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Note: a lot of the discussion in section 1 is spelled out in considerably more depth in my “Reference, Predication, Judgment, and their Relations”, *Inquiry*, 2022. I’ve also changed my mind about the product view in light of the discussion in Bronzo, “Actions, Products, and Truth-Bearers: A Critique of Twardowskian Accounts”, *Canadian Journal of Philosophy*, 2019).

“Predication and Two Concepts of Judgment”

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Introduction

What is it for us to *cognitively* represent the world *as* being a certain way in the sense of being in a state with propositional content and truth-conditions?¹ On the traditional *Platonist* or *Fregean* picture, we represent by standing in certain relations to intrinsically representational propositions qua abstract objects. For example, for you to represent this apple as being red is for you to stand in some relation to the proposition that this apple is red which is what in the first place represents it as being red. On this picture it is propositions that represent fundamentally and we who represent derivatively.

The Platonist picture has recently come under attack. First, it leaves it completely unexplained how we could come to stand in the relevant relations to propositions qua abstract objects. Second, it leaves unexplained what propositions qua abstract objects are such that they could intrinsically represent. In other words, it can’t solve the problem of the unity of the proposition or the problem of explaining how propositions have truth-conditions (Davidson 2005, Jubien 2001, King 2007, 2009, Soames 2010, 2014, 2015, Hanks 2015).

¹ I’m here setting aside iconic, perceptual etc. representation which I take to mostly consist in being in a state with some sort of non-propositional content and accuracy-conditions. For discussion see Burge 2010, Reiland 2015.

On the critics' alternative *Naturalist* picture of cognitive representation, it is we who represent *fundamentally* and propositions which represent, if at all, derivatively. This requires an answer to the question what it is for *us* to represent.

Suppose we can independently explain how we get to be in touch with objects, how we get to think of them or, in a thin sense, *refer* to them. For example, it's a relatively common view in contemporary cognitive science and philosophy of perception that perception involves causally driven, non-conceptual, context-bound reference to objects (Burge 2010, Clark 2004, Fodor & Pylyshyn 2015, Pylyshyn 2007, 2009). Furthermore, many people think that perceptual reference somehow grounds conceptual, context-bound/demonstrative reference to objects and it's not a stretch to think that this in turn somehow grounds naming, which enables context-free/non-demonstrative reference (Campbell 2002, Smithies 2011).

One way to approach our question about representation is to ask: what do we need to do beyond thinking of or referring to an object to come to cognitively represent it as being a certain way? The age-old answer is that we need to further *predicate*, attribute, or ascribe a property to it. Peter Hanks and Scott Soames have both appealed to this answer in developing their *Act-Based* theories of cognitive representation and propositions. Their view has a common structure (Hanks 2015, Soames 2010, 2014, 2015). On the first step they claim that to predicate the property of being *F* of *O* is to represent *O* as being *F*. They also equate this with performing the most basic act with propositional content. On the second step they then claim that the relevant act-types can be identified with propositions. The central difference between Hanks's and Soames's views lies in how they think about predication and the most basic propositional act. Hanks thinks that predication is *forceful* in that when you predicate being *F* of *O* you take a stand on whether *O* is *F*, namely that it is. To predicate being *F* of *O* is to *judge* that *O* is *F*. In contrast, Soames thinks that predication is neutral and to predicate being *F* of *O* is instead to entertain the proposition that *O* is *F*.

I'm attracted to *Act-Based* theories of cognitive representation and have elsewhere started developing a third view which tries to improve on both Hanks and Soames (Reiland 2019). My first and main aim in this paper is to present the common part of our program in its strongest form while also outlining my own version of it. However, I also have a secondary aim. Like Hanks, I think that predication is forceful and to predicate is to perform an act that may be called judging. But this is potentially confusing because it's

common to also use ‘judge’ for a much more involved act of settling a question about how things are in the light of one’s evidence. Accordingly, my second aim in this paper is to show how we can clearly separate the thin predication-resultant notion of judging, *S(emantic)-judging*, from the much richer notion used in epistemology, *E(pistemic)-judging*.

I will proceed as follows. I will first present the *Act-Based* program of explaining cognitive representation and my own version of it (Section 1). Second, I will introduce the difference between *S*-judging and *E*-judging and give examples of philosophers talking about each (Section 2). Next, I will elucidate the difference between them further in three respects: belonging to different levels of propositional acts and attitudes, norm-governance, and the possibility of sub-personal occurrence (Section 3). Finally, I’ll clarify the distinction some more by showing how both types of judging have been related to belief (Section 4).

1. The Act-Based Program, Predication, and Judgement

The *Act-Based* program of explaining cognitive representation common to Hanks, Soames, and me starts with the following steps:

Atomism: We presuppose an independent account of sub-propositional acts of reference to objects and indicating properties.

Glue: In the most basic cases, if one refers to an object, indicates a property and predicates the property of the object then one performs the most basic act with propositional content.

To illustrate, on Hanks’s view, if one refers to Arvo Pärt, indicates the property of being a composer, and predicates the latter of the former then one judges that Arvo is a composer.

Let me start by fleshing these parts of the program out by explaining how to think of the notion of reference, why we need to distinguish between property-indication and predication, and how to think of the relation of the acts of reference and property-indication to the ensuing predication.

1. *Thinking of vs. Reference.* Thinking of an object is mentally picking it out, bringing it to mind, making it available to do something further with it. We can call this reference, but

it must be made clear that this is reference in a thin sense. The problem here is that many people's intuitions with the verb 'refer' seem such that we would only call an act of thinking of an object reference if it occurs while making it a subject of predication. For example, ask yourself in which of the following typical uses do you refer to Arvo:

- 1) Using 'Arvo is a composer' to say that Arvo is a composer
- 2) Using 'What is Arvo's best composition?' to ask what Arvo's best composition is
- 3) Using, 'Arvo, write some more music!' to beg Arvo to write some more music
- 4) Using 'Arvo!' to get Arvo's attention

I suspect many people will find it intuitive to say that in cases 1) & 2) you are referring to Arvo, but in 3) and 4) you're not. This seems to be because in the first two cases you are thinking of Arvo to make him a subject of predication (or in the case of 2), perhaps some question-related analogue). This doesn't happen in the last two cases. On the other hand, there is something in common in all the cases, and that is using the name 'Arvo' to think of Arvo or to refer to Arvo in a cheap sense. Since the Act-Based program is an *Atomist* program, trying to build up from the constituents to the whole, it needs its sub-propositional act of thinking of or reference to be one which can occur independently of predication and so it operates with this latter notion.²

I think that the distinction between mere thinking of and making a subject of predication helps us to better assess Frege's context principle according to which, roughly, we can only make sense of the parts (e. g. reference, predication) in terms of the whole (e. g. judging). Even though this is plausible for reference, understood in the richer sense, it is implausible for thinking of. As the above examples seem to show, the primary semantic function of names is to encode acts of thinking of objects, acts which also occur in 3) or 4), and not acts of reference in the richer sense, acts which only occur in the context of the whole.

² Contrast this with Stephen Neale's sentence-level *Holist* way of understanding the Gricean program on which the notion of speaker meaning with its propositional content is the first unit of analysis, and speaker reference is analyzed in terms of it. (Neale 2015: 259-260). It's unclear what such a Gricean could say about the communicative intentions involved in the uses of names in 3) and 4).

2. *Property-Indication vs. Predication.* Indicating a property is similarly getting it to mind, making it available to do something further with it. Why do we need to separate it from predication? The reasons here are similar as above, but more widely appreciated. First, consider predicating complex properties like being not red or being red or green. Such complex properties must be formed through negating or disjoining simple properties. This requires that the simple properties be made subject of other acts or operations. And this means that there must be a way in which they're gotten in mind that doesn't involve predicating them (Soames 2010: Ch. 7).

The same can be said of quantification. On standard treatments this involves predicating second-order properties of properties themselves.³ For example, on Hanks's view, to judge that everything is colored is to predicate being universally instantiated of the property of being colored. Again, this requires that properties themselves be made subject of predication and this means that there must be a way in which they're got in mind that doesn't involve predicating them (Hanks 2015: 87).

It's a further and very interesting question what it is to indicate a property like the property of being a composer, something which is true of x iff x is a composer. It clearly can't be thought of in terms of mentally picking out an intrinsically satisfaction-conditioned Platonic property because that would be no progress in explaining representation. Hanks therefore suggests that it is to be understood in terms of giving oneself a rule for sorting or predication (Hanks 2015: 206-27). However, this part of the program is currently undeveloped and awaits further work (see Hanks 2017, Reiland MS).

3. *The Relation Between Thinking of, Indication, and Predication.* How are the acts of thinking of an object and property-indication related to predication? One way to think about it is that a judging (or entertaining) consists of a sequence of the acts of thinking of, property-indication + predication. Soames and Hanks sometimes present their view like this and I've presented it myself in this way in the past (Reiland 2013). However, this version of the view has the obvious problem in raising the question how the sequence of acts is unified into a whole with truth-conditions (Speaks 2020). The alternative, and the only viable way to think about the view is that the acts of thinking of and property-indication

³ Even though it should be clear that this doesn't really amount to an analysis or account of quantification since our understanding of what it is for a property to be universally instantiated is plausibly derived from our understanding of everything having it, rather than vice versa. What this means is that philosophically we can't really claim to understand quantification...

serve as *pre-conditions* for being able to perform the predication. They are not *parts* of the predication or judging. The predication and judging don't have parts at all, but are unities in and of itself. It follows that if we take something suitably related to predication to be the proposition, then the proposition doesn't really have parts either, and is also a unity in and of itself.

Now, like Hanks, I think that to predicate *is* to judge. If so, why do we need to separately talk of predication and judging (a similar question arises on Soames's view in relation to predication and entertaining). Let's look at this next.

4. *Predication and Judging*. If to predicate is to judge then the two acts are token identical. However, Hanks and Soames think that they're not type identical. The reason for insisting on this can be seen by looking at Wittgenstein's objection to Russell's multiple relation theory of judgment (Russell 1912). Russell treated judging as a multiple relation between a person and disjoint items, say you, Arvo, and the property of being a composer. Wittgenstein objected that the judgment that Arvo is a composer must contain something that is capable of being true or false, but that this is not so on Russell's theory on which it is a relation to disjoint items (Wittgenstein 1995, for this interpretation see Hanks 2015: 161-163).

Hanks' and Soames's project starts from seeing that Russell had a real insight when he thought that a multiple relation between a person and disjoint items is what generates representation and propositional content. However, Wittgenstein's objection seems damning. The insight can be captured while avoiding the objection if we distinguish between predication and judging qua types. The claim is that to predicate is to stand in a multiple relation to disjoint items. One predicates one thing, a property, of, a different thing, an object. To predicate is to judge in the sense that judging is analyzed in terms of predication. But to judge is not to stand in a multiple relation to disjoint items, but to perform an act with propositional content, an act that thus "contains" something capable of being true or false.

Hanks and Soames fill in the details a bit more by saying that in predicating and judging (or entertaining) one represents the world as being a certain way and one's act-token similarly does so. Then they go a step further and identify the act-types with propositions. They therefore sometimes say that judging or entertaining are tokening relations. (Hanks 2015: 161). However, the claim that judging or entertaining are tokening

relations is more confusing than helpful. This is because the *Act-Based* program's grounding idea is that predication is more fundamental than judging and judging as a token act is more fundamental than the types. Thus, a judging can be a "tokening" relation where one tokens a type only in a derivative sense. I think the more correct way to put their view is that to judge is not to stand in a relation at all, but to instantiate a monadic property of performing an act with propositional content. After all, the further claim that the relevant act-types can be identified with propositions is an entirely voluntary add-on.

In fact, I've never liked the third step of the Hanks-Soames view:

Types: The relevant act-types (e. g. judging-types, entertaining-types) are propositions.

Here are the most damning objections to this view. First, intuitively, identifying propositions with acts is a category mistake (King 2013: 90). Propositions are some sorts of objects not acts. This intuition can be made sharper by focusing on the claim that predication grounds representation and truth-conditions. Intuitively, when I predicate being a composer of Arvo, I represent Arvo as being a composer. I represent, but my act doesn't. But if my act doesn't then the token acts lack representational properties and so do the types of acts.⁴

I think we can do much better if we follow Kazimierz Twardowski and Friederike Moltmann in further distinguishing between acts and their products (Moltmann 2013, 2017, Twardowski 1911). On this view the idea is that to predicate is to judge and to do this is to represent. However, to predicate and judge is to produce a product, a judgment. I represent, my acts don't, but the product, the judgment does. In fact, I represent by producing the product that represents. My act has a propositional content only in the sense that it produces a product which has such a content. Let's look at this more closely.

5. *Acts, Products, and Propositions.* To get a grip on the act-product distinction, consider first cases where an act results in a physical product which outlives the time of its production. For example, take the act of drawing which produces a drawing. The act of drawing is a datable and locatable event whereas the physical product is an enduring object

⁴ These sorts of objections have been leveled against Hanks's and Soames's view from the beginning. Neither of them is convinced, of course (see Hanks 2015: 66-74, Soames 2015: Ch. 10).

which outlives the time of its production. They also differ in their properties: only the act can be careless or hasty whereas only the product can be accurate.

Next, consider cases where the physical product doesn't outlive the time of its production. For example, take the act of making a face (producing a grimace, a smile etc.). The act is a datable and locatable event whereas the physical product, a face or facial expression, is something which doesn't outlive the time of its production. Yet, they still differ in their properties: only the act of making a face can be impolite or disrespectful or difficult to perform whereas only the product, the face or facial expression made, can be beautiful.

Now, consider cases where an act doesn't result in a physical product, but a psychological, social, or normative one which nevertheless outlives the time of its production. For example, the act of deciding and a decision, an act of promising and a promise, and an act of making a law and the law. The acts are again datable and locatable events whereas the products are enduring statuses which outlive the time of their production. A decision stands as long as it isn't changed, a promise exists as long as it isn't fulfilled, or one isn't released from it, and a law is in force as long until it ceases to be so. Again, they also differ in their properties. Acts of deciding can't be changed, decisions can. Acts of promising can't be broken, promises can. Acts of law-making can't be violated whereas laws can.

Finally, consider cases where the psychological, social, or normative product doesn't outlive the time of its production. Here Twardowski and Moltmann would place the acts of judging and judgments. The acts are again datable and locatable events whereas the products are objects which don't outlive the time of their production.⁵ Nevertheless, the distinction is needed since they differ in their properties. First, as we saw above, intuitively acts of judging can't have truth-conditions and be true or false, only the products, the judgments can. Second, acts of judging enter similarity relations on a different basis than judgments. My judging and your judging are exactly similar when they're performed in the

⁵ As an aside, and to jump a bit ahead, this is only plausible for acts of *S*-judging and *S*-judgments which are basically forceful thoughts. Acts of epistemically judging are like acts of deciding, the products of which stand as long as they aren't changed. In fact, as we will see, epistemic judgments are ways of making up our minds about what to believe, ways of concluding theoretical deliberation analogously to the way in which decisions are ways of making up our minds about what to do, ways of concluding practical deliberation.

exact same way. But for the products, the judgments, to be exactly similar is just for them to have the same content (Moltmann 2017: 261).

Thus, on my view the acts of predicating and judging are acts of producing a product, a judgment. A judgment has a propositional content in the sense that it is itself something that has truth-conditions and is capable of truth and falsity. Given all this, on this view, the products, things like judgments, are of primary importance. They are the primary bearers of truth and falsity and of modal properties. However, they can't be identified with propositions because they are fleeting, mind-dependent creations, *artifacts*. Insofar as we need propositions at all, and whether we do so is an open question, we can perhaps identify them with types of products.

6. *Predication and Force*. I agree with Hanks that predication is *forceful* in that when you predicate being *F* of *O* you take a stand on whether *O* is *F*, namely that it is. To predicate being *F* of *O* is *judge* that *O* is *F*.

I think that taking predication to be forceful is the only coherent option. Hanks gives the following argument (Hanks 2015: 36-37). Performing the act of predication is supposed to result in representing-as and be something that has or results in something having truth-conditions. If I predicate *F* of *O* then I represent *O* as being *F* and do something incorrect, something that's done falsely, if *O* is not *F*. Now assume that predication is neutral and doesn't amount to taking a stand on whether *O* is *F*. Then my action wouldn't be incorrect, wouldn't be done falsely, if *O* is not *F*. It follows that if an act of predication is to have truth-conditions it has to be forceful in the sense of involving taking a stand. I find this argument convincing and won't discuss it further here.⁶

Taking predication to be forceful raises the specter of the Frege-Geach problem: the problem of accounting for embeddings in negations and disjunctions. I've developed the view in a way in which this problem doesn't arise at length elsewhere. Here's a quick summary of the main idea, now also given in terms of products.

7. *Grasping and Why There is No Frege-Geach Problem*. Consider Hanks's view of what it is to perform judgments of complex propositions like those involving propositional conjunction, negation, and disjunction. First, you perform the constituent judgments which

⁶ For discussion and elaboration see Hanks 2015: 36-39, Reiland 2019. The argument is also endorsed by Francois Recanati in Recanati 2019. For Soames's reply see Soames 2015: 219-223.

make available the propositions as judgment-types to serve as targets of further predication. Then you predicate conjunction or negation or disjunction of those judgment-types (Hanks 2015: 99). For example, take the act of judging that O is F **and** O is G . On Hanks's view, to perform this judgment you must first perform the constituent judgments which make available the propositions as targets after which can you predicate being jointly true or standing in the conjunction relation *Conj* of them. We can represent this as follows, where $\text{REF}(O)$, represents the act of referring to O , $\text{IND}(F)$ represents the act of indicating the property of being F , ' \vdash ' represents forceful predication, and $\vdash \uparrow$ represents target-shifted predication:

$$\vdash \uparrow \langle \vdash \langle \text{REF}(O), \text{IND}(F) \rangle, \vdash \langle \text{REF}(O), \text{IND}(G) \rangle, \text{IND}(\text{Conj}) \rangle$$

The idea is that one performs the first judgment, then performs the second judgment and then shifts to the judgment-types as targets of predication for the final predication of *Conj* of them.

But now take the acts of judging that **it is not the case** that O is F or judging that O is F **or** O is G . On Hanks's view to perform these judgments you must again first perform the constituent judgments only after which you can predicate untruth and being disjointly true or standing in the disjunction relation *Disj* of the relevant propositions:

$$\begin{aligned} &\vdash \uparrow \langle \vdash \langle \text{REF}(O), \text{IND}(F) \rangle, \text{IND}(\text{Not-True}) \rangle \\ &\vdash \uparrow \langle \vdash \langle \text{REF}(O), \text{IND}(F) \rangle, \vdash \langle \text{REF}(O), \text{IND}(G) \rangle, \text{IND}(\text{Disj}) \rangle \end{aligned}$$

But it's simply false that judging that **it is not the case** that O is F and judging that O is F **or** O is G require judging that O is F . And this is the essence of the Frege-Geach problem.⁷

I think there are serious problems with the idea that performing the constituent judgments is sufficient to make available the associated propositions qua judgment-types as targets of predication (see Reiland 2019). However, to prevent the Frege-Geach problem from arising we have to also see that it's not necessary. My alternative view defended in that

⁷ Hanks has of course proposed a solution in terms of his notion of cancellation. For criticism see Reiland 2019.

paper is that once we have the capacity for performing certain judgments, we can *grasp* the propositions qua judgment-types independently of performing them. Grasping is an objectual attitude like thinking of, under a practical mode of presentation.⁸ And grasping is what is required to make available the propositions qua judgment-types as targets of predication. Thus, even though predication is forceful and grounds everything, grasping a proposition qua a judgment-type is required for embedding and is how force gets neutralized in those contexts.

After the shift to products I would put the same idea in terms of them. Predication and judging are forceful in that they result in producing a product that has truth-conditions. But the product or a product-type can be grasped and it's grasping that makes the product or product-type available as target of further predication, that is required for embedding, and is how force gets neutralized in those contexts.

8. *Summary.* Let me sum up the essentials of my view. When one thinks of Arvo, indicates the property of being a composer, and predicates the latter of the former then one judges that Arvo is a composer. Thinking of is reference in a cheap sense, to be distinguished from making something a subject of predication. Similarly, indicating a property is to be distinguished from predicating it. The two acts of thinking of and property-indication are pre-conditions to be able to perform the predication, but not parts of it. Predication is a multiple relation; judging is a two-place relation of production. To judge is to produce a judgment which is a product, an object with propositional content. Products are mind-dependent artifacts. Predication is forceful and truth-committal which is why the product has truth-conditions. Products or product-types can be grasped where grasping is an objectual attitude like thinking of, under a practical mode of presentation. Grasping is required for embedding and is how force gets neutralized in embeddings in negations and disjunctions.

2. S-Judging vs E-Judging

Until now, we've been using 'judge' for the predication-resultant act in the performance of which one represents something as being some way. Many philosophers

⁸ For more on objectual attitudes see Grzankowski 2016.

who are primarily focused on philosophy of mind and language use the word ‘judge’ in this thin sense. Let’s call this *S(emantic)-judging*. The problem is that many other philosophers use the word ‘judge’ for a much more involved act of settling a question about how things are in the light of one’s evidence. Let’s call this *E(pistemic)-judging*. In this section I will introduce examples of philosophers talking about each to try to get an initial grip on their difference.

Let us start with some examples of philosophers using ‘judge’ in the sense of *S*-judging. First, consider philosophers who use the term ‘perceptual judgment’ (e. g. Lyons 2015, Johnston 2006, Toribio 2018). A perceptual judgment is supposed to be an act with propositional content which either forms a part of perception or immediately follows it. It’s clear that ‘judge’ is here used in the sense of *S*-judging because perceptual judgments are supposed to be formed immediately and are not made by the agent for reasons or based on evidence.

Second, consider the standard translation of Kant’s ‘urteil’ as ‘judgment’. According to the *Stanford Encyclopedia of Philosophy* entry ‘Kant’s Theory of Judgment’, here’s Kant’s view of judging:

According to Kant, a “judgment” (*Urteil*)...is a higher-order complex conscious cognition that refers to objects either directly (via the essentially indexical content of intuitions/non-conceptual cognitions) or indirectly (via the essentially attributive or descriptive content of concepts); in which concepts are predicated either of those objects or of other constituent concepts; ... (Hanna 2017)

Now, perhaps Kant has more packed in his ‘urteil’ than just being the most basic act in the performance of which one represents. However, it should be clear that he’s not using ‘urteil’ exclusively for acts performed for reasons or based on evidence.

Let’s now look at examples of philosophers using ‘judge’ in the richer sense of *E*-judging:

Judgement is a conscious rational activity, done for reasons, where these reasons are answerable to a fundamental goal of judgement: that it aims for truth. (Peacocke 1998: 88)

Judging is a mental action. To judge that P is to do something and to do it for a reason. (Cassam 2010: 81).

A judgment is a cognitive mental act of affirming a proposition (although, as we shall explain, not all affirmations are judgments). It is an act because it involves occurrently presenting a proposition, or putting it forward in the mind; and it is cognitive because it involves presenting the proposition *as true*—or, as we have said, affirming it. ... a judgment, like a belief, is correct if and only if its content is true. Reasoning aims to issue or not issue in a belief that *p* in accordance with the relevant norm by first issuing or not issuing in a judgment that *p* in accordance with the corresponding norm. Strictly speaking, then, the question *whether to believe that p* is transparent, in the first instance, to the question *whether to judge that p*, which in turn is transparent to the question *whether it would be correct to judge that p*, and thence to *whether p is true* and, finally, to *whether p*. (Velleman & Shah 2005: 503).

All of the above use ‘judge’ so that to judge is not merely to represent something as being some way, but to do so with the aim of getting things right and based on reasons and evidence one has.

Conor McHugh has worked out a view of *E*-judging which adds some detail. On his account *E*-judging is an act, performed for reasons. It’s a way of making up one’s mind, settling a question about how things are, for example, whether *p*, while having the aim of doing so correctly.⁹ Having this aim entails not only that in judging that *p* one has normative reasons, considerations that count in favor of judging that *p*, but that in judging one is motivated by such reasons. In other words, judging is goal-directed in aiming at truth. In judging whether *p* the thinker aims that the following state of affairs hold: she judges that *p* iff *p*. Having this aim means being motivated by consciously registered reasons conducive to the goal, that is, by evidence (McHugh 2010).

Hopefully we now have an initial grip on the difference between *S*-judging as the predication-resultant act in the performance of which one represents and *E*-judging as the act of concluding theoretical inquiry by settling the question how things are in the light of

⁹ This entails that antecedently to judging one has to have *considered* the question whether *p* (something that is not so in the case of *S*-judging).

one's evidence. In the next section I'll elucidate the difference between them further in three respects.

3. Three Differences

1. *Levels of Acts.* Consider Austin's distinction between locutionary and illocutionary acts in speech act theory (Austin 1962). On my reading of Austin, on his view, to utter a sentence with (one of) its meanings ("with a more or less definite sense and reference", Austin 1962: 95), in a language, is to perform a rhetic or full *locutionary* act. Depending on the mood of the sentence, this act will be either one of *saying* something, *asking* something or *telling* someone to do something. For example, consider the humorous sentence 'Koristame ruumi(d/t)' which in Estonian means 'Let's clean the rooms' and in Finnish means 'Let's decorate the corpses'. If you utter it with its meaning in Estonian you tell a group including yourself to clean the rooms. If you utter it with its meaning in Finnish you instead tell a group including yourself to decorate the corpses.

Locutionary acts are usually performed to perform further, *illocutionary* acts, acts which one performs *in* saying, asking or telling (Austin 1962: 99). For example, in saying, one might be guessing or conjecturing or asserting, in asking one might be inquiring or examining someone, and in telling someone to do something one might be requesting or ordering or advising. Thus, there is a level difference between a locutionary act like saying and an illocutionary act like asserting. Saying is a part of any other illocutionary act of the declarative kind, whereas asserting is a distinctive act of the declarative kind at the same level as other such acts like conjecturing.

According to the *Act-Based* program, predication and *S*-judging are the most basic acts in the performance of which one represents propositionally. This means that they're in one way or another implicated in any other act or attitude with propositional content. For example, consider mentally guessing. If you guess, you're representing something as being a certain way and thus you must be predicating and *S*-judging. The same is true of other acts like hypothesizing and *E*-judging. Hence, there is a level difference analogous to that between locutionary acts and illocutionary acts between *S*-judging and *E*-judging: *S*-judging is a part of any other act with propositional content whereas *E*-judging is a distinctive act at the same level as other such acts like guessing and hypothesizing.

2. *Norm-Governance*. It's customary to distinguish between objective and subjective norms governing belief and discuss their relation. A belief is supposed to be objectively correct iff it is true. Thus, it is sometimes suggested, there is an objective norm of truth governing belief. On the other hand, a belief is subjectively correct or *rational* if it is based on adequate evidence. Thus, there is a subjective norm of evidence governing belief.

S-judgments and *E*-judgments differ insofar as norm-governance. On the face of it, *S*-judgments are only governed by the objective norm of truth whereas *E*-judgments, analogously to belief, are governed by both the objective norm of truth and the subjective norm of sufficient evidence.

However, given my view, some nuance is needed here. Consider the question whether predication or *S*-judging qua acts are governed by any norm. Well, one could say that they're governed by an objective norm in the sense that they're performed correctly iff they're true. However, on my view acts of predication and *S*-judging are not true. Their products are. Nevertheless, we can say the following: an act of predication or *S*-judging is performed correctly iff it results in a product that is true.

In the case of *E*-judging things are more straightforward. They're governed by an objective norm insofar as they're performed correctly iff they result in a product that is true. However, more importantly, they're governed by a subjective norm on which the act is performed correctly iff one has sufficient evidence. This is why *E*-judgments belong in the sphere of epistemic agency and rationality. To violate the subjective norms governing the act is to fail rationally.

3. *The Possibility of Sub-Personal Occurrence*. It's highly likely that many of our *S*-judgments are performed sub-personally. Consider what are known as *seemings*: occurrent events in which it seems to the subject that *p*. Such seemings can be divided into perceptual seemings and intuitions or intellectual seemings. They're frequently taken to have propositional and conceptual content that represents the world as being a certain way (Reiland 2015). However, the agent is not active with regards to their formation as she is with regards to her *E*-judgments. Rather, to the agent it is as if they passively *receive* the seemings.

Nevertheless, they have to be formed somehow and one plausible story about them tells us that a sub-personal mechanism forms them by categorizing and predicating. This means that sub-personal mechanisms can perform *S*-judgments which on the personal level

are felt as received (Reiland 2015). In fact, some philosophers simply call them perceptual judgments (Lyons 2009, 2013).

In contrast, *E*-judging is a personal-level, epistemic act for which the agent is responsible. Thus, it's clear that it couldn't occur sub-personally.

4. Judgment and Belief

Judging has been always thought to be closely related to belief. In this final section I'll clarify the distinction between *S*-judging and *E*-judging some more by showing the diverse ways in which they've been thought to be related.

Some philosophers have suggested that we can use judging to define belief. Very roughly, the idea is that to believe that *p* is to be disposed to judge that *p* upon consideration. Here's Herbert Price:

We can say of someone, quite correctly, 'he believes that Oxford will win the boat race this year' and that he continues to believe it throughout the months of January and February. But on the traditional view, we mean by this that **if at any time during that period he were to consider the proposition** 'Oxford is going to win the boat race', an actual belief-occurrence would take place in him – a specific sort of experience which he could notice introspectively if he wished – and this proposition about the boat-race would be its object. (Price 1969: 21)

Assuming that an "actual belief-occurrence" is to be thought of something like judgment, Price gets close to the above rough analysis. Similarly, here's Wilfrid Sellars:

Jones believes that-*p* = Jones has a settled disposition to think that-*p*, **if the question occurs to him whether-*p*...** (Sellars 1969: 523)

Again, if the act of thinking that-*p* is something like judgment, then Sellars seems to subscribe to something like the rough analysis given above.

Finally, here's Uriah Kriegel's analysis:

S believes that p iff S is disposed to immediately affirm that p when p-entertaining-triggers obtain. (Kriegel 2013).

Given that Kriegel is using ‘affirming’ and ‘judging’ for the same act and assuming that p-entertaining-triggers are best thought of in terms of considering p, he seems to again subscribe to this analysis.

Should we understand ‘judge’ in this account in terms of *S*-judging or *E*-judging? It’s quite clear that it has mostly been intended in terms of the former. After all, the idea behind the analysis is, roughly, that if you believe that p, you would immediately, without any further thought, affirm that p upon considering it. It’s not like you need to go through the process of weighing your evidence and *E*-judging it again upon considering.¹⁰

Consider now a different putative relation between judging and belief. Some people have claimed that judging is the most fundamental way of forming a belief (Peacocke 1998: 88). Yet, others seem to deny this. For example, Quassim Cassam distinguishes between three fundamental ways of forming a belief: perception, testimony, and reasoning. He claims that when we take our perceptions (or perceptual seemings, see Lyons 2009, Reiland 2015) at face value, we form a belief without judging. The same goes for testimony. It’s only in the case of reasoning where we form a belief by first performing a judgment. Since Cassam focuses on reasoning, it should be obvious that we should understand him as talking about *E*-judging. Indeed, *E*-judging is plausibly merely one way of forming a belief, whereas *S*-judging is involved in the formation of any propositional attitude and thus in all beliefs.

A final way in which judging has been thought to be related by belief is illustrated by Nico Silins’s claim that conscious judging is a guide to belief. His final proposal is that when you answer the question whether p by judging that p, then your judging gives you immediate fallible justification to believe that you believe that p (Silins 2012). Again, since Silins is talking about conscious judging and specifically in the context of answering a question, it’s clear that he’s talking about something like *E*-judging.

To sum up, one view relating judging and belief tells us that to believe that p is to be disposed to *S*-judge that p upon considering. Furthermore, given that *S*-judging is

¹⁰ For problems for such analyses see Schwitzgebel 2010.

involved in forming any propositional act or attitude one might claim that it's always implicated in the formation of belief. Yet, *E*-judging is merely one, even if very important way of forming a belief. Finally, *E*-judging is perhaps also a guide to belief in the sense of giving us evidence about what we believe.

Conclusion

Let me end with some terminological reflections. Given that *S*-judging and *E*-judging are different acts, one might wonder whether there's a different term we could use for either. A plausible candidate for the predication-resultant act would be simply 'thinking'. Thus, we could say that to predicate being *F* of *O* is to think that *O* is *F*. This would be fine were it not for the fact that 'thinking' is also frequently used to talk about belief. On this usage, to think that *p* is not to perform any particular act, but simply to believe that *p* (Cassam 2010: 85).

On the other hand, it's hard to see what other term to use for *E*-judgings. In some languages like Estonian 'judge' translates as 'decide'. This makes sense since '*E*-judging' is indeed a species of decision, a theoretical decision about what to believe rather than a practical one about what to do. However, given that in English 'decision' has strong practical connotations this might not be feasible.

It might therefore be that we need to continue to use 'judge' for both *S*-judgings and *E*-judgings. This makes it extra important that we clearly specify which one we're talking about so as not to end in any unnecessary conundrums or talk past each other.

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