommodates our ordinary use of the con-
127 cept, cf. Fallis 2009, 30–35; Mahon 2015), rather than *revisionary* account of what
128 lying is (one that captures an artificial, philosophically engineered version of this
129 concept), descriptivism is not a viable strategy to rescue DLS.⁵ A good definition
130 should capture the insincere utterances of (8–11) as lies, as well as (4–6), and the
131 only way to achieve this goal is to adopt a non-descriptivist interpretation of DLS.

132 (B) *Syntax and truth-evaluable content*—According to DLS, you lie only if you
133 believe that *what you say* is false. Perhaps DLS can be rescued by maintaining (as
134 some linguist do) that some performative utterances lack truth-evaluable content, so
135 that in uttering them you cannot believe that *what you say* is false (and consequently
136 you cannot lie). Above, I assumed that the content of (7), “I command you to clean
137 the toilet”, is the truth-evaluable proposition (7*), “(that) you will clean the toilet”.
138 But we may deny that this analysis is appropriate, while avoiding the shortcomings
139 of descriptivism. An alternative view is that the propositional content of “I com-
140 mand you *to clean the toilet*” is better represented, more straightforwardly, by the
141 non-finite clause “to clean the toilet”. If this assumption is granted, we may then
142 insist that (7*) is not truth-evaluable: there is no obvious sense in which it can be
143 true or false.⁶ If this is right, (7*) cannot be *believed* to be true or false, and fails to
144 meet condition (b) of DLS, in line with our desiderata.⁷

145 This syntactic criterion relies on the presence of infinitive *to*-clauses (as opposed
146 to *that*-clauses) to draw its distinctions. This solution may seem promising, but it
147 proves both too little and too much. It proves too little, because there are commands
148 that take *that*-clauses under their scope, as (12):

149 (12) I command that you leave this place and never return

5FL01 ⁵ This is not to deny that there may be some truth to the descriptivist view, considered as a semantic
5FL02 theory of performative utterances: clearly, there is some technical (and perhaps philosophically interest-
5FL03 ing) sense in which I would be telling the truth in uttering (10) (since I would in fact be guaranteeing that
5FL04 I have already booked a restaurant) and not in uttering (8). My point here is simply that, unless we are
5FL05 aiming for a revisionist account of lying, we should classify (8–12) as any competent speaker would—
5FL06 that is, as lies, and not as truthful statements. This point can be acknowledged independently of whether
5FL07 one is convinced by a descriptivist analysis of these utterances (e.g. Bach and Harnish 1979, 1992) or by
5FL08 the arguments against it (Harris 1978; Searle 1989; Reimer 1995; Jary 2007).

6FL01 ⁶ Authors who reject the force-content distinction propose comparable analyses of this sort of cases (e.g.
6FL02 Hanks 2007: 150, Barker 2004: §1.5.1). For a more technical discussion of non-finite *to*-clauses, see the
6FL03 analysis of PRO elements in Binding Theory (Chomsky 1981).

7FL01 ⁷ For the record, this analysis is at odds with Stokke’s own account of how we assign truth-conditional
7FL02 content to sentences (Schoubye and Stokke 2016, rehearsed in 2018:§4). When it comes to determining
7FL03 which sentences have semantic content at all, Stokke takes *mood*, rather than *force*, to be decisive. He
7FL04 holds that “all declarative sentences [...] are associated with a minimal content” (Schoubye and Stokke
7FL05 2016: 773), where ‘minimal content’ is understood to be truth-evaluable. Since (7) is in the declarative
7FL06 mood, Stokke’s own criterion would assign it truth-evaluable content. That noted, this solution still is
7FL07 worth exploring, to see if DLS (so understood) can accommodate our desiderata.

150 It also proves too much, since there are performative verbs that can be lies, but that
151 often admit to-clauses as arguments, such as *promising* or *guaranteeing*⁸:

152 (6) I promise to clean the toilet

153 (13) I guarantee to reverse the effects of my predecessor's politics during my term

154 Perhaps DLS could be paired with a different view of semantic content that delivers
155 the distinctions we need without appealing to syntactic criteria like the presence of
156 that-clauses. We would need a view that denies that commands like (7) and (12) are
157 truth-evaluable, and that classifies as truth-evaluable all performative utterances that
158 can be intuitively be lies, such as (4–6), (8–11) and (13). Despite the vast literature
159 on explicit performatives, however, no theory has yet been defended that draws these
160 distinctions (see Recanati 2013 for an overview). Showing that such a criterion can-
161 not possibly be developed goes beyond the ambitions of this paper. But it is worth
162 noting that the prospects for developing such a theory are not rosy: theorists seem to
163 agree that a plausible theory of content should employ either *syntactic features* or
164 *direction of fit* to set apart performative sentences that have truth-evaluable content
165 from those who do not, and neither of these features can be used to set apart the
166 two sets of utterances under consideration.⁹ In short, DLS cannot easily be fixed by
167 deferring the relevant distinctions to theories of content.

168 (C) *Felicity*: According to Stokke (2017a; 2018: §3.9), if a proposition can be
169 felicitously presupposed, it is good evidence that it is in the common ground. A
170 felicitous presupposition is one that does not elicit “the kinds of repair strategy that
171 are typically prompted by unfamiliar presuppositions” (2017a: 3), such as *accom-*
172 *modation* (as defined by Lewis 1979) and appropriate replies of the form: “What are
173 you talking about?”. To test whether (7) can add (7*) to the common ground, then,
174 one can check whether there are contexts in which one can felicitously presuppose
175 (7*) after someone utters (7).

176 Imagine the following conversation between three individuals: Adolf, Beatrice,
177 and Carol. Adolf commands Beatrice to clean the toilet by uttering (7), and then
178 Carol utters (14), which presupposes (7*):

8FL01 ⁸ While English only seems to accept infinitive to-clauses for claims about the *future*, this restriction is
8FL02 not universal. It does not hold in Romance languages, such as French or Italian, where claims about the
8FL03 present and the past can be made by means of performatives that accept both finite and non-finite clauses:

8FL04 • Affermo [di avere diciotto anni/che ho diciotto anni]
8FL05 *I affirm that I am 18 years old*

8FL06 • Je jure [d'avoir dit la vérité/que j'ai dit la vérité]
8FL07 *I swear that I have told the truth.*

9FL01 ⁹ We have already seen that a syntactic criterion based on the presence of that-clauses would not suc-
9FL02 ceed. A criterion based on direction of fit would fail for similar reasons: since promises, pledges, advices
9FL03 and orders have the same direction of fit, such a criterion would either incorrectly exclude them all, or
9FL04 incorrectly include them all. A somehow related alternative, delineated by Portner (2004), would be to
9FL05 differentiate between illocutionary acts that update the common ground and those that update to-do-lists.
9FL06 But also this criterion will not do: it will incorrectly rule out promises like (6), which update to-do-lists,
9FL07 as well as assertions and guarantees about one's future actions (“You can chop the onions, and *I will peel*
9FL08 *the tomatoes*”; “I guarantee that *I will lower the taxes during my term*”).

179 (14) When you clean the toilet, you should use this tiny sponge

180 Is Carol's presupposition infelicitous? The answer is positive: whenever the felic-
181 ity conditions for performing (7) are satisfied (e.g. Adolf has the authority to issue
182 the command), and Adolf's command is successful,¹⁰ it is possible for Carol to
183 presuppose (7*) felicitously via (14)—as in a military context in which Adolf and
184 Carol are Beatrice's superiors. This means that DLS incorrectly counts (7) as a lie
185 whenever Adolf successfully commands (7) and believes (7*) to be false, against the
186 desiderata.

187 (D) *Proposals*: It could be objected that the 'presupposition test' only proves
188 that orders *succeed* in updating the common ground, but not that they are *proposals*
189 to update the common ground. Perhaps by ordering (7) Adolf does not *propose* to
190 update the common ground with (7*). Orders are not a matter of dispute: by uttering
191 (7), Adolf updates the common ground, regardless of whether Beatrice and Carol
192 agree with it. Since DLS requires that the speaker must *propose* to update the com-
193 mon ground, it could be argued that condition (c) is not met by (7).

194 I am not sure that this distinction does justice to the notion of 'proposal' invoked
195 by Stokke. On Stokke's view, any *attempt* to update the common ground counts as
196 a proposal to update it (2018: 63–4), and he specifies that such attempts can be con-
197 veyed by *any* communicative act (2018: 221), including imperatives (2018: 207, cf.
198 227–229). Hence, according to Stokke's own understanding of DLS, orders like (7)
199 are clearly proposals to update the common ground.

200 Furthermore, even if we were to modify DLS to understand 'proposals' as some-
201 thing that requires approval from the audience, we would fail to differentiate asser-
202 tions from commands. This is because also assertions do not require approval from
203 the audience to update the common ground. When you make an assertion, such as

204 (2) Integers can be divided by zero

205 the proposition 'that integers can be divided by zero' is added to the common
206 ground *by default*. The audience doesn't need to express agreement ("That's right",
207 "I agree") for (2) to become part of the common ground. Assertions update the com-
208 mon ground *unless challenged* (Kelp and Simion 2017, 92). Challenges can be con-
209 veyed directly ("No, they can't!") or indirectly (e.g. by questioning the speaker's rea-
210 sons, or frowning in disbelief).

211 Orders do not behave much differently. They do not need approval from the audi-
212 ence for their content to update the common ground. And they can be challenged:
213 Beatrice may challenge Adolf's authority to order (7) ("You have no right to tell me

10FL01 ¹⁰ Of course then can be contexts in which Adolf's command (7) is *not* successful (e.g. because Adolf
10FL02 is a patient in a mental hospital, with no authority of Beatrice). In these cases, it will be infelicitous to
10FL03 presuppose (7*) by (14). But this does not prove that DLS passes the test. For DLS to pass the test there
10FL04 must be *no circumstances* in which (7*) can be felicitously presupposed as a result of Adolf's command.
10FL05 For this reason, discussion in the main text will be restricted to felicitous (successful) commands, which
10FL06 pose a more direct challenge to DLS.

245 3 Conclusions

246 This paper has shown that Stokke's definition of lying makes the wrong predictions
247 when dealing with performative utterances. Unrefined, its predictions are too vague.
248 Interpreted 'descriptively' (§A), it rules out several performative utterances that can
249 clearly be lies. Interpreted 'non-descriptively', DLS fails to differentiate between
250 illocutions that are can be lies (like assertions and oaths) and those that cannot (like
251 commands and suggestions). Supplementing DLS with a syntactic criterion (§B) to
252 limit its range of application also does not help, as it seems that no such criterion
253 helps it to draw the right distinctions. These verdicts are corroborated by the 'pre-
254 supposition test', which was proposed by Stokke himself, and which confirms that
255 DLS can capture deceptive directives, such as commands and suggestions (§C-D).
256 No matter how we attempt to refine DLS, the definition either captures too little or
257 too much.

258 One of the great promises of Stokke's proposal was its ability to put to work the
259 Stalnakerian model of assertion as a definition of what asserting is. Stokke's solu-
260 tion was to revise Stalnaker's proposal by introducing the notion of 'official' com-
261 mon ground, which delivers the required distinction between assertions and weaker
262 speech acts (such as mere assumptions). But this paper has identified a further, sub-
263 stantial obstacle on the way of this ambitious project. We have seen that a plausi-
264 ble account of assertion should also acknowledge that commands, suggestions, and
265 invitations are not assertions, and that Stokke's 'official common ground' proposal
266 is unable to draw the right distinctions in this respect, no matter how we attempt to
267 refine it. It seems that Stalnaker's worries about the viability of defining assertion in
268 terms of a contribution to the common ground were founded after all.

269 The flaws identified in this paper thus run deeper than Stokke's analysis of lying,
270 and originate from inaccuracies in the characterisation of a more fundamental con-
271 cept, the concept of assertion. These are compelling problems for the book's over-
272 all project. If lying and assertion are defined incorrectly, so are other concepts that
273 Stokke's book aims to characterise. Consider the lying/misleading distinction, dis-
274 cussed in chapter 5. We have seen that Stokke's definition of lying is unable to draw
275 the right distinctions between the speech acts that can be used to lie (such as assert-
276 ing, promising and denying) and those that can only be used to mislead (such as
277 commanding or assuming). Any characterisation of the lying/misleading distinction
278 based on such definition (such as the one developed in his chapter 5) will be inaccur-
279 ate in this respect. The flaws affecting Stokke's characterisation of lying and assert-
280 ing are thus not isolated, but affect the whole conceptual framework developed in
281 the book, which relies on them.

282 Incidentally, there are two alternative definitions of lying that deliver the dis-
283 tinctions that DLS is unable to draw. According to a first family of views, lying
284 requires *warranting the truth* of what one says (Carson 2006: 25–40; Saul 2012;

Footnote 11 (continued)

another is to carve this notion around the counterexamples, in a way that explicitly contradicts both its ordinary and its technical meaning.

285 Shiffrin 2014). A second, like-minded view is that lying requires undertaking a dis-
286 tinctive *commitment* to the truth of a proposition (Marsili 2014: 165–170, 2018;
287 2020; Leland 2015; Viebahn 2017: 1377, 2020; Reins and Wiegmann 2021). Both
288 views are able to distinguish the performative utterances that can be lies (such as
289 promises and assertions) from the ones that cannot (such as orders or invitations),
290 because the former set of utterances involves undertaking the relevant set of respon-
291 sibilities (be they identified with ‘warrant’ or ‘commitment’ to the truth of a proposi-
292 tion), while the latter does not (for elaboration, Marsili 2020, §3.4–6)). This means
293 that counterexamples based on insincere performative utterances do not just show
294 that DLS is incorrect: they also establish that DLS is inferior to competing defini-
295 tions (warrant-based and commitment-based views) when it comes to determin-
296 ing which performative utterances can be lies.

297 To conclude, Stokke’s attempt to explain insincere communication within a uni-
298 fied framework is commendable, and the picture presented in *Lying and Insincer-*
299 *ity* fascinating and insightful. However, absent some crucial amendments to the key
300 notions lying at its core (more specifically, to the relation between common ground
301 updates and assertoric force) this picture is at best incomplete. Further work will
302 be required to determine whether this conceptual framework simply needs to be
303 amended, or whether assertion and lying are not essentially tied to contributions to
304 the common ground after all.¹²

305 **Acknowledgements** I would like to thank Jennifer Saul, Grzegorz Gaszczyk, and two anonymous review-
306 ers for very helpful comments on earlier versions of this article.

307 **Funding** Research funding was provided by Ministerio de Ciencia, Innovación y Universidades (Grant
308 No. FFI2016-80636-P, AEI/FEDER, UE).

309 References

- 310 Austin, J. L. (1962). *How to do things with words*. Oxford: Clarendon Press.
311 Bach, K., & Harnish, R. M. (1979). *Linguistic communication and speech acts*. Cambridge: MIT Press.
312 Bach, K., & Harnish, R. M. (1992). How performatives really work: A reply to Searle. *Linguistics and*
313 *Philosophy*, 15, 93–110. <https://doi.org/10.1007/S10988-01>.
314 Barker, S. J. (2004). *Renewing meaning: A speech-act theoretic approach*. Oxford: Clarendon Press. [https](https://doi.org/10.1093/0199263663.001.0001)
315 [://doi.org/10.1093/0199263663.001.0001](https://doi.org/10.1093/0199263663.001.0001).
316 Carson, T. L. (2006). The definition of lying. *Noûs*, 2, 284–306.
317 Carson, T. L. (2010). *Lying and deception*. Oxford: Oxford University Press.
318 Chomsky, N. (1981). *Lectures on government and binding*. Foris.
319 Elswyk, P. V. (2019). Deceiving without answering. *Philosophical Studies*. [https://doi.org/10.1007/s11098-](https://doi.org/10.1007/s11098-019-01239-7)
320 [8-019-01239-7](https://doi.org/10.1007/s11098-019-01239-7).
321 Fallis, D. (2009). What is lying? *Journal of Philosophy*, 106(1), 29–56.
322 Fallis, D. (2012). Lying as a violation of Grice’s first maxim of quality. *Dialectica*, 66(4), 563–581. [https](https://doi.org/10.1111/1746-8361.12007)
323 [://doi.org/10.1111/1746-8361.12007](https://doi.org/10.1111/1746-8361.12007).

¹² The negative case against Stokke’s proposal has grown in size since I first redacted this manuscript.
12FL.01 For equally critical stances on Stokke’s characterisation of lying and assertion, see Van Riel (2019)
12FL.02 and Van Elswyk (2019). Further objections are in Fallis (2013, 350–2) and Keiser (2016: 476), but see
12FL.03 Stokke (2017a, b) for replies, and Marsili (2017, 69–71) for a vindication of Fallis’s objection.
12FL.04

- 324 Fallis, D. (2013). Davidson was almost right about lying. *Australasian Journal of Philosophy*, 91(2),
325 337–353. <https://doi.org/10.1080/00048402.2012.688980>.
- 326 Hanks, P. W. (2007). The content-force distinction. *Philosophical Studies*, 134(2), 141–164. <https://doi.org/10.1007/s11098-007-9080-5>.
- 327
- 328 Harris, R. (1978). The descriptive interpretation of performative utterances. *Journal of Linguistics*, 14(2),
329 309–310
- 330 Jary, M. (2007). Are explicit performatives assertions? *Linguistics and Philosophy*, 30(2), 207–234.
- 331 Keiser, J. (2016). Bald-faced lies: how to make a move in a language game without making a move in a
332 conversation. *Philosophical Studies*, 173(2), 461–477. <https://doi.org/10.1007/s11098-015-0502-5>.
- 333 Kelp, C., & Simion, M. (2017). Criticism and blame in action and assertion. *Journal of Philosophy*,
334 114(2), 76–93.
- 335 Lackey, J. (2013). Lies and deception: An unhappy divorce. *Analysis*, 73(2), 236–248. <https://doi.org/10.1093/analys/ant006>.
- 336 Leland, P. R. (2015). Rational responsibility and the assertoric character of bald-faced lies. *Analysis*,
337 75(4), 550–554.
- 338 Lewis, D. (1979). Scorekeeping in a language game. *Journal of Philosophical Logic*, 8(1), 563–582. <https://doi.org/10.1007/BF00258436>.
- 339 Mahon, J. E. (2008). Two definitions of lying. *International Journal of Applied Philosophy*, 22(2),
340 211–230.
- 341 Mahon, J. E. (2015). The definition of lying and deception. In E. N. Zalta (Ed.), *Stanford Encyclopedia of*
342 *Philosophy* (Winter 2015 Edition).
- 343 Marsili, N. (2014). Lying as a scalar phenomenon. In S. Cantarini, W. Abraham, & E. Leiss (Eds.), *Cer-*
344 *tainty-uncertainty—and the attitudinal space in between* (pp. 153–173). Amsterdam: John Benja-
345 mins Publishing Company.
- 346 Marsili, N. (2016). Lying by promising. *International Review of Pragmatics*, 8(2), 271–313. <https://doi.org/10.1163/18773109-00802005>.
- 347 Marsili, N. (2017). You don't say! Lying, asserting and insincerity. Dissertation, University of Sheffield.
348 Ethos ID: uk.bl.ethos.731535. Available at: <http://etheses.whiterose.ac.uk/19068/>.
- 349 Marsili, N. (2018). Lying and certainty. In J. Meibauer (Ed.), *The oxford handbook of lying* (pp. 169–
350 182). Oxford: Oxford University Press. <https://doi.org/10.1093/oxfordhb/9780198736578.013.12>.
- 351 Marsili, N. (2020). Lying, speech acts, and commitment. *Synthese*. <https://doi.org/10.1007/s11229-020-02933-4>.
- 352 Meibauer, J. (2014). *Lying at the semantics-pragmatics interface*. Berlin: De Gruyter. <https://doi.org/10.1515/9781614510840>.
- 353 Portner, P. (2004). The semantics of imperatives within a theory of clause types. *Proceedings of SALT*
354 XIV, 2, 235–252.
- 355 Recanati, F. (2013). Content, mood, and force. *Philosophy Compass*, 8(7), 622–632. <https://doi.org/10.1111/phc3.12045>.
- 356 Reimer, M. (1995). Performative utterances: A reply to Bach and Harnish. *Linguistics and Philosophy*
357 18(6), 655–675.
- 358 Reins, L. M., & Wiegmann, A. (2021). Is lying bound to commitment? Empirically investigating decep-
359 tive presuppositions, implicatures, and Aactions. *Cognitive Science*.
- 360 Saul, J. (2012). *Lying, misleading, and the role of what is said*. Oxford: Oxford University Press.
- 361 Schoubye, A. J., & Stokke, A. (2016). What is said? *Noûs*, 50(4), 759–793. <https://doi.org/10.1111/nous.12133>.
- 362 Searle, John R. (1989). How performatives work. *Linguistics and Philosophy*. <https://doi.org/10.2307/25001359>.
- 363 Shiffrin, S. (2014). *Speech matters: on lying, morality, and the law*. Princeton: Princeton University
364 Press.
- 365 Stalnaker, R. C. (1978). Assertion. In C. Peter (Ed.), *Pragmatics*. Cambridge: Academic Press.
- 366 Stalnaker, R. C. (2002). Common ground. *Linguistics and Philosophy*, 25(5), 701–721.
- 367 Stokke, A. (2013). Lying and asserting. *Journal of Philosophy*, 110(1), 33–60.
- 368 Stokke, A. (2017a). Metaphors and martinis: A response to Jessica Keiser. *Philosophical Studies*, 174(4),
369 853–859. <https://doi.org/10.1007/s11098-016-0709-0>.
- 370 Stokke, A. (2017b). Proposing, pretending, and propriety: A response to Don Fallis. *Australasian Journal*
371 *of Philosophy*, 95(1), 178–183. <https://doi.org/10.1080/00048402.2016.1185739>.
- 372 Stokke, A. (2018). *Lying and insincerity*. Oxford: Oxford University Press.

- 381 Van Riel, R. (2019). Lying beyond a conversational purpose. *The Journal of Philosophy*, 116(2), 106–
382 118. <https://doi.org/10.5840/jphil201911626>.
383 Viebahn, E. (2017). Non-literal Lies. *Erkenntnis*, 82(6), 1367–1380.
384 Viebahn, E. (2020). Lying with Presuppositions. *Noûs*, 54(3), 731–751.

385 **Publisher's Note** Springer Nature remains neutral with regard to jurisdictional claims in published
386 maps and institutional affiliations.
387

REVISED PROOF