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The boundaries of lying

Casuistry and the pragmatic dimension of interpretation

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The Holy Scriptures can be considered a specific kind of normative texts, whose use to assess practical moral cases requires interpretation. In the field of ethics, this interpretative problem results in the necessity of bridging the gap between the normative source – moral precepts – and the specific cases. In the history of the Church, this problem was the core of the so-called casuistry, namely the decision-making practice consisting in applying the Commandments and other principles of the Holy Scriptures to specific cases or moral problems. By taking into account the sin of lying, this paper argues that casuistic texts reveal an extremely sophisticated interpretative method, grounded on "pragmatic" contextual and communicative considerations and argumentative structures that resemble the ones used in legal interpretation. These works show how the underspecified biblical text expressing an abstract norm was enriched pragmatically by completing it and modulating its meaning so that it could be used to draw a conclusion in a specific context on a specific case. The mutual interdependence between biblical interpretation, pragmatics, and argumentation sheds light on a much broader phenomenon, namely the pragmatic nature of argumentation.

Keywords: argumentative structures, best explanation, casuistry, ethical argumentation, ignoring qualifications, interpretation, moral precepts, pragmatics, textual analysis

Introduction

Biblical texts can be considered as a specific kind of normative texts – they are used for justifying decisions and recommendations concerning people's behaviors and actions. Like normative texts, they do not correspond directly to norms, but need to be interpreted in order to be applied to the specific cases. However, the

problem of interpretation for biblical statements is more complex than the legal ones: the Bible is temporally and culturally distant from the context to which it is applied, and there is not a corresponding "legislative authority" that can be analyzed or questioned. Biblical interpretation becomes an ethical issue, in which the gap between the moral precepts expressed in the religious texts and the specific circumstances of human behaviors needs to be bridged.

In the history of the Church, this issue was the core of the so called casuistry, a decision-making process focusing on the analysis, classification, and judgment of specific cases or moral problems, as opposed to a general study of ethical theories or concepts. As Burke pointed out, casuistry addresses the "crossing" and hierarchy of duties (Burke 1887: 167–68) that result from the authority of the Bible (Kirk 1927: xiv–xvii), which is thus subject to interpretation and careful circumstantial analysis (Mosse 1956).

In this framework, argumentation plays a crucial role. On the one hand, the ethical statements set out in the Bible (for example, the Ten Commandments) can be compared to legal statements, which need to be interpreted based on reasons to be applied to specific cases (Jonsen and Toulmin 1988: Chapter 2; Guastini 2011; Tarello 1980). On the other hand, the biblical texts need to be read in a context (the circumstances characterizing the specific behavior of the penitents) that is not the original one – and sometimes is hardly comparable thereto. Thus, they need to be read in a new context, taking into account contextual aspects unforeseen in the original statements that can affect their meaning. Casuistry became an interpretative practice that addressed the complex relationship between a text and its context, and explored different ways in which the latter can affect meaning. In this sense, casuistry preceded the modern pragmatic theories, but at the same time introduced also a unique perspective thereon, grounded on the role of arguments.

After introducing the problem of biblical exegesis and its relationship with the argumentative, decision-making practice of legal interpretation, we will show how interpretative arguments can be used to represent the justification of the specification of meaning (or enrichment of the semantic representation of a statement), which can mirror the reasoning underlying it. This theoretical background will be used for analyzing a corpus of casuistic interpretations drawn from a classical casuistic "textbook," the *Summa Sylvestrina*, which address the sin of lying both in biblical texts and specific everyday cases. We will show how casuistry presupposed a revolutionary theory of interpretation and an extremely modern view of the relation between language and context, opening new perspectives on the problem of the argumentative uses of the qualifications of meaning.

1.   The dimensions of biblical interpretation

The basic presupposition of the interpretation of the Bible is its twofold nature (Williamson 2001). This text represents "the word of God in human language" (Pontifical Biblical Commission, *Interpretation of the Bible in the Church*, I.A.1), stressing a human aspect (its composition) that poses some fundamental interpretative challenges. In particular, the linguistic dimension (disregarding the other aspect, namely the "accommodation" of the word of God to the human understanding, see Rogers and McKim 1999, Chapter 1) places the context in which the Bible was written at the center of the interpretative process. The biblical text needs to be analyzed in a specific context, characterized by specific values, societal organization, and scientific knowledge. Thus, fundamental messages need to be distinguished from the contingent ones (such as the reference to slaves and masters, no longer pertinent in its literal sense to modern societies) (Williamson 2001).

While several scientific methods are acknowledged and used in biblical interpretation, such as rhetorical analysis, semiotic analysis, or "contextual" approaches (*Interpretation of the Bible in the Church*, I.B-F), the one that is considered the fundamental, and the most accurate and complete one is the historical-critical method (*Interpretation of the Bible in the Church*, I.A.a). It is an analytical and objective method, as it views the bible as an ancient text and an expression of human discourse. It embraces the twofold nature of this text, as it combines a diachronic analysis (the Bible is the output of different authors in different times) with a synchronic one (it expresses a specific message). It consists of the following steps (*Interpretation of the Bible in the Church*, I.A.3):

1. Textual criticism: Reconstruction of the biblical text as close as possible to the original.	Diachronic analysis
2. Linguistic and semantic analysis: Establishing the units of the text and attributing them to possible sources.	
3. Genre criticism: Identification of the social context that produced the text.	
4. Tradition criticism: Description of the development of the tradition in which the text was produced.	
5. Redaction criticism: Analysis of the modifications of the texts over time.	
6. Synchronic and pragmatic analysis: Explanation of the text based on the relationship between its elements – taking into account its purpose to convey a message to the author's contemporaries.	Synchronic analysis

The combination of a diachronic and a synchronic analysis avoids the twofold risk of regarding the Bible as a text whose meaning is fixed to its original setting – or considering only the historical picture that results from it (Williamson 2001) – and ignoring the context and thus the message that the text expresses (*Interpretation of the Bible in the Church*, I.B.3). The historical dimension is in function of the synchronic one – the historical context provides arguments and evidence for clarifying the meaning that the text expresses as a whole (Williamson 2001).

The view of the Bible as the "word of God" constitutes the most important pragmatic principle for interpreting this text. As the Pontifical Biblical Commission clearly stated, the Bible expresses a truth that needs to be adapted to and appropriated by the readers. The meaning of the Bible thus does not consists merely in its expression by human authors, but in its intention (*Interpretation of the Bible in the Church*, II.A.1):

> Thus the methods of literary and historical analysis are necessary for interpretation. Yet the meaning of a text can be fully grasped only as it is actualized in the lives of readers who appropriate it. Beginning with their situation, they are summoned to uncover new meanings, along the fundamental line of meaning indicated by the text. Biblical knowledge should not stop short at language, it must seek to arrive at the reality of which the language speaks.

In this sense, the interpretation of the Bible can be compared to legal interpretation, where a meaning (intention) is drawn from a text written in a specific historical setting by specific authors to be adapted to a distinct context (Williamson 2001). Like an old statute, the Bible expresses an "intention" that cannot be reduced to a psychological phenomenon of an individual – as it is the result of a collective effort or human mediation. Rather, it corresponds to what a sentence was *used to say or stipulate* (Soames 2011: 236–237) based on the textual indications (Brown and Levinson 1987: 8; Carston 2013: 24; Levinson 2000: 25). This view of the "intention" of the biblical text is not centered on the author – and his psychological dimension – but on the textual evidence (Williamson 2001): once produced, a text is autonomous, it begins "its own career of meaning" (*Interpretation of the Bible in the Church*, II.A.1). "What is meant" by the text thus is not the inner life of an ego, but the "disclosure of a possible way of looking at things, which is the genuine referential power of the text" (Ricoeur 1976: 92).

2.   Casuistry as practical interpretation

Biblical interpretation is grounded on hermeneutic principles that define the field of pragmatics. In particular, meaning is not regarded independent of, or in

abstraction from, a context. It does not correspond to the "logical form" of a statement resulting only from compositional operations and the dictionary meaning of the lexemes used. Rather, it studies the meaning in relation to a speech situation, as the expression of an intention through the best available verbal means (Leech 1983: 6–7). However, interpretation itself is a goal-oriented activity: it can be guided by the need of understanding the general message of a text, illustrating it to the interlocutors, or applying it to specific circumstances. It can be theoretical and abstracted from specific circumstances or goals; or it can be practical and aimed at solving a specific and circumstantial issue.

This latter goal of interpretation is the core of casuistry, defined as the practice of interpreting and using biblical texts for classifying and evaluating the people's conduct in specific circumstances (Jonsen and Toulmin 1988: 30–31). Casuistry is an activity having a specific goal – addressing moral issues –, a specific means – the formulation of moral obligations framed in terms of rules or maxims that are general but not universal or invariable –, and a specific type of evidence – the biblical text (Jonsen and Toulmin 1988: 257). When holy texts are used as a code of moral conduct, they relate categories of behavior (lying, killing, helping the neighbor) to an evaluation and a judgment (sins and virtuous or religious conducts) resulting in consequences after death. For these reasons, this use of the Bible has fundamental similarities with the use of legal texts, as both are interpreted insofar as they express obligations, recommendations, or prohibitions that govern specific behaviors. In both cases, interpretation is the essential instrument that allows not only the formulation of the general moral maxims, but also their specification considering the specific circumstances of the cases at hand, which may involve aspects that were not accounted for in the original text (Kirk 1927: 81–82). However, while legal statements express norms using a language that is intended to be less equivocal as possible, the Holy Scriptures combine similarly clear and abstract principles with examples and parables whose meaning is often complex, and in some cases apparently contradictory (Kirk 1927: 152–53).

Casuistry and legal interpretation share another feature, namely the type of activity they instantiate (Garcia and Monlezun 2016). In both cases, the goal is not to establish the acceptability of a viewpoint, but to make a decision on the meaning to attribute to a statement for providing a judgment on a specific case (Anderson 2013; Chiassoni 2016). Casuistry, like legal interpretation, are decision-making interpretative activities (Dworkin 1986: 58). In both cases, the interpreter needs to address a fundamental challenge: s/he needs to ground a decision on a text that does not provide for a (normative or moral) rule that can be applied *immediately* to the given case (Kirk 1927: 78), being essentially unspecific. Moreover, the text can involve the interpretative problems characterizing ordinary language, namely ambiguity (Martí and Ramírez-Ludeña 2016), vagueness (Jaszczolt

2017), antiquated language and circumstances, undefined concepts (Jori 2016: 43), defeasibile generalizations (left unspecified) (Marmor 2016), inconsistencies, and implicit meaning (Sbisà 2017; Morra 2016; Macagno and Walton 2017: 135–38).

Casuistry, like legal interpretation, is characterized by its argumentative nature. In both cases, interpretation *stricto sensu* results from a doubt, which distinguishes it from understanding – the automatic and uncritical attribution of meaning to a text. When meaning is "doubtful in a communicative situation, i.e., in the case its 'direct understanding' is not sufficient for the communicative purpose at hand," the process of interpretation starts (Dascal and Wróblewski 1988: 204). Thus, interpretation addresses not only the cases in which the attribution of meaning to a text is doubtful because the text is ambiguous or incoherent. Rather, it becomes necessary whenever the circumstances in which the text is not sufficiently specific for addressing the case under consideration, or its *prima facie* specification is controversial. The tension between the text and the case is solved through the argumentative process underlying the justification of the interpretative decision (the reconstructed "intention" or "meaning") based on the text itself, considering the textual and contextual constraints.

3.   The pragmatic dimension. Casuistry and contextual meaning

The practical purpose of casuistry and its similarity with legal reasoning brings to light a dimension of biblical interpretation that does not explicitly emerges from the current interpretative theories, namely its pragmatic nature. As mentioned above, interpretation stems from a doubt; however, the doubts about the meaning of a text can have different explanations.

A first distinction can be drawn between grammatical ambiguity and semantic ambiguity, where the first refers to the decoding of the message, while the second to the passage from the semantic representation to the full propositional form. In the first category fall lexical and syntactic ambiguities, which can result in different semantic representations. For example we consider the following cases (Levinson 2000: 174):

1. Lexical ambiguity (Lyons 1977: 550) (includes homonymic words and homographs)
    a. The view could be improved by the addition of a plant out there (shrubbery).
    b. The view would be destroyed by the addition of a plant out there (factory).

2. Structural ambiguity (prepositional-phrase attachment)
    a. Mary left [the book] [on the bus].
    b. Mary left [the book on the atom].
    c. He looked at the kids [in the park] with a telescope.
    d. He looked at the kids [in the park with a statue].

The context is clearly needed for disambiguating these messages – it is the common ground and the purpose of the utterance that guides the disambiguation process. However, the semantic representation is in itself underdetermined (Atlas 2005: 40), and needs to be "enriched" or "explicated" in the specific context in which it occurs. The concept of "enrichment" or "explicature" (the two terms carry different theoretical meanings, but will be used interchangeably in this paper, see Blakemore 1992: 60; Carston 2002a: 119, 2002b, 1988; Sperber and Wilson 1995: 177–182) can be considered as an umbrella term under which fall different types of inferences used for completing or specifying contextually the otherwise incomplete or unspecific semantic representation of an utterance (Blutner 2007). The classical dichotomy between what is said and what is implicated (Grice 1975) is thus normally conceived as mediated by pragmatic processes that "develop" logical forms (Borg 2016: 339).

Recanati distinguished two different classes of pragmatic processing that result in an enriched semantic representation (Recanati 2012, 2004: Chapter 2):

–   Saturation. It consists in completing an utterance semantically incomplete by assigning values to the variables left free. These variables are thus "filled" contextually. For example, "John is ready" requires contextually specifying the value "for x;" thus, "you shall not lie" needs to be saturated by specifying *to whom*.
–   Modulation (or free enrichment). It is an optional and context driven and consists in the addition of elements – drawn from the context – to the interpretation of the utterance. These elements are not necessary at a linguistic level, but they are truth-conditionally relevant, namely they can determine the truth or the falsity of a proposition in the given context. Some of the most important types of modulation are the following:
    a. Bridging inference ("Mary took out her key and opened the door:" the opening of the door was [with the key mentioned in the first conjunct]);
    b. Narrowing ("John drinks [alcohol] too much");
    c. Loosening ("The ATM swallowed [in the sense of rapidly withdrew without returning] my credit card");
    d. Ad hoc concepts (Carston 2010) ("My lawyer is a shark [predatory, aggressive, tenacious entity]");

e. Predicate transfer (Nunberg 1995:113; Recanati 2012:75) ("I [in the sense of my car] am parked out there;" "The dead man [in the sense of the body of a deceased man] is there");

f. Supplementing the overt expression with implicit elements ("There is a [statue of a] lion in the square;" "France is [roughly speaking] hexagonal;" "Medicines are good [when you are sick];" "Batman has saved New York [in the movie]").

These "expansions" represent what the speaker meant to express and he did not utter, as he thought it unnecessary, allowing his or her listeners to "read things into them" (Bach 2000:263). They are defeasible inferences that are drawn presumptively in lack of contrary contextual evidence. For example, in lack of any additional contextual information, we enrich the utterance "I have got 20 euros" considering a stereotypical context as "I have [approximately] 20 Euros." However, in specific contextual settings the meaning can be specified in different ways (Blutner 2007):

– How much money have you brought with you? "I have [at least] 20 Euros."
– Have you got some money that I can borrow? "I have [not more than] 20 Euros [that I can lend]."
– How much money did you raise today? "I have [only] 20 Euros [that have been raised]."
– Who has less than 20 euros? "I have [exactly] 20 Euros."

The relationship between a text (a biblical text in casuistry) and its interpretation is thus characterized by the different causes of an interpretative doubt and the role of the context in determining the meaning. This picture becomes more complex when the context is not only the one in which the text was written. In casuistry (like in law), the biblical text is not merely read. The problem does not arise merely from possible incoherencies within the Bible or linguistic ambiguities, but from the fact that the biblical text is used for judging a conduct in a context that is not the biblical one. The Bible is not read, but quoted or reported; it is reproduced imperfectly in a different context, selecting the aspects that are useful and omitting the ones that are irrelevant (Wade and Clark 1993:818).

The use of a biblical statement in a different context raises problems of recontextualization: the statement needs to be processed considering both the original (Context 1) and the present context (Context 2). The use of a statement in Context 2 can bring to light a doubt in the specification of the proposition expressed, namely the defeat of the tacit and defeasible enrichment that was provided in Context 1. For example, the Commandment "you shall not lie to one another" leads normally to an uncontroversial understanding – the enrichments that we

provide are automatic and do not result in doubts. However, if we are faced with the dilemma of telling the truth and causing negative consequences to a person, or lying and avoiding such consequences, the specific meaning of this statement becomes problematic. While it is clear in Context 1, when applied to a specific circumstance in Context 2, it can raise doubts: what is the specific meaning of "to lie"? What does "shall" exactly mean – always and universally or in specific circumstances? The automatic, default enrichments of the commandment are subject to default, and new enrichments need to be justified in order for the quote to be adjusted to Context 2. Its meaning thus needs to be re-modulated to the new specific context "so as to fit what is being talked about" (Recanati 2004: 131). To be "morally operative," every principle enunciated in the Holy Scriptures needs to be adjusted to the new context and the known cases, and thus defined in a way that is intelligible (Kirk 1927: 107).

4.   The arguments of interpretation

In interpretation, the pragmatic dimension of language, and more precisely the passage from an underspecified semantic representation to the specific meaning of a statement, is actually or potentially subject to doubt (Patterson 2005). Thus, the interpreters need to advance a justification for the different types of "enrichments" that they propose. These justifications can mirror an actual interpretative process – in the sense of reconstruction of the goal-oriented function of language that Leech termed "rhetorical" (Leech 1983: 15) – as they provide a sign or an expression of the interpretative work involved. Building on Grice's maxims (Grice 1975), the literature in pragmatics developed different types of communicative and interpretative heuristic patterns of reasoning to account for how meaning is reconstructed or retrieved. In particular, in Neo-Gricean theories meaning is regarded as the output of a process of "best explanation," in which an utterance is attributed a meaning based on an abductive reasoning in which the available and reasonable alternatives are compared and assessed (Atlas and Levinson 1981; Bach and Harnish 1979).

  The literature in pragmatics has focused mostly on the processing of the meaning, namely on the heuristics that are used to draw the inferences intentionally conveyed by the speaker, or the explicatures. The understanding of an utterance is regarded mostly in terms of meta-linguistic presumptions, namely the interlocutors' mutual expectations about the use of language to communicate an intention (Grice 1975). The broadest formulation of these heuristics has been given by Levinson, who developed them by distinguishing a quantity and an informativeness principle, both with a speaker's and a hearer's variant (Levinson 2000: 76, 114–116; 1998: 548):

Quantity (Q)

Speaker's maxim: Do not provide a statement that is informationally weaker than your knowledge of the world allows, unless providing an informationally stronger statement would contravene the I-principle. Thus, if the Speaker asserts a weaker claim, it is possible to infer that a stronger claim is not the case.

Recipient's corollary: Take it that the speaker made the strongest statement consistent with what he knows.

Informativeness (I)

Speaker's maxim (Minimization): Say as little as necessary, that is, produce the minimal linguistic information sufficient to achieve your communicational ends (bearing Q in mind). Thus, if the speaker asserts a weaker assertion, then, he or she is implicating the stronger assertion compatible with what is taken for granted.

Recipient's corollary (Maximization): Amplify the informational content of the speaker's utterance, by finding the most *specific* interpretation, unless the speaker has broken the maxim of Minimization by using a marked or prolix expression (for example, assume the richest temporal, causal and referential connections between described situations or events, consistent with what is taken for granted).

The quantity and informativeness principles are based on common expectations about how language is used. In terms of interpretation, the former (Q) is used for restrictive readings while the second (I) for extensive interpretations. For example, from the assertion that "you shall not lie" it is possible to draw the *Q* inference that, therefore, other actions are not subject to prohibition. Conversely, by *I* inference it is possible to conclude, for example, that "you shall not lie *to another person, never.*" These two principles can explain how a specific inference (an implicature or an enrichment) is drawn in a given context but can hardly be used for justifying what interpretation should be preferred.

As pointed out above, the justification of a hypothesis of meaning is not merely a cognitive activity, but an argumentative one, as reasons are offered in support of a defeasible conclusion within a decision-making process (Jonsen 1995). This argumentative method of interpretative inquiry characterizes both casuistry and legal interpretation. In legal theory, an interpretation is regarded as a rhetorical activity aimed at supporting a specific viewpoint (Tarello 1980) through arguments based on specific maxims. Similarly, in casuistic texts we find corresponding arguments and principles, which define the casuistic method of interpretation. Considering the field of law, where such principles have been thoroughly developed as a kind of "*topica*" (Viehweg 1993, 1953), MacCormick and Summers and Tarello, among many others, provided sets of interpretive arguments (Greenawalt 2015; MacCormick and Summers 1991; Scalia and

Garner 2012; Tarello 1980), which can be summarized to the following list of arguments (Macagno, Walton, and Sartor 2014; Walton, Macagno, and Sartor 2021: Chapter 5):

1. Argument from the exclusion of what is not stated (*argumentum a contrario*). In lack of any other explicit rules, if a rule attributes any normative qualification to an individual or a category of individuals, any additional rule attributing the same quality to any other individual or category of individuals should be excluded. This argument corresponds to the reasoning in lack of evidence: if there is no evidence of *x*, under certain conditions it is possible to conclude that *x* does not exist (is not the case) (Walton 1996). This principle is extensively used in casuistry (see for instance Kirk 1927: 194–195).

2. Arguments from analogy, requiring the similarity of meaning between similar provisions (see the equivalent interpretative principle in casuistry, Kirk 1927: 158):

    2.1 Extending a category to a similar case (*analogia legis*). The application of a *written* law applied to case *C* should be applied to a different, similar case *D* (Macagno 2017).

    2.2 Argument from general principles (*analogia iuris*). An abstract and unexpressed *principle* from which the stated law is drawn is applied to a different case.

    2.3 Other analogical arguments. *Ejusdem generis:* Where general words follow an enumeration of two or more things, they apply only to persons or things of the same general kind or class specifically mentioned. *Noscitur a sociis:* Words grouped in a list should be given related meanings.

3. Argument *a fortiori*. If a rule attributes any normative qualification *Q* to an individual or a category of individuals *C*, it can be concluded that there is a different rule that attributes *Q* to another individual or another category of individuals *D*, based on the fact that in the specific situation *Q* shall be all the more attributed to *D* (see the corresponding casuistic principle, Kirk 1927: 158).

4. Authoritative arguments – falling in the broad category of arguments based on different types of authority (Walton 1997), a kind of reason that characterizes all casuistic discussions, backed by different types of authorities:

    4.1 Psychological argument. To a statement of law shall be attributed the meaning that corresponds to the "intention" of its drafter or author.

    4.2 Historical argument. A statement of law should be interpreted according to the interpretation that has been developed historically.

4.3   Authoritative argument. A statement of law should be interpreted according to a previous interpretation, or rather on the authority of the product of a previous interpretation.

4.4   Naturalistic argument (or natural meaning argument). A term should be interpreted according to the commonly accepted "nature" of the things (or its commonly used definition). This argument follows the structure of the argument from popular opinion (Walton et al. 2008: 123): if the reference groups accepts *x*, then *x* should be taken as true.

5.   Arguments based on the consequences of a given interpretation, namely following the following pattern: if an interpretation *x* leads to the negative (positive) consequences *y*, then *x* should be rejected (accepted) (Walton et al. 2008: 101). The arguments are the following:

5.1   Absurdity argument (*reductio ad absurdum*). The possible interpretations of a statement of law leading to an unreasonable or "absurd" rule should be rejected (see also this interpretative principle in the casuistic text, *Summa Sylvestrina, Vol 2, De Interpretatione* 5, 3, 63).

5.2   Equitative argument. Interpretations leading to (un)fair or (un)just consequences should be (excluded) accepted (see the corresponding casuistic principle, Kirk 1927: 200–201).

5.3   Economic argument. The interpreter needs to exclude an interpretation of a statement of law that corresponds to the meaning of another (previously enacted or hierarchically superior) statement of law, as the legislator cannot issue a useless statement of law (see also this interpretative principle in the casuistic text, *Summa Sylvestrina, Vol 2, De Interpretatione* 5, 5, 63)

5.4   Argument from coherence of the law. The legal system is complete and without gaps; therefore, from the lack of a specific rule governing a case, it is possible to infer the existence of a generic one attributing a legal qualification to such a case (see the corresponding casuistic principle in Kirk 1927: 157)

6.   Teleological (or purposive) argument. A statement of law should be given the interpretation that corresponds to its intended purpose. This interpretative argument follows the structure of practical reasoning arguments, namely arguments grounded on the inference that if G is my goal, and M is the best means to achieve it, then M should be brought about (Walton 1990a). This practical argument underlies many interpretations in casuistry (see Kirk 1927: 191).

7.   Abductive arguments, namely arguments that proceed from a piece of evidence to the possible reasons or causes thereof. This type of reasoning follows

the pattern that, given the observation of *y* and that *x* causes (leads to) *y*, then *x* can be considered the case (Walton 2004). The arguments are the following, all used extensively in casuistic texts:

7.1   Systematic argument. If a term has a certain meaning in a statement of law, such a term should be interpreted as having such a meaning in all the statements of law in which it appears.

7.2   Arguments from completeness of the law. If a term has a certain meaning in a statement of law, such a term shall be interpreted as having such a meaning in all the statements of law in which it appears.

7.3   Ordinary meaning argument. Words are to be understood in their ordinary, everyday meanings, unless the context indicates that they bear a technical sense.

The reasoning underlying biblical interpretation can be reconstructed using these general patterns, which define an interpretative method. Some patterns characterize specific interpretative methods used in the Christian hermeneutical tradition. For example, arguments from consequences and analogical reasoning characterizes the "allegorical method:" when the "literal" reading of biblical texts would lead to incoherence or absurd consequences (absurdity argument), such texts are interpreted as allegories of the spiritual meaning that it conveyed (Rogers and McKim 1999: 13–14). The historical-grammatical method relies mostly on the "ordinary" meaning of the words at the time and in the context in which they were used (Rogers and McKim 1999: 47), drawing the meaning of allegories from the overall "system" of the biblical books, expressing a specific message (Barr 2013: 33; Rogers and McKim 1999: 20–22). The authority of previous interpretations, especially of the fathers of the Church, is frequently used as a strong reason to accept a given meaning.

   In casuistic interpretation, this argumentative dimension becomes even more evident (Westberg 2002: 162), as casuistic writers needed to classify behaviors that only partially were accounted for in the Holy Scriptures. They needed to make decisions on ethical issues based on texts very little aimed at this purpose (Arras 1991). Thus, they needed to justify their adherence to the scriptures considering the possible objections and conflicting interpretations (Gábriš 2019: 65–66).

5.   Pragmatics and argumentation in the origins of casuistry: Lying in Saint Augustine

To understand how casuistry worked, and more importantly why it is a neglected but fundamental contribution to the relationship between text and context, we

consider one of its most debated topics: lying. In the most important source of casuistry on the issue, St. Augustine's writings (Jonsen and Toulmin 1988: 196), we can find the crucial ethical problem of the permissibility of lying considering its practical implications: is lying permissible in some circumstances, or is it always a sin?

The problem was twofold. On the one hand, the Bible can be read as providing contradictory views – prohibiting lying and at the same time narrating episodes in which prophets and even Jesus seem to lie (Kirk 1927: 183). On the other hand, the interpretation is not an end in itself, but it is used to judge practical cases that can be highly controversial. In this sense, Augustine addressed a dilemma at two distinct levels. Considering the former, we notice that according to the biblical texts, lying, together with the deceit and false witnessing, is condemned by the Lord, as illustrated in the excerpts of Table 1.

Table 1. The Bible against lying

Exodus 20:16	You shall not bear false witness against your neighbor.
Leviticus 19:11	You shall not steal; you shall not deal falsely; you shall not lie to one another.[*]
Psalm 5:6	You destroy those who speak lies; the LORD abhors the bloodthirsty and deceitful man.
Psalm 101:7	No one who practices deceit shall dwell in my house; no one who utters lies shall continue before my eyes.
Wisdom 1.11	Beware then of useless murmuring, and keep your tongue from slander; because no secret word is without result, and a lying mouth destroys the soul.
John 2:4	Whoever says "I know him" but does not keep his commandments is a liar, and the truth is not in him.
Matthew 19:18	And he said to him, "Why do you ask me about what is good? There is only one who is good. If you would enter life, keep the commandments." He said to him, "Which ones?" And Jesus said, "You shall not murder, You shall not commit adultery, You shall not steal, You shall not bear false witness." (in Greek: ψευδομαρτυρήσεις)

[*] Latin translation: Non facietis furtum. Non mentiemini (ψευδεσθαι), nec decipiet unusquisque proximum suum.

However, these excerpts on the matter of lying can be problematic, as both in the Old and in the New Testament cases are reported that can be considered as instances of "lying" or even "deceit," which are not condemned or blamed but even praised (Aquinas, *Summa Theologiae*, II–II, 110 Article 3, O3; Augustine, *De Mendacio*, Chapter 5). Some of these possible sources of contradiction are reported in Table 2.

Table 2. Possible contradictions

Genesis 12: 18–19	1. And Pharaoh called Abram and said, What is this that thou hast done unto me? why didst thou not tell me that she was thy wife? Why saidst thou, She is my sister? so I might have taken her to me to wife: now therefore behold thy wife, take her, and go thy way.
Genesis 20: 2–5	2. And Abraham said of Sarah his wife, She is my sister: and Abimelech king of Gerar sent, and took Sarah. […] But Abimelech had not come near her: and he said, Lord, wilt thou slay also a righteous nation? Said he not unto me, She is my sister? and she, even she herself said, He is my brother: in the integrity of my heart and innocency of my hands have I done this.
Genesis 27: 19; 23	3. And Jacob said unto his father, I am Esau thy first born; I have done according as thou badest me: arise, I pray thee, sit and eat of my venison, that thy soul may bless me. […] And he said, Art thou my very son Esau? And he said, I am.
Exodus 1: 15–19	4. Then the king of Egypt said to the Hebrew midwives, one of whom was named Shiphrah and the other Puah, "When you serve as midwife to the Hebrew women and see them on the birthstool, if it is a son, you shall kill him, but if it is a daughter, she shall live." But the midwives feared God and did not do as the king of Egypt commanded them, but let the male children live. So the king of Egypt called the midwives and said to them, "Why have you done this, and let the male children live?" The midwives said to Pharaoh, "Because the Hebrew women are not like the Egyptian women, for they are vigorous and give birth before the midwife comes to them."
Joshua 2: 1–5	5. And Joshua the son of Nun sent two men secretly from Shittim as spies, saying, "Go, view the land, especially Jericho." And they went and came into the house of a prostitute whose name was Rahab and lodged there. And it was told to the king of Jericho, "Behold, men of Israel have come here tonight to search out the land." Then the king of Jericho sent to Rahab, saying, "Bring out the men who have come to you, who entered your house, for they have come to search out all the land." But the woman had taken the two men and hidden them. And she said, "True, the men came to me, but I did not know where they were from. And when the gate was about to be closed at dark, the men went out. I do not know where the men went. Pursue them quickly, for you will overtake them."
Matthew 24: 36	6. But concerning that day and hour no one knows, not even the angels of heaven, nor the Son, but the Father only.
John 7: 6–10	7. Jesus said to them, "My time has not yet come, but your time is always here. The world cannot hate you, but it hates me because I testify about it that its works are evil. You go up to the feast. I am not going up to this feast, for my time has not yet fully come." After saying this, he remained in Galilee. But after his brothers had gone up to the feast, then he also went up, not publicly but in private.

The potential contradictions between the "doctrine" and some events reported in the Bible led to interpretative problems. The plain understanding of the biblical text faces a dilemma: either the reader acknowledges that there are exceptions (so the condemnation of a behavior is not universal) (Augustine, *Retractionum libri duo*, II, 86), or that prophets and even Jesus failed to comply with the commandments (such as in the case of lying). These two options, however, represent the horns of a dilemma that tries to explain a much more complex issue, namely the relationship between the general statements and its application to the specific instances (Dascal and Wróblewski 1988).

The problem of the interpretation of lying posed a challenge to biblical reading and linguistic theories. St. Augustine was the first and probably the most important author on this matter, as his interpretative approach to lying was considered the crucial reference by all casuistic writers (Jonsen and Toulmin 1988: 196). Augustine's interpretation can be considered as definitional. Instead of taking into account the modality of commandment (as the Priscillianist heretics did, admitting the possibility of lying in specific circumstances), he addressed the problem of defining what "lying" means and its varieties (Kirk 1927: 183–184). He provides four distinct definitions (Augustine, *De Mendacio*, 4):

1. Holding one opinion in one's own mind and giving expression to another through words or any outward manifestation (*eniuntiare aliquid aliter quam scis esse vel putas*).
2. Uttering a statement whatsoever with the desire to deceive.
3. Uttering a statement with the desire to utter an untruth (saying something with the desire to say what is false).
4. Uttering a statement desiring to speak untruthfully in order to deceive.

Augustine embraces the first view, based on a systematic argument (Guastini 2011: 48–49; Tarello 1980: 378): the meaning of a statement (or a word) shall correspond to the meaning imposed (and not excluded) by its context (Groppi and Spigno 2017: 535; Raitio 2003: 333). Like in the legal system, the Bible is regarded as the broad context in which the concept of lying needs to be interpreted, which can provide a sign of the speaker's intention (De Sloovere 1936: 232). Thus, Augustine argues that lying needs to be interpreted considering the other biblical texts, such as the 9th Commandment, "Thou shalt not bear false witness," and the statement of book of Wisdom, "The mouth that belieth, killeth the soul."

Augustine excluded the intentional element of deceiving from the definition, arguing in favor of a broader account, which led to more complex challenges concerning the classification of behaviors that can be considered as lies. Opening the path to the future casuistic works, Augustine combined the interpretation of the principles set out in the Holy Scriptures with the interpretation of the controver-

sial reported conversations, introducing the contextualization of the speech in a specific conversation. Thus, Augustine analyzes the alleged biblical lies (and in particular the case of Abraham and Sarah and the one of Jacob and Esau – our Examples 1 and 2 in Table 2) considering the two aforementioned principles that guide our understanding and interpretation of utterances (Grice 1975; Horn 1995, 1984; Levinson 2000: 35–38, 1) Say as much as you (truthfully and relevantly) can; and 2) Say no more than you must. In this way, the controversial words of the prophets are interpreted considering their pragmatic dimension.

Thus, Augustine argues that Abraham did not say "She is not my wife," but "She is my sister" (Augustine, *Contra Mendacium*, 23), which, based on the principle that "if something is not said, it is not the case" (principle 1), cannot be interpreted as meaning that Sarah was not his wife (and thus excluding it from the category of lies) (even though according to the Holiness Code, sibling incest is prohibited, see Hepner 2003). The use of the first pragmatic principle has a clear repercussion on the specification of the concept of "lie," which is implicitly narrowed to the "enunciation" of what is known to be false. Only what is explicitly said can fall into the category of lies: "it is not then a lie, when by silence a true thing is kept back, but when by speech a false thing is put forward" (Kirk 1927: 124–125).

Augustine uses the second pragmatic principle is used for "modulating" extensively the meaning of a statement or an expression. He had to solve the problem that, even considering the interpretation above, Sarah was not Abraham's sister in the proper meaning of the word. Augustine addressed this issue, analogous to the one presented in the third example (Esau and Joseph), through an analogical extensive interpretation of "sister" (and "to be Esau" in the 3rd case). He considered the cultural context in which the prophet and his wife lived (the common ground or ordinary meaning), and more importantly the context of the biblical texts in which "sister" and "brother" were used to refer to near relatives (including half-siblings) (systematic argument) (Augustine, *Contra Mendacium*, 23). From a pragmatic perspective, Augustine interpreted Abraham's utterance as saying no more than it was necessary, as the word "sister" was used to refer to different types of "siblinghood." From an argumentative perspective, the word "sister" was used according to its ordinary meaning at the time, and it refers the semantic area of "being closely akin to" for which there is no name in a kind of a*nalogia legis.*

The use of this principle in the Esau case is more complex, as Augustine takes into account the type of communication – the prophetical message – resulting from the biblical "system," conceived as a coherent collection of texts. A systematic argument is used by Augustine for identifying a correspondence between this event and a statement of Jesus in the Gospel of Luke (Luke, 13:28–30), where Jacob is regarded as one of the "last" which shall be first. Analogy is used to extend the

meaning of Jacob's claim "I am Esau, your first-born" to carry a prophetical meaning: he is first-born in the Church, in the sense that he is coming first in his kingdom, transferring to him the primacy (Esau) (Augustine, *Contra Mendacium*, 24). The significance of this episode is governed by a distinct generalization that is found in the New Testament, and the meaning of the sentence is extended to fit in the different category of "being first-born [in the Kingdom of God]."

The two interpretative principles – excluding what is not said and extending the meaning of what is said in coherence with other statements of the biblical texts – are used by Augustine as strategies for keeping the universal application of the rule of not lying and refusing any exception. Augustine explicitly uses a definition of lying that is coherent with the biblical system, and implicitly specifies the meaning of what counts exactly as "expressing something different from what the speaker holds as true." All these interpretative choices amount to an enrichment of the "logical form" (or compositional meaning) of this statement, which carries the following enriched (specified) meaning:

> You [anyone, without any exception] shall not [never, without any exception] lie [in the sense of expressing, through words, actions, or behaviors, something different than what the speaker holds as true][by explicitly and exactly stating it][unless what is said can be metaphorically interpreted].

The interpretative choices thus establish a specified meaning that is the result of defeasible arguments.

The case of lying shows how the focus of Augustine's interpretation is not merely the definition of the terms, but also their "modulation" or broadening or narrowing based on co-textual and contextual criteria. However, Augustine was also aware of the defeasible relationship between the presumptive meaning of sentence types and their actual "illocutionary" force (see the corresponding notion in the XIII century, Rosier 1994:168), which in case of doubt needs to be discussed and justified through arguments. An example is the following excerpt (Augustine, *De Mendacio*, 28):

> Furthermore, it is written: "But I say to you not to swear at all." The Apostle, however, swore in his Epistles and thus indicated how the command, "I say to you not to swear at all," is to be understood; that is, as a precaution, lest by swearing one should acquire facility in so doing, then from this facility he should acquire a habit, and, finally, as a result of the habit, he should fall into perjury.

Augustine begins his interpretative proposal because there is a possible doubt about the presumptive association between an imperative sentence and a command. In this case, the authority of a previous and more knowledgeable interpreter is used for solving the doubt, specifying the illocutionary force of the

statement as follows "I say to you [recommend, strongly suggest] not to swear at all." From an argumentative perspective, he combines several arguments based on the factual evidence that the Apostle swore in his Epistles:

1. Argument from ordinary meaning: "But I say to you not to swear at all" is normally interpreted nowadays as a command valid in all circumstances, even though it can be also possibly interpreted as a recommendation;
2. Argument from consequences (absurdity): If this interpretation holds true, the Apostle committed a sin; therefore, a different interpretation needs to be found;
3. Argument from authority: The Apostle knows the divine message better than any contemporary interpreter, and he knew the prohibition;
4. Argument from ignorance: Since "not to swear at all" is not said to be an order, it can be interpreted as otherwise;
5. Argument from best explanation: The best explanation of the Apostle's behavior is that the prohibition is only a recommendation.

In pragmatic terms, it is a higher order explicature, namely a specification not of the semantic representation, but of its use to pursue a communicative goal (Carston 2002a, 119; Blakemore 1996, 1998).

6.   Interpretation in casuistry – lying in the *Summa Sylvestrina*

The passage from the biblical texts to their meaning becomes more complex in the period of casuistry, when textbooks were drafted setting out the boundaries of interpretation and the criteria used for determining the specific meaning of a statement of the Bible considering a specific context. Like legal interpretation, biblical interpretation involved practical consequences, such as moral condemnation or even the future destiny of a man's soul. Interpretation was thus regarded as a practical, deliberative activity of determining the specific meaning of a text to address specific cases. Biblical texts, like legal ones, are supplemented with the qualifications that the authors omitted and that need to be recovered contextually (Bach 2000: 263). Sometimes such qualifications are not needed, as the context-independent meaning of a statement is sufficient. Sometimes, however, it is needed to understand what a statement or a word means exactly in a specific context. Casuistic texts can reveal pragmatic concerns that involve different aspects of the relationship between a text, its interpretation, and its use in a specific context.

6.1   The *Summa Sylvestrina* and the conditions of lying

The *Summa summarum* by Sylvester Mazzolini (1516), also known as *Summa Sylvestrina* is one of the most influential casuistic works (Stone 2000: 81), collecting all the cases and the solutions proposed in the preceding treaties (Jonsen and Toulmin 1988: 140). This book is one of the most complete and accurate "*summa confessorum,*" i.e., a theological writings for pastors hearing confessions that discuss the recommendations on the types of sins and how to classify and evaluate them on a case-by-case basis. This work is particularly useful as it provides an overview of the tradition of the "golden age" of casuistry and the linguistic and interpretative views that were adopted. In particular, the section addressing the problem of oath, and the related problem of lying (*Summa Sylvestrina, Vol 2, Iuramentum* IV, 31, 102), shows clearly how the contextual interpretation of a statement needs to involve an analysis not only of the compositional meaning, but more importantly the common ground and the speech situation.

Mazzolini introduces immediately an overarching pragmatic interpretative principle of oaths: an oath is the content of an utterance that is understood as a promise, as assertions do not lead to obligations (*Summa Sylvestrina*, Vol 2, *Iuramentum* III, 91, 1).[1] The speech act interpretation is even more complex in cases of lying: like a false oath, a false assertion is a sin. However, the communicative intention of the speaker needs to be taken into account when an utterance is interpreted. An utterance needs to be assertive to be considered as a lie (*Summa Sylvestrina*, Vol 2, *Mendacium*, 1, 228, authors' translation):

> It needs to be understood assertively and not in a recitative or representative way, such as when one discussing assumes something false knowingly without lying, because he is talking in his role as a denier of truth.[2]

Fictional talk (developing the idea of "jocose lie," Augustine, *De Mendacio*, 2) is thus excluded from the domain of truth and falsity for the purpose of determining lies.

The overarching interpretative principle of the Summa is based on the presumptive association between the common meaning of the words and the speaker's intention (*Summa Sylvestrina*, Vol 2, *Mendacium*, 2, 228, authors' translation): "As the expressions are naturally signs of the meanings, it is unnatural and improper that what is signified by an expression is not what the speaker has

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1.   Heac ille cuius verba intelliguntur de iuramento promissorio; quia in assertorio non cadit obligatio.

2.   Intellige assertive et non recitative neque etiam repraesentative, sicut disputans aliquando assumit falsa scienter sine mendacio, quia loquitur ex persona negantis veritatem.

in mind."[3] Thus, utterances need to be interpreted presumptively as signs of the speaker's intention, a principle similar to the legal ordinary meaning argument.

This principle guides the interpretation of several biblical lies: the discrepancy between the meaning of the utterances and the speaker's knowledge is either explained as a venial lie, or it is interpreted based on a broader context. In the first case, the presumptive meaning cannot be explained otherwise, and the speaker is considered simply to have lied. In the second case, based on a kind of "systematic argument," the words are placed within a broader context, taking into account the communicative setting or the genre of the text referring such facts (e.g., a prophetical text). The discrepancy between the presumptive (sentence) meaning and the speaker's meaning is thus recovered in some specific circumstances; however, when the two contextual dimensions cannot apply, the utterance is simply classified as a lie.

6.2   The boundaries of interpretation

The first issue that is taken into account in the *Summa* concerns the boundaries of interpretation, namely establishing at a meta-dialogical level when an interpretation that goes beyond the presumptive meaning of the words is possible. The *Summa* builds on the analysis of Aquinas (*Summa Theologica*, II–II, q. 89, a. 7, ad. IV), who analyzed the case in which "the intention of the swearer is not the same as the intention of the person to whom he swears," and stresses the deceiving intent that needs to underlie a lie.

Mazzolini addresses the problem of establishing this intent (*dolo*) by embracing a pragmatic perspective (*Summa Sylvestrina*, Vol 2, *Iuramentum* III, 1, 91).[4] Developing further Aquinas' view, he draws a distinction between the spiritual dimension (*foro conscientiae*) and the legal one. On this view, the person taking an oath in good faith is bound to his own intention at the level of his own conscience; however at a legal level the personal intention is not considered, as the oath needs to be interpreted according to the common meaning of words.[5] The speaker's personal meaning attributed to his own words is thus admissible in a specific circumstance and only at the moral level.

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3. Quia cum naturaliter voces sint intellectuum signa, innaturale et indebitum est quod quis voce significet, quod non habet in mente.

4. Iurans sine dolo obligatur secundum intentionem iurantis; iurans vero cum dolo, secundum sanum intellecum eius cui iuratur.

5. Iurans since dolo in foro conscientiae non obligatur, nisi secundum suam intentionem; sed in foro contentioso, ubi intentio ignoratur, obligatur secundum quod verba communiter accipi solent.

A clear example of the use of this meta-dialogical interpretative principle is the interpretation of the alleged lie of the midwives reported in the Bible (our case 4 in Table 2), when upon the Pharaoh's request, they accepted to kill all the Hebrew male children with the intention to deceive him. According to the *Summa*, the midwives were acting in good faith, as the Pharaoh was not in position to request actions against God – and thus he was not acting in good faith at a moral level. For this reason, the words of the midwives need to be interpreted according to their own intention, which is different from the Pharaoh's understanding (*Summa Sylvestrina*, Vol 2, *Iuramentum* III, 1, 91).[6]

The interpretation according to the speaker's personal intention is also the principle underlying the interpretation of oaths at a moral level. A clear example is the one indicated as an apparently clear case of lying (or perjury): when a man, acting unjustly, asks his wife to swear about an adultery, she may swear something that is true according to her own intention, even though it is false according to the hearer's understanding (*Summa Sylvestrina*, Vol 2, *Iuramentum* III, 2, 91).[7]

The meta-dialogical interpretative principle of "good faith" can be used only when the legal principle cannot be applied, namely when the speaker requesting the oath does not fulfil the pragmatic criteria for its "felicity," and in particular when s/he has not the authority to make such a request. The speaker's authority can fail for different reasons. First, the speaker does not hold the authority on the given field of actions: for example, the Pharaoh can request some actions, but not the ones that are under the divine law. Second, when the speaker has the intention to deceive or hurt the interlocutor, the communicative and moral obligation to adapting one's words to his possible understanding ceases. In these circumstances, the "cooperative principle" that governs communication ceases (Grice 1975: 45). As a consequence, the persons taking the oath can use the principle of charity to their own advantage (Gauker 1986; Wilson 1959), by uttering a statement that is taken by the hearer to be "such as is required, at the stage at which it occurs, by the accepted purpose or direction of the talk exchange," but failing to comply with these expectation. While the hearer – who performing a speech act s/he was not entitled to – interprets the utterance assuming that the speaker is cooperative, the latter breaches this interpretative principle. However, this is only the extreme case of interpretation.

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6. Obstetrices non peccassent, licet non respondissent ad intentionem Pharaonis, quia non fuit ei data auctoritas ad aliquid agendum contra Deum.

7. Cum vir exigit ab uxore iuramento super adulterio, quia inique agit, poterit iurare quod est verum secundum suam intentionem, licet sit falsum secundum intellectum audientis.

6.3   "*Praesuppositio*:" Explicatures, and tacit knowledge

The strategic interpretation of an utterance was normally restrained within the boundaries of the unsaid. As pointed out above, the passage from an utterance to its meaning can be guaranteed only by supplying the information that was left unexpressed: thus, this tacit dimension of meaning was the core of the strategies used to apply the moral principles to complex cases. Clearly, the very notion of "tacit dimension" involves different pragmatic phenomena, which were carefully studied by casuistic works well before the contemporary linguistic theories.

The first tacit dimension of meaning considered by casuists is the "presuppositions" of an utterance, a concept introduced by Thomas Aquinas in the 13th century to refer to a specific epistemic and dialectical attitude towards a proposition. According to Aquinas, a *praesuppositio* is a proposition that is previously taken as accepted (Aquinas *In Libros Metaphysicorum Expositio*, VII, 17, 19), a notion close to the concept of pragmatic presupposition (Simons 2003; Stalnaker 1974). A presupposition for Aquinas is characterized by its logical anteriority, its precedence in the "order of intelligence" (*Summa Theologiae*, 2a2ae, a14). Presuppositions are preconditions or rules of the language game and are taken as accepted by the interlocutors: if one proposition (*pp*) logically precedes (or is presupposed by) another (*p*), we can infer that, if we grant *p*, we must admit *pp* (McCabe 1969: 68).

The *Summa Sylvestrina* took the notion of "*presuppositio*" in a broad sense, conceiving it as all the information that is shared and thus can be taken for granted – referring with this term to an area that we would nowadays divide between presuppositions and explicatures. According to Mazzolini (*Summa Sylvestrina*, Vol 2, *Iuramentum* III, 1, 91, authors' translation), "[A judgment on] oath needs to take into account what is presupposed and taken for granted in it. Interpretation is valid and can take place when who takes an oath has not explicitly and specifically the intention to bind himself to perform something specific against the interpretation; otherwise it would not be valid."[8] An example that he provides concerns the "presupposition" (nowadays referred to as explicature) of the object of oaths (*Summa Sylvestrina*, Vol 2, *Iuramentum* III, 1, 91, authors' translation):

> Third, it is taken for granted [the condition] "if the thing will remain in the same condition; if it is not, whatever." Thus, who swore to marry Berta does not need to comply with his oath in case she had intercourse with another man, or was

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8. De iuramento indiget consideratione quantum ad aliqua in eo subintellecta et praesupposita. Interpretatio valet et locum habet quando iurans non habet expresse et specifice animum obligandi se sub aliquo determinato, contra ipsam interpretationem, altier autem non valeret.

affected by leprosy, or became incurably ill. Who swore to return a sword does not need to comply with his oath nor will commit perjury if the beneficiary is found in a state of fury, as at the time of the oath he was not thinking about his fury, which came afterwards. If he had thought about it, he would have not had taken the oath.[9]

[…] And fourth it can be understood, "if your promise towards me has been kept until that moment." […] [for example] in case cousins swear not to divide a company, it is understood, "if you keep your promise towards me". And adds "provided that my partner is not violent, molest…"[10] […] And fifth, it is understood, "if the thing is honest and possible."[11]

The presupposition of an oath can become part of what a speaker can take for granted in certain circumstances. The common ground requirement underlies the interpretation of oaths and affirmations: since it is not possible to bind a person to what he could have not intended, the utterance needs to be interpreted by supplementing it with the conditions that are commonly associated with the action promised. These explicatures can be conditionals, but include also modulations of meaning, such as in the following example (*Summa Sylvestrina*, Vol 2, *Iuramentum* III, 1, 91, authors' translation)[12]:

a.   If I swore to return grain, wine, or lemons, it is understood "of the same quality."

Here, the "*praesuppositio*" modulates the meaning of the goods, narrowing it by providing a qualification that is commonly understood as such (like in an ordinary meaning argument).

6.4   Unilateral explicatures: Ambiguity and *subintellectio*

While the "*praesuppositiones*" cover the semantic area of the "bilateral" enrichments (and presuppositions), namely what both interlocutors are bound to accept as an enrichment, a more complex phenomenon is the unilateral explicature,

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9.   Tertio subintelligitur, si res in eodem statu permanens erit extra eo quemadmodum. Unde qui iuravit accipere Bertam in uxorem, si fuerit illa fornicata, aut effecta leprosa, vel incurabiliter alias infirma, non teneretur observare iuramentum. […] Qui iuravit reddere gladium, non tenetur si reperatur in furia nec erit periusus, quia cum promisit non cogitabat de furia, quae supervenit: de qua si cogitasset non promisisset.

10.   Et quarto intelligitur, si servetur mihi fides seu promissum ext. eo pervenit. […] Primi si non dividere societatem, intelligitur si servetur mihi promissum. Et addit, conditionem mihi socius sit rixosus, vel molestus…

11.   Et quinti intelligitur, si res sit honesta et possibilis.

12.   Si iuravi tibi reddere granum aut vinum, et limoni, intelligitur eiusdem bonitatis.

namely a pragmatic development of meaning that is unusual even though it cannot be considered as unacceptable. These unilateral enrichments are uncooperative strategies that are performed in specific circumstances, related to the freedom to bind oneself to the truth or a specific action. In the *Summa*, two types of uncooperative enrichments are distinguished: the uncooperative, but potentially understandable enrichments (*intellectio*) (Rosier 1994: 31),[13] and the unilateral enrichments that cannot be retrieved from the logical form of the utterance and the common knowledge, and are thus "imposed" by the speaker (*subintellectio*).

The first case (*intellectio*) concerns the strategic uses of ambiguity[14] – and some cases of implicatures. The implicit and unilateral enrichment is carefully analyzed in relation to assertions. Mazzolini distinguishes different cases in which an interpretation is uncooperatively made by the speaker. Such strategies are allowed to protect the freedom of the speaker in context in which the interlocutor pretends unduly to have the authority of performing a speech act. Different types of one-side enrichments are distinguished, grounded on the interpretation of biblical alleged lies (*Summa Sylvestrina*, Vol 2, *Mendacium*, 6, 229–230, authors' translation):

1. Strategic use of the specification of meaning: "When what is said is true in one sense even though it is not true in another sense that is understood by the hearer. Thus, Abraham said that his wife was his sister, because she was his half-sister on her father's side, even though not his sister on both his mother's and father's side"[15] (a strategic use of the argument from analogy: a half-sister is regarded as a kind of sister).
2. Strategic use of polysemy: "Or take a clergyman asked on the doorstep whether he had something on which taxes can be paid (*solvere*), and he replied that these are not things that can be 'solved' by a clergyman"[16] (a strategic use of the systematic argument: in the same context the same word bears two distinct meanings).

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13. Bacon refers to the information needed to enrich the incomplete sentences as information that the speaker "subtacit" or that can be "intellegitur" (Bacon, *Summa Grammatica*, 181–182).

14. Bacon underscores how omissions are needed as depending on the context, the same formula can be used for expressing the same intention. For example, "ite, missa est" can be used in different contexts (a mass that is sung or only pronounced) by completing the sentence with the needed information (Bacon, *Summa Grammatica*, 183–184).

15. Primo quando id, quodo dicitur est verum in uno sensu licet non sit verum in alio in quo capitur ab audiente: sicut Abraham dixit uxorem esse sororem, quia erat soror ex parte patris, licet non ex parte patris et matris simul.

16. Aut si clericus interrogatus in porta an aliquid habeat, de quo sit solvenda gabella: et ille respondeat que non sunt de quo sit solvenda a clerico

3. Strategic use of ambiguity: "And similarly, the Angel is interrogated by Tobias about his descendance. The Angel replied: I am Azarias, the son of the big Anania. These words are true according to the etymology of such words, and not according to the words themselves, as the interpreters pointed out ["Azaria" means "the healer of YHWH" and "Anania" means "the goodness of YHWH" or "the grace of YHWH"]. Now, the Angel was only concealing his real name [which means "God's healer"]. And similarly, Christ did not denied to be Samaritan, namely a warden, according to the etymology of the name"[17] (a strategic use of the "technical meaning" by the speaker, while the hearer relies on the ordinary meaning).

4. Strategic use of indexical resolution: "When the statement is ambiguous, as it has two meanings, of which one is true and the other false, and the speaker intended to speaker according to the true sense and let the other understand the false sense. For example, someone is asked about a person who is chased to death, whether he passed by a specific way. The answer is that such a person did not pass there, meaning through the very and specific place that is touching with his foot or hand"[18] (a strategic use of the *a-contrario*: the speaker lets the hearer draw that what is not stated is not the case).

The extreme case of one-sided explicatures, aimed at hiding the truth consists in the *subintellectio*, which is considered as a kind of concealment or simulation (*Summa Sylvestrina*, Vol 2, *Iuramentum* IV, 8, 97, authors' translation):

> If the one who swore intended to act in a way, even though it is not the way that understood the beneficiary: such as the one who swore to give a hundred, supplying in his mind, "if this is my debt towards you," he will not commit a sin, because he is not bound to swear according to the intention of a person who is not his judge, but he can use a licit simulation, which is allowed.[19]

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17. Sicut et Angelus interrogatus a Tobia, quis et de quo genere esset, respondit: Ex filiis Israel ego sum Azarias, Ananiae magni filius (Tobia 5). Quae verba sunt vera secundum interpretationem illorum vocabulorum, et non secundum illa vocabula, ut patet per expositores. Et similiter Christus non negavit se Samaritanum, id est, custodem, secundum nominis interpretationem.

18. Tertio, quando locutio est dupliex, habens duplicem sensum, quorum in uno est vera et in alio falsa, et loquens intendit loqui in sensu vero et imprimere alteri sensum falsum: sicut si quis interrogetur de eo qui queritur ad mortem, an transiverit per talem viam, et respondeatur, non transivit hac: intendens per locum proprium et individuum, quem pede aut manu tangit.

19. Si vero in aliquo senso intendebat facere quis iurabat, licet non sensu eius, cui iurabat: ut quia iuravit dare centum, subaudiendo in animo suo, si debuero, tunc non peccat, quia non tenet iurare secundum intentionem eius, cum non sit suus iudex, sed utitur simulatione licita, quae licet.

In this case, the implicit and unilateral enrichment is not a commonly accepted condition that can be inferred from the promise. Thus, it corresponds to a speaker's intention that is not made accessible through the utterance meaning. However, this is allowed when the speaker is not legally bound to make a promise, but he is forced to do so. Similarly, "if someone swore not to reveal a secret, he means 'if the secret concerns something honest and not detrimental to someone, but I can reveal it not to everyone, but to the ones who can benefit from it'[20] (*Summa Sylvestrina*, Vol 2, *Iuramentum* IV, 28, 101, authors' translation). The *subintellectio* is based on the explanation of a potential lie in the New Testament (our case 6 in Table 2) (*Summa Sylvestrina*, Vol 2, *Mendacium*, 6, 230, authors' translation):

> when someone is asked about something that is not convenient to reveal, he can say that he does not know, taking for granted "as to be revealed." For example, the son of the man, who in the Marc's gospel claimed to ignore the day of the judgment, according to the Doctor said so because he ignored it as to be revealed to us; it is clear that he knows it, because he revealed it to the son: afterwards, when it was opportune that the person asking it knew.[21]

While the *praesuppositio* represents the common understanding of the utterance (the utterance meaning), the *intellectio* and the *subintellectio* are deviation from the common knowledge, either in the sense that a non-prototypical enrichment (modulation) is selected (*intellectio*), or a non-presumable one is developed (*subintellectio*). In both cases, the conditions of these latter enrichments (called "concealments") lie in the nature of the speech act: when it is a reply to an illegitimate speech act, it is admissible; however, when the person uses these strategies in a cooperative context in which the dialogical preconditions are respected, they are not admissible (*Summa Sylvestrina*, Vol 2, *Mendacium*, 6, 230).

6.5   Implicatures and the speaker's intention

As mentioned above, the *Summa Sylvestrina* shows a clear distinction between three types of intention: the intention drawn presumably from the utterance, the intention that can be possibly but not presumptively drawn from the utterance,

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20. Si quis iuravit non revelare secretum, intelligit de honesto et non de alteri nocivo, sed illud possum revelare, non omnibus, sed his, cui possunt prodesse.

21. Quarto, quando aliquis interrogatur de aliquo quodo dicere non expedit: quia dicere potest se illud nescire, subintelligendo ut revelandum: exemplo filii hominis, que iuxta Marcum dict se nescire diem iudicii: quod secundum Doct. ideo dicit, quia illud non scit ut revelandum nobis, patet vero illum dicitur scire, quia de hoc filio notitiam dedit: secus autem ubi expeditet interrogantem scire.

and the speaker's intention that cannot be retrieved considering what is said. These three types of intention outline the relationship between the speakers and their own utterances, leaving them – under certain conditions – the freedom to interpret their own words. Another type of interpretation is involved when the pragmatic processing occurs at a "post-semantic" level, in which the speaker's meaning is retrieved considering a semantic representation already specified (enriched) (Levinson 2000: 188), by drawing further inferences from it.

The *Summa* outlines a perspective on interpretation based on an *ante-litteram* notion of implicature. The first strategy consists in exploiting the so-called Q-based implicatures or the interpretative *a contrario* arguments: a reply is normally considered as providing the optimal information requested, thus excluding more informative replies. Thus, the more informationally relevant reply, if not stated, is considered not to be the case. An example of the strategic use of the pragmatic and interpretative principle is the following (*Summa Sylvestrina*, Vol 2, *Mendacium* 6, 229, authors' translation):

> when several answers can be given to the same question, and the question is replied in one way and the other replies are omitted. Thus, Samuel came to Bethel principally to anoint David as a king, and secondarily to make sacrifices, for which he came for thanking of the anointment. When he was questioned on the reason why he came, he replied telling the secondary cause, omitting the most important one, namely that he went to make sacrifices.[22]

The Q-based inference is at the basis of the explanation and interpretation of the potential biblical lie. The more informative possibility (the existence of a more relevant reason to come to Bethel) is excluded by the hearer, who interprets the reply as implying that the Samuel did not come to Bethel for any other (more relevant) reason. However, this is not part of what is said – it is merely implicated strategically.

The converse extensive inference is more complex. According to the *Summa*, it is possible to infer from a generic oath a more specific one, namely to "amplify the informational content of the speaker's utterance," only when such extensive interpretation falls into "what he has the intention to include, or what he had to reasonably include"[23] (*Summa Sylvestrina*, Vol 2, *Iuramentum* IV, 6, 96). In line

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22. Secundo, quando ad eandem interrogationem possunt dari multae responsiones et datur una, alia tacetur: sicut Samuel veniens in Bethlehem principaliter ad inungendum David in regem, et secundario ad sacrificandum, ad quod scilicet venierat grata unctionis: interrogatus ad quid venisset, respondit de causa secundaria, tacens de principali, scilicet ad sacrificandum venisset (1 Reg 15).

23. Non extenditur nisi ad ea de quibus cogitaturum est, vel debuit merito cogitari.

with the pragmatic principle of informativeness (the best interpretation is "the most informative proposition among the competing interpretations that is consistent with the common ground," Atlas and Levinson 1981: 41), it is allowed to infer from a generic statement a more specific (and informative) one only when it is consistent with the common ground. An example is the following (*Summa Sylvestrina*, Vol 2, *Iuramentum* IV, 6, 96, authors' translation):

> Consider for example a clergyman who swore to comply with the order of the bishop, who understood as to waive his privilege and not to appeal. Clearly, since it was not likely that he had thought about these things, he can appeal against the order anyways.[24]

A similar treatment is used for analogical extensions: "an oath cannot be extended to other similar things that have not been thought, as beyond consent it is not possible to oblige."[25] Again, the "stereotypical" and common ground extension by analogy is permissible; however, it needs to comply with the common ground proviso of our modern "informativeness principle."

The distinction between what is meant and what is said (or sentence meaning) (Grice 1968) is at the basis of a converse strategy aimed at extending the meaning of the interlocutor's words. An example is the following (*Summa Sylvestrina*, Vol 2, *Iuramentum* III, 2, 93, authors' translation):

> They are bound to swear considering the reasonable direct intention of the interlocutors, or the indirect one, which is mostly to which the direct intentions are subordinated. As an example, when some officials think that some place is affected by plague, when in fact it is not: in this case, I do not believe that who cautiously swears is committing perjury: as he swears considering the indirect intention of the orders, namely to know whether he was in that infected place. And the same applies in the case of someone who actually was in such an infected place, but not in a way that he could be infected: such as in the case in which the air was not infected and passed through rapidly riding his horse.[26]

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24. Quidam clericus iuravit stare mandato episcopi: qui paecepit ut renuntiaret beneficio et non appellaret. Certe ex quo non erat verisimile quod de his cogitasset, poterat praecepto non obstante appellare.

25. Iuramentum non extenditur ad verisimiliter non cogitata ut in d.cap. quemadmodum nec obligat ultra consensum (*Summa Sylvestrina*, Vol 2, *Iuramentum* III, 1 92).

26. Illi tenentur iurare ad intentionem sanam eorum propinquam, vem remotam, quae est principaliter ad quam propinqua ordinantur. Quod item dico, qua aliquando tales oficiales credunt aliquem locum esse pestilentem, qui non est: quia tunc non credo periurare iurante cautelose: quia iurat ad intentionem praedictorum remotam, quae est scire an fuerit in tali loco infecto. Et idem si quis fuit quidem in tali loco infecto, sed non sic ut potuerit infici: ut quia non erat aër corruptus et tansiuit celeriter in equo.

This interpretative strategy is focused on what the speaker may have reasonably meant by asking such a question (which in the XIII century philosophy was considered as the *intentio proferentis*, Rosier 1994: 40–42). The "teleological" intention of the speaker is thus distinguished from the one that can be retrieved from the textual evidence. The "purpose" of the utterance, however, needs to be supported by the contextual reasons (the purpose of the questioning; the dangers of the plague, etc.), as in the aforementioned case.

7.   *Secundum quid* and casuistry

The enrichments of meaning that the *Summa* explains in detail bring to light a neglected relationship between argumentation and pragmatics, which was discussed by Aristotle when described the fallacy that is nowadays called the "*secundum quid*" or "ignoring qualifications." This deceptive strategy consists in a distortion of a viewpoint or statement that was qualified in a specific way (or was left unspecified) to draw an otherwise unwarranted conclusion.

The classical example was given by Aristotle: "Suppose an Indian to be black all over, but white in respect of his teeth; then he is both white and not white" (Aristotle, *Sophistical Refutations* 167a 2–3). In this case, the premise "the Indian is white in respect of this teeth" includes a qualification, namely an explicit modulation of meaning, as the predicate "to be white" is attributed to the subject only considering a specific part of his body. However, this clause is used in the conclusion without any qualification, thus modifying the meaning of the original statement radically. Now "the Indian is white" is taken to mean white [in general], namely on the most extended external covering of the body.

This fallacy is normally described in contemporary textbooks and in argumentation theory as a fallacy of hasty generalization (see Walton 1990b), and more precisely of omitting explicit qualifications. However, the complexity of this fallacy was pointed out already by Hamblin, who underscored the role of the context in establishing whether the statement is qualified or unqualified (see Hamblin 1970: 30–31):

> In general, this fallacy (the secundum quid) consists of using a proposition, which has a qualified meaning, as though it applied in all circumstances and without restriction. One thus argues fallaciously that the commandment "Thou shalt not kill" forbids fighting for one's country. But the meaning and context of the commandment forbids killing an innocent person unjustly, that is, murdering. Let us admit, if we must, that the Ten Commandments are not to be taken literally; but, if someone wants to pay lip-service to a principle while making convenient exceptions, at least he should not be allowed to enlist the authority of Logic.

On this view, the qualification is conveyed by the context, and omitted intentionally to justify a conclusion.

The picture that Aristotle draw of this fallacy is, however, more complex (Macagno, 2022a.). The phrase "*secundum quid et simpliciter*" derives from a contrast that Aristotle introduced in the *Peri Hermeneias* between what is said "simply" (ἁπλῶς) and with a temporal determination (κατά χρόνον), which Boethius translates as "*simpliciter*" and "*secundum tempus*" (Boethius, *De Interpretatione*, 51, 19–20). While propositions concerning abstract concepts are a-temporal, any claim about a state of affairs is subject to a temporal dimension (a circumstance) that indicates a "certain presence." The notion of "*simpliciter*" appears as contrasted with "*secundum quid*" in the Latin translation of a passage of Aristotle's *Sophistical Refutations*, in which he introduced this "nonlinguistic" fallacy as follows (*Sophistical Refutations* 166b 38–167a 1, Forster's translation):

> Fallacies connected with the use of some particular expression [λέγεσθαι, what is said] absolutely [ἁπλῶς] or in a certain respect and not in its proper sense [κυρίως], occur when that which is predicated in part only is taken as though it was predicated absolutely.

In the dialectical tradition, the "*secundum quid*" has been commonly associated with its cause, the elision of the qualifications that can lead to confusion (Kirwan 1979) that Aristotle indicates in the first conjunct of his definition. Thus, the denomination of the fallacy itself was reduced to part of its description ("absolutely [or more correctly, plainly] or in a certain respect") neglecting what the use of an expression "simply" or "in a certain respect" is contrasted with, namely "in the proper sense."

The contrast between "in the proper (default) sense" and "plainly (absolutely)" is reversed in the description that Aristotle provides later on in the book (Aristotle, *Sophistical Refutations* 180a 23–24, Forster's translation):

> Arguments which turn upon the use of an expression not in its proper sense [κυρίως] but with validity [λέγεσθαι, said] in respect only of a particular thing or in a particular respect or place or degree or relation and not absolutely [ἁπλῶς], must be solved by examining the conclusion in the light of its contradictory, to see if it can possibly have been affected in any of these ways

The fallacy seems not to consist in an elision, but rather in a distortion of the "κυρίως" – the standard (Schreiber 2003:141), common, or default use of an expression (Van Ophuijsen 2014:212; Lewis 1991:204) – which can be improperly qualified through a specification of meaning that does not correspond to its "plain" use (ἁπλῶς), often translated as "absolutely." The cause of the deception lies in the fact that what is left without qualifications, or ἁπλῶς, has a default inter-

pretation, κυρίως; however, the interlocutor interprets the expression modulating it against the common use. Thus, an utterance conveying a specific meaning (enriched to be valid in a specific circumstance) becomes explicated through generalizations (enriched to be valid generally, or always), and vice versa.

The interplay between the lack of any addition and the preferential reading is also pointed out in the *Rhetoric* (Aristotle, *Rhetoric*, 1401b35–1402a2):

> Another line consists in leaving out [ἔλλειψις, defect of] any mention of time and circumstances. E.g. the argument that Paris was justified in taking Helen, since her father left her free to choose: here the freedom was presumably not perpetual; it could only refer to her first choice, beyond which her father's authority could not go. Or again, one might say that to strike a free man is an act of wanton outrage; but it is not so in every case – only when it is unprovoked. Again, a spurious deduction may, as in eristical discussions, be based on the confusion of the absolute [ἁπλῶς] with that which is not absolute.

The source of the fallacy is thus the absence of an addition that specifies the (non-prototypical) respect, time, or manner (Aristotle *Rhetoric* 1402a11–12) that in this specific circumstance can be inferred by default, but still is left unexpressed.

The so-called *secundum quid* fallacy can be interpreted as a fallacy of mis-interpretation, or rather mis-enrichment (Macagno 2022b): by neglecting the context, which determines the "ordinary" qualified meaning, or the default interpretation in a prototypical context (Kecskes 2013, 2008; Kecskes and Zhang 2009; Stubbs 2001: 3–4). For example, using two cases drawn by Aristotle's *Sophistical Refutations* (167a 2–9):

a1. *A chimaera attacked Bellerophon* [in the Greek mythology]. *Therefore, chimaeras exist/chimaeras can attack us* [in the actual and present world].

a2. *Chimaeras do not exist* [in the actual and present world]. *Therefore, it is false that a chimaera fought against Bellerophon* [in the Greek mythology].

b1. *A black Indian has white teeth. Therefore, a black Indian is white* [in the most extended external and visible covering of the body].

b2. *An Indian is black* [in the most extended external and visible covering of the body]. *Therefore, an Indian has black teeth.*

These statements require qualifications that need to be highly noncontroversial, namely coherent with the common ground. The unqualified statements (a1, a2, the consequent of b1, and the antecedent of b2) are enriched presumptively; however, the contexts used for supplying the circumstances of validity of the claim in the antecedent and the consequent of a1 and a2 are different, and so are the enrichments. In contrast, the meaning saturation is implicit in the consequent of

b1 and in the antecedent of b2, but the explicit saturation is incompatible with it in the antecedent of b1 and in the consequent of b2.

Casuistry, as shown in our Sections 8 and 9, provides a method to address cases characterized by specific circumstances through principles expressed without explicit qualifications (Kirk 1927: 111). Two lessons can be drawn from the contrast between what is said *simpliciter* and *secundum quid*: first, circumstances define what is said in the world, and the passage from concepts (abstract relations) to specific rules needs to consider the specific "accidents" that define the case; second, the meaning of a text does not correspond to its decoding – it is possible to interpret it *simpliciter*, providing the prototypical enrichment, or *secundum quid* qualification, in function of the meaning that can be attributed to the speaker in a specific circumstance (Rosier 1993: 255).

The contribution of casuistry to pragmatics and argumentation consists in underscoring how the passage from a statement to its meaning is matter of interpretation, which needs to take into account the modulations of meaning and the speaker's intention. Even the moral principles, expressed as generalization such as "thou shall not lie," require in *any case* a pragmatic processing to draw a rule applicable to the specific cases. The qualification can be an indication of specific circumstances or the denial thereof (Kirk 1927: 121–123); however, in both cases the interpreter needs to make a decision about what it is meant. Casuistry was an art (Sidgwick 1962: 4) focusing on the "proper sense" of the words, considering their context. Both in cases of biblical interpretation and in the interpretation of ordinary speech, the context, the speaker's intention, and the goal and consequences of the very interpretative act became a crucial and essential dimension of meaning. Despite its improper uses, this art outlined an interpretative method that is extremely modern.

Conclusion

Casuistry shows the essential relationship between argumentation and meaning. As shown in the *Summa Sylvestrini* and Augustine's works on lying, the classification of a speech act as a lie is not merely the use of its logical form as a premise in an argument from verbal classification (Walton and Macagno 2010). Similarly, the condemnation of a behavior is not only based on the logical form of a moral statement in an argument from rules or consequences (Walton et al. 2008: 343). The classification of a state of affairs and the "application" of a rule to a case is a decision-making process in which the compositional meaning of the speech act or the moral statement is enriched considering different types of evidence.

Casuistry showed the pragmatic and argumentative dimension of this inter-
pretative decision-making activity, which can be considered as a special kind
of legal argumentation. Like in legal interpretation, the *Summa Sylvestrini* used
interpretative principles that can be translated into arguments or pragmatic max-
ims (Macagno et al. 2018). More importantly, biblical passages and contemporary
statements are interpreted considering distinct dimensions of meaning and a
broad view of context. In these casuistic texts we find pragmatic the ante-litteram
notions such as speech act distinction, the difference between speaker's intention
and sentence meaning (for the previous approaches to this issue, see Pouscoulous
and Goubier 2011), presuppositions, and implicatures.

As an art of judgment in specific circumstances – and not as a science of
absolute principles – casuistry provided defeasible outcomes. However, regardless
of its outcomes – and the criticisms against its abuses (Jonsen and Toulmin
1988: 341) – casuistry can be viewed as a highly complex challenge, which pro-
vided a methodology for interpreting texts anticipating insights in the contextual
perspective of meaning that we normally attribute to the contemporary discipline
of pragmatics. Casuistry can be nowadays regarded as the art of the *secundum
quid*; that is, it is the practice of analyzing the presumptive meaning of a statement
in a given context for a specific purpose, considering that this is only one of the
possible determinations of its meaning.

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