

HOW PERFORMATIVES REALLY WORK:
A REPLY TO SEARLE

One way to do things with words is to do them explicitly. As J. L. Austin observed, one can do this by using "special explicit performative verbs like 'promise', 'pronounce', 'find', etc." in sentences beginning with "I" followed by a performative verb in the "first person singular present indicative active form" (1962, p. 61),¹ such as "I promise you a rose garden" or "I pronounce you husband and wife". Austin contended that making explicit "is not the same as stating or describing". But we have long maintained that performative utterances are true or false, that performatives² are statements too, and John Searle endorses this view in his recent 'How Performatives Work'.³ He endorses little else in our account.

Searle rejects our contention that the reason performatives are true or false is that they are literally and directly statements and only indirectly promises, pronouncements, etc. Indeed, he argues, any account on which "performatives are primarily statements . . . confuses being committed to having an intention with actually having the intention" (p. 546). For example, using "I apologize" to state that you are apologizing commits you (insofar as you are committed to the truth of your statement) to having the intention to be apologizing, but this does not entail that you actually have such an intention. On Searle's account performatives are primarily declarations, a kind of speech act whose performance makes it the case that, e.g., an apology has been made by virtue of guaranteeing the presence of the intention that constitutes the utterance as an apology. For "I apologize . . ." to have performative force not only must it be "self-referential", as on statement analyses, it must be "executive" as well. Searle argues that only by analyzing performatives as declarations, speech acts which "create new facts", can we account for what he claims to be their "self-guaranteeing" character.

¹ Austin mentions words other than verbs which have a special performative function, such as "guilty" and "offside", and other performative verb forms, "the second and third [person] and impersonal passive".

² The noun "performative" is short for "performative utterance". We will always use "performative sentence" or "performative verb" when we are referring to expressions rather than acts.

³ See Bach and Harnish (1979), pp. 203–208, and Searle (1989). Unless otherwise indicated, all page references to Bach and Harnish are to our 1979 book and to Searle are to his 1989 article. "Performatives are statements too" is the title of Bach (1975), the original source of

Declarations are essentially institutional or conventional in character and, when made under the right conventionally specified circumstances, succeed in effecting certain institutional states of affairs. Some performative utterances, such as "I pronounce you man and wife" and "I sentence you to twenty years at hard labor", fall into this category, but in our view ordinary performatives do not, because they, like most speech acts, are not bound to particular institutional situations. Indeed, as we will argue, their performativity requires no special explanation. Ordinary performatives are acts of communication and succeed as such if one's audience infers one's communicative intention, the intention to be expressing a certain attitude. Declarations, being institution-bound, are but incidentally communicative and succeed by satisfying the relevant conventions.

To provide the necessary background for our case, in the first section we sketch our account of the role of communicative intentions in speech acts generally. The next two sections answer, respectively, Searle's specific objections to our account of performatives and his generic objection to any analysis of performatives as direct statements. The last two sections rebut his contentions that ordinary performatives are declarations and that performativity is built into literal meaning. Answering Searle's objections will enable us to clarify the distinction between the successful performance of a speech act and its communicative success. We agree with him that performative verbs and sentences "are not ambiguous between a performative and a non-performative sense" and that "performative utterances in virtue of their literal meaning are statements with truth values" (p. 540),⁴ but as we will show, Searle's critique of our account conflates performativity with communicative success. Although the performativity of these utterances does not depend on their being statements, their communicative success does.

1. SPEECH ACTS AND COMMUNICATIVE INTENTIONS

In general, the success of an action does not depend on whether any witnesses happen to identify the intention with which it is performed, much less whether the agent intends them to do so. But acts of communi-

our account. Harnish (1976), Section B, gives a substitution argument for performatives having truth values.

⁴ These passages give parts of Searle's "conditions of adequacy" (pp. 539-540), most of which are actually substantive. Several even beg certain of the questions at issue. In particular, the second one says that "performative utterances are self guaranteeing" in his special sense, and the sixth denies that performatives are indirect speech acts, which is just what we assert.

cation are a special case. Their success requires that the intention with which they are performed be recognized by your audience. Indeed, as Grice (1957) discovered, it is included in your intention that the audience take you to intend them to recognize it and that this be part of their basis for recognizing it. This "reflexive" intention constitutes the utterance as an act of communication and is fulfilled just in case the audience recognizes it.⁵ As we say in our book, what distinguishes communicative intentions from intentions generally is that "their fulfillment consists in their recognition" (p. 15).

Of course, in saying something you usually intend more than just to communicate – getting yourself understood is intended to produce some further effect on the listener. Requesting, for example, involves the communicative intention just of expressing the desire for the addressee to do a certain thing, but generally you intend also that they actually do it.⁶ Your request succeeds in that respect (achieves "perlocutionary" success) only if it is complied with: it succeeds communicatively just by being understood. If it is not even understood, it can still succeed as the bare act of making a request – though infelicitous, the request has been made. So when we describe a speech act as being successful, we must be careful to distinguish its achieving its purpose, its at least being understood, and its mere performance.

Considered as an act of communication, an utterance succeeds if the audience understands it (the intention, not just the words). As we argue in our book, communicating is the act of *expressing an attitude*, and its success consists in the hearer identifying that attitude. Indeed, communicative act types may be individuated by the type of attitude expressed.⁷ We define expressing an attitude as reflexively intending the addressee to

⁵ When Grice first recognized the distinctively reflexive character of communicative intentions (in later years he wavered between thinking them reflexive and thinking them iterative), he suggested that a speaker means something by his utterance iff he intends his utterance "to produce some effect in an audience by means of the recognition of this intention" (1957, 385). However, he imposed no constraint on the kind of effect to be produced. As Searle subsequently showed (1969, 47), the relevant effect is understanding or what Austin called "uptake", rather than such further (perlocutionary) effects as belief, desire, or even action on the part of the audience.

⁶ In Austin's terminology, requests, promises, etc., are "illocutionary" acts, which are generally associated with "perlocutionary" acts, e.g., requesting with getting someone to do something. Since perlocutionary acts are not relevant to the present discussion, we have been using and will continue to use "speech act" to mean illocutionary act.

⁷ We have developed a detailed taxonomy of communicative speech acts (Chapter 3) in which a wide variety of act types are individuated in this way. For example (and to simplify our characterizations), predicting expresses a belief about the future, apologizing expresses regret for something one did to the addressee, and requesting expresses a desire for the

e game of charades – making faces and gestures to enable the audience figure out what you have in mind). You understand an utterance if you identify the intended attitude (including its content, of course), such as a belief in the case of a statement or a desire in the case of a request. It is another question whether you take the speaker actually to possess that attitude, much less form a corresponding attitude yourself, such as a belief (thereby agreeing with him) or an intention (thereby complying with him). If you think the speaker actually possesses the attitude he is expressing, the effect you are taking him to be sincere in what he is communicating. But there is no question about his being sincere in the communicative intention itself – what one can be insincere about is actually having the attitude one is expressing. The communicative intention must be identified before the question of the speaker's sincerity can even arise.⁹ For this reason, despite Searle's insistence that statement analyses of performatives inflate the distinction between being committed to having a certain intention and actually having it, with communicative intentions this is a distinction without a (practical) difference.

Several distinctions do make a difference. We can perform a speech act (1) directly or indirectly, by way of performing another speech act, (2) literally or non-literally, depending on how we are using our words, and (3) explicitly or inexplicitly, depending on whether we spell out what we are doing. These are distinct contrasts and should not be confused. Of the third, Austin observed that making explicit what we are doing involves the use of performative verbs. The other two contrasts¹⁰ concern not the presence or absence of specific words but the relation between the utterance and the speech act(s) thereby performed. With indirection a single utterance is the performance of one speech act by way of performing

addressee to perform a certain action. In each case, expressing the attitude is offering one's utterance to the addressee as a reason to think one has the attitude.

This reason need not be conclusive, but if in the context the reason is overridden, then the hearer will, in order to identify the attitude being expressed, search for an alternative and perhaps non-literal interpretation of the utterance. For discussion see Bach and Harnish, p. 57–59 and 289–291.

In other words, deceiving your audience about your real attitude presupposes successfully expressing some other attitude. You can be unsuccessful in conveying your communicative intention – by being too vague, ambiguous, or metaphorical, or even by being wrongly taken literally – but not insincere about it.

⁹ Austin did not investigate these, but we do in our book, especially in Chapter 4, where we schematize the inferences involved in the recognition of intentions behind both indirect and non-literal speech acts. In some ways our "Speech Act Schema" is a generalization of Grice's account of conversational implicature. Searle presents an account of indirect speech acts in his 1975.

ment ("Are you kidding?") or a request ("Do you have a quarter?"), and by way of making a statement we can give permission ("The door is open") or refuse an invitation, as when Garbo said "I want to be alone". Strictly speaking, what is indirect is not the refusal (e.g.) but its means of communicative success. That is, the intended inference route from the utterance to the refusal is by way of the statement. As for the distinction between literal and non-literal utterances, in the latter case we do not mean what our words mean and intend our listener, partly by supposing that we could not mean what they mean, to figure out what we do mean. Eliza Doolittle may have meant it when she sang "I could have danced all night", but when she sang, "I could have spread my wings", she must have meant something else.

2. SEARLE'S OBJECTIONS TO OUR ACCOUNT

For Searle the "puzzle of performatives", which he claims our account fails to solve, is posed by the question, "How can there be a class of sentences whose meaning is such that we can perform the action named by the verb just by saying literally we are performing it?" (p. 538). In our view this is the wrong question to ask, for it presupposes that performative utterances are theoretically special. Of course, there is something superficially special about them: they are performances of acts of the type mentioned by the verb. For example, promises made performatively use the verb "promise". But since you can perform an act of the same type without saying so (you can promise by saying "I will"), an account of what it is to perform an act such as a promise cannot require that the relevant verb ("promise" or a synonym) actually be used. The fact that the type of act is explicitly mentioned in a performative plays a special role not in the performance of that act, in the making of the promise, but in its communication. The explicit specification serves merely to enable the addressee to identify that act without any inferential fuss, by eliminating the need for searching out a plausible candidate.¹¹ Searle's question arbitrarily rules out the null hypothesis, that the illocutionary force of performatives ("performativity") requires no special explanation.

Also, Searle's question, in assuming there to be a "class of sentences

¹¹ Such a search would still be required if it is not plausible to suppose that the speaker is performing an act of the type named by the verb. For example, if a disobedient son says to his father, "I promise to do anything you ask me to do", the father might well take the son to be refusing to do anything. In this case, of course, he is not taking the utterance literally.

verb just by saying literally we are performing it", seems to imply that performativity is a matter of meaning. The trouble is, an unambiguous performative sentence can be used literally without being used performatively. Such a sentence can be used literally to report some habitual act, in which case one is not performing the act named by the verb, or to describe some collateral act, in which case it is not in the utterance that one is performing the act. You can use "I promise . . ." to report the sort of promise you regularly make at a certain time or in a certain situation. And you can use it to describe a promise you are currently making whose vehicle is not the utterance itself but, say, simultaneously signing your name or nodding your head. Yet Searle supposes that "the verbs in question are not ambiguous between a performative and a non-performative sense, even though the verbs have both performative and non-performative literal occurrences" (p. 540). This raises a puzzle of its own: on Searle's account, how can an unambiguous performative sentence be used literally and directly whether it is being used performatively or merely to make a statement?

On our account, a performative sentence when used performatively is used literally, directly to make a statement and indirectly to perform the further speech act of the type (an order, say) named by the performative verb ("order"). As Searle himself admits, "there is no special semantic property of performativity" (p. 554). In our view, the performative formula is but one of a wide variety of forms of words which have become standardized for specific indirect uses, forms which serve to streamline or compress the audience's inference process. Familiar examples include "Can you . . .?", "I'd like you to . . .", and "It would be nice if you would . . .", not to mention a hedged performative like "I must ask you . . .", each standardly used to make a request indirectly. They are not ambiguous between their requestive and their non-requestive uses. Also, as we argue, standardization is not a prerequisite for their having a requestive use, though obviously the use of a standardized form facilitates the audience's recognition of one's intention.¹²

Like other standardized forms, performative sentences can be used to achieve communication by virtue of inference compressed by precedent. They work in essentially the same way as other standardized forms. Searle may insist that "'I order you to leave the room' . . . is not at all like 'Would you mind leaving the room'" (p. 551), i.e., that "performative utterances are not indirect speech acts" (p. 540), but in our view they are.

¹² For more examples, explanation, and argument see Chapter 10 of our book.

which effect institutional changes by virtue of convention. For though conventions involve precedents, precedents do not always involve conventions. Conventions provide a substitute for inference; precedents without conventions compress inferences. So it should be understood that the following inference pattern, the one that Searle finds objectionable, makes explicit the steps that would be required in the absence of precedent. Precedent renders this pattern needlessly explicit – the inference is, as we say, "short-circuited". Someone unaware that the performative formula is standardized for performing an act of type named by the verb could still figure out what act that is. For example, in hearing "I order you to leave", he could infer

- (1) He is saying "I order you to leave".
- (2) He is stating that he is ordering me to leave.
- (3) If his statement is true, then he must be ordering me to leave.
- (4) If he is ordering me to leave, it must be his utterance that constitutes the order (what else could it be?).
- (5) Presumably, he is speaking the truth.
- (6) Therefore, in stating that he is ordering me to leave, he is ordering me to leave.

Since the performative formula is standardized for the performative use, one need not go through this sort of inference explicitly, step by step. But even if the inference is compressed by precedent, still one must be sensitive to the possible falsehood of any of the steps so that the inference be blocked accordingly.¹³ For example, one might take the speaker to be joking and reject step (2). Or one might balk at step (5) on the grounds that the speaker is really (though non-literally) forbidding one from leaving.

Notice that step (4) in the above inference would be blocked if the hearer took the vehicle of the order to be not the utterance but some collateral act, e.g., pointing decisively to the door. If you take the speaker to be using "I order . . ." to refer to that very utterance, you do so partly because the speaker is doing nothing else that could constitute an act of the type mentioned. This suggests that performative utterances are not inherently reflexive but only reflexive by default, i.e., in the absence of

¹³ See Bach (1984) for a discussion of defeasible or "default" reasoning and of the role of implicit or default assumptions in such reasoning.

y the performative verb.¹⁴

Our citation of the above inference pattern is not meant to suggest that the connection between the statement and performance of the act named by the performative verb is one of entailment. Yet Searle thinks that "if we are going to take seriously the idea that performatives work by way of being statements to the effect that one performs a certain speech act, we would have to show how . . . 'John made a self-referential statement to the effect that his utterance was a promise that p' entails, as a matter of logic, 'John made a promise that p'" (p. 544). This is not at all what we were trying to show with the above inference pattern and not what we needed to show. Uttering "I promise" counts as a statement and as a promise not in virtue of any entailment between the statement and the promise and not in virtue of any inference on the part of the hearer. The inference pattern illustrated above indicates how, from the hearer's (not the theorist's) point of view, the act named by the performative verb may be inferred from the statement, not how it is constituted by the statement. The statement, by virtue of intentionally providing evidence for the speaker's intention to be making a promise, informs the hearer of the promise; it is the utterance, in virtue of the intention with which it is made (that of expressing a commitment that his utterance obligate him in a certain way to the hearer), which constitutes the promise. Searle confuses the inference made by the hearer, at least according to our theory, with the theory itself.¹⁵ The theory *mentions* the inference pattern *in* its account; it does not *use* the inference pattern *as* its account. In any case, the inference is relevant not to the performativity of the promise but to its communicative success, and besides, such inferences are not deductive but defeasible (as we explain on pp. 89–93). So the statement analysis of

¹⁴ To suppose that the self-referentiality of performative utterances is a consequence of the semantics of performative sentences would be to posit a linguistic anomaly, whereby the first person present tense form "I order" would have a semantic feature different in kind from other forms, such as "You order" or "I ordered", indeed one that is not compositionally determined by the meanings of the words "I" and "order". The case is different with terms like "here" and "now", whose semantics *are* such that they are used to refer by default to the place and the time of utterance (Bach 1987, p. 189). On default reflexivity see Harnish (1991).

¹⁵ A similar confusion is evident when Searle proposes his own version of the hearer's inference pattern (p. 553), for it contains a host of Searle's theoretical notions. Also evident there is the confusion between the performance of a speech act and its communicative success: if performatives are declarations and are constituted by the intention to conform to a "special convention" (p. 548), an inference should be necessary not for the performance of an act but only for its conveyance.

statement and the promise or to require the hearer to make a deduction from one to the other.

Searle complains that our account "fails to explain the performative character and the self-guaranteeing character of performative utterances" (p. 542). We agree that having an intention is not entailed by being committed to having it and that an assertion using a performative sentence doesn't automatically guarantee the presence of a performative intention, but we deny that our account assumes this. If it did, then perhaps we would be stuck with having to endorse the absurd inference Searle gives which parallels our pattern, with "I order you to leave" replaced by "I am the King of Spain".

- (1) He is saying "I am the King of Spain".
- (2) He is stating that he is the King of Spain.
- (3) If his statement is true, then he must be the King of Spain.
- (4) If he is the King of Spain, it must be his utterance that constitutes his being the King of Spain (what else could it be?).
- (5) Presumably, he is speaking the truth.
- (6) Therefore, in stating that he is the King of Spain, he is being the King of Spain" (p. 543).

One does not become King of Spain by saying one is the King of Spain (even Juan Carlos had to do more than that!), but our theory commits us to no such thing. Making oneself King of Spain is not the sort of act capable of being successfully performed by virtue of an intention, never mind a communicative intention whose fulfilment consists in its recognition,¹⁶ whereas there is nothing more to ordering than making an utterance with a certain sort of intention. And there is nothing more to its communicative success than the intended audience's recognition of that intention (having the requisite authority¹⁷ is necessary only for getting it complied with). In contrast, if by uttering some words one could fry an egg, fix a roof, or let there be light, it would not be by way of intention

¹⁶ There are imaginable circumstances in which, as a matter of convention (rather than communicative intention), uttering "I am the King of Spain" could count as making oneself King of Spain", although it is unlikely that the requisite convention would allow the utterance to be in English.

¹⁷ The notion of authority does enter into our definition of an order, which is to express the intention for one's audience to take the utterance, in virtue of one's authority, as reason e.g., to leave. See pp. 47–49 of our book for details about the attitudes expressed in orders and in other directives.

it by efficient causation, and such an act would not have a dimension of communicative success that required anyone to recognize an intention. Whereas giving an order is constituted by making an utterance with a certain intention, becoming King of Spain is not a matter of intending to become King of Spain by simply saying so. So in the latter case the inference cannot get to step (4). But since giving an order is a matter of saying something with a presumably recognizable intention, the inference to step (4) and beyond is not blocked – the presumption that the speaker telling the truth is not overridden – unless the audience has reason not to take the utterance seriously or literally. They do in the case of “I am the King of Spain”.

Searle evidently takes our model inference pattern to be meant as an account of performativity in terms of the intended truth of the literal statement. We proposed it as representing how the hearer recognizes the speaker's communicative intention. Thus, it is wrong for Searle to object that the presumption of truth in step (5) is “redundant” (p. 542). We grant that it plays no role in the speaker's performance of the act but we don't claim that it does (the speaker knows what he's doing). From the hearer's point of view, it is hardly “redundant”, since it is essential for identifying the speaker's intention.

3. SEARLE'S GENERIC OBJECTION TO STATEMENT ANALYSES

Searle poses one objection not to our account in particular but to statement analyses in general. It leads him to “go back to the drawing board” and develop an alternative, the declaration analysis. This objection is directed at what he sees as the best rationale for the statemental approach, which we formerly found persuasive. The idea is to derive the performativity of performative utterances (like “I promise to come and see you next week”) from the fact that they are self-referential statements made with a commitment to their truth (e.g., that the speaker promises to come and see the hearer next week); since statements in general can be dishonest or mistaken, there must be some special feature of a performative utterance like “I promise . . .”, namely its self-referentiality, that makes it a promise. But Searle now realizes that self-referentiality is not enough, for this does not guarantee that the utterance is a promise or is even intended as such. Assuming “the preparatory and other conditions are satisfied, its being a promise consists in its being intended as a promise”, but being committed to having the intention, by virtue of being committed to the truth of the statement, “doesn't guarantee the actual presence of the intention” (p. 546). So Searle's “decisive” objection to the argument that performatives

are primarily statements is that it “confuses being committed to having an intention with actually having the intention”. In other words, it fails to explain the “self-guaranteeing” character of performatives. Statemental accounts are “doomed to failure” because “the performative character of an utterance cannot be derived from its literal features as an assertion” (p. 546). In Searle's view, a performative utterance succeeds by “manifesting” the intention to perform the speech act named by the performative verb, which “encodes” this intention.¹⁸ It is a “linguistic declaration”, creating the linguistic fact that a promise (or whatever) has been made.

It is not clear to us how anything linguistic could guarantee the existence of an intention. Searle's generic objection to statemental accounts simply takes for granted that they aim to derive performativity from the statement made in using a performative sentence. Of course, an utterance does not gain its performative force by virtue of being a statement, not even by virtue of being made with the intention of being a true statement. Searle is surely right to insist that for an utterance actually to be a promise requires a further intention, but it is a mistake to think the utterance should *guarantee* the existence of the intention rather than just intentionally provide evidence for it.

Performativity itself requires no special explanation, as we suggested earlier. Rather, on the null hypothesis, the way in which an utterance of a performative sentence counts as a promise is no different from the way in which any other utterance counts as a promise. If one can make a promise by saying “I will . . .” or “Yes”, locutions which do not encode the intention to make a promise, there is no reason why making a promise by saying “I promise” should require anything more. Performatives are but a special case of indirect speech acts, in which the audience identifies one communicative intention by way of identifying another. They are special only insofar as the direct statement explicitly specifies which type of act (e.g., a promise) is being performed indirectly.¹⁹ But the fact that this is explicitly specified plays no special role in the performance of the act, in the making of the promise. Explicitly specifying the act type merely facilitates the audience's inference by eliminating the need to search for

¹⁸ At one point he says “encode the actual performance” (p. 551), but this is surely an exaggeration. Verbs do not *encode* actual token events of the type they label.

¹⁹ The statement, at least if otherwise literal, also specifies the content. But the content might not be specified literally. At the end of a violent argument I might say, “I suggest that you stay here indefinitely”, but really be suggesting (ironically) that you leave immediately. Also, a performative verb can be used non-literally, perhaps to perform an act of some other type. A dear friend drops in at dinner time and you say, “I prohibit you from joining us for dinner”, so as to invite her to join.

being than a speech act of the same type made non-performatively. A performative is merely self-identifying.

The null hypothesis is supported by the case of hedged and embedded performatives, such as "I'm sorry to inform you . . .", "I want to assure you . . .", and "I'm sorry to say that I must ask you to leave" (both hedged and embedded), to which the declarational analysis could not plausibly apply. Here the mechanism of performance is essentially the same as with simple performatives, except that the intended inference is a bit more complex (of course, standardization of a given form will streamline the inference). As with simple performatives, the audience identifies the act being performed by way of understanding a statement of some matter of fact closely related to the act to be inferred, although in these cases, obviously, it is not enough to impute to the speaker the intention to be speaking the truth. Details aside (see Bach and Harnish, pp. 210–219), the relevant point is that with hedged and embedded (as with simple) performatives, the audience identifies the act being performed by way of understanding the statement being made and seeking a plausible explanation for the fact that the speaker made it. The obvious candidate is that the speaker intends to be performing an act of the sort named by the performative verb. Again, our position is not that the statement is constitutive of the action; rather, the statement provides the audience with a rational basis for identifying the action.

So we reject Searle's contention that statemental analyses inevitably confuse being committed to having an intention with actually having it. This contention is based on confusing performativity with communicative success. The same confusion is evident in his reference to "the currently fashionable view that performatives are some kind of indirect speech act where the supposedly non-literal performance is somehow derived from the literal assertion by Gricean mechanisms" (p. 551), for what Gricean mechanisms explain are the rational means by which oblique communicative intentions are formed and recognized.

In this regard consider just how a communicative intention constitutes a speech act. It is not as though you say something and then, by an inner decree (the intention), determine that you are thereby expressing a certain attitude. Rather, you decide to express a certain attitude and try to select words whose utterance will enable your audience, under the circumstances, to identify the attitude you are expressing. So even though your speech act is in a sense constituted by the intention with which you make it, you can't intend just any old thing. You can't utter "The cow jumped over the moon", for example, and thereby intend to request your ad-

choose your words to fit your intention, not your intention to fit your words.

To illustrate, compare an utterance of "I ask you to leave" with an utterance of "I ask you to slash your throat", "I ask you to breathe", or "I ask you to pluck out my eyes". You could not utter "I ask you to leave", at least not in normal circumstances, without intending it as a request, for you could not but expect it to be taken as such. In this case being committed to having the intention to be making the request, by virtue of making the literal statement, is tantamount to actually intending to make it. In the other cases, though for different reasons, you could not reasonably intend (assuming no special circumstances) your utterance to be taken as a request. You could intend the utterance as a statement, thereby committing yourself to its truth, i.e., to your having the intention to be making a request, but you could not reasonably expect your audience to regard it as true. So you could not reasonably intend them to take it as a request. Thus the statement analysis has the virtue of showing how, in these bizarre examples, communication can fail precisely because of the distinction between being committed to having an intention and actually having one. In such cases the audience does not infer, and cannot reasonably be expected to infer, the one from the other. As we will see next, the distinction between the performance of an act and its communicative success undermines the need that Searle sees for giving performatives special treatment by analyzing them as declarations.

4. WHY ORDINARY PERFORMATIVES ARE NOT DECLARATIONS

Declarations have the distinctive feature of producing changes in the world. There is nothing magical or supernatural about how they manage to do this, and they change the world not by what Searle calls "physical causation" but by convention. They succeed by virtue of meeting certain conventional conditions that constitute an utterance as effecting, generally within an extra-linguistic institution, a certain change or creating a certain fact. That is why in our taxonomy we call them "effectives" (Chapter 6), which fall under the class of conventional as opposed to communicative illocutionary acts. We largely agree with what Searle gives as the four characteristic features of declarations, but we deny that in addition to their falling under the appropriate conventions, their success "requires recognition by the audience" of the intention with which they are performed (p. 548). For this intention need not be communicative: with

erification"²⁰ (p. 117).

Clearly certain performatives are declarations, such as acts of adjourning a meeting, sentencing a criminal, or christening a ship, but in general performatives are not confined to institutional contexts. As Searle observes, many performatives do not create extra-linguistic facts and do not require special institutional contexts for their successful performance. But he thinks they at least create linguistic facts and do so in essentially the same way, namely by satisfying conventionally specified conditions. For instance, "when I say, 'I order you to leave the room', I create a new act, the fact that I have ordered you to leave the room, but that fact is a linguistic fact" (p. 549). This is why he describes ordinary performatives as "linguistic declarations". As we have seen, Searle opts for the declaration analysis only because the statement you make by uttering, e.g., "I order you to leave", does not guarantee its truth. Its truth consists in the fact that I am ordering you to leave, but how could a statement make itself true? In Searle's terms, how could a statement, with the "word-to-world direction of fit", bring about the "world-to-word direction of fit"? Only declarations, with their "double direction of fit" (p. 547), are capable of doing that. Searle formerly thought he could account for this "with self-referentiality plus the lexical meaning of some peculiar verbs, but it turned out that the apparatus was too weak" (p. 547). So he now thinks that "executive self-referentiality" is needed, and only declarations made using performative sentences have it.

We agree with Searle that declarations are acts of the sort that conventionally effect changes and create facts, and that they do this not causally but constitutively. They can end meetings, start wars, and establish marriages. However, the declarational analysis does not apply to ordinary performative utterances, for these do not create facts in the same way as genuine declarations. The linguistic fact created by an ordinary performative consists simply in the fact that an act of a certain sort (and with a certain content) has been made, such as the fact that I have ordered you to leave, and this, in turn, consists simply in the fact that a certain attitude has been expressed. No special convention is needed to account for this fact, which is merely a matter of having a certain communicative intention, and there is no further fact "created" by the performative as the result of

²⁰ However, as we point out when we contrast conventional with communicative speech acts (pp. 116-119), a single utterance may count as an act of both sorts. For example, a policeman who says "You're under arrest" may be not only arresting you but telling you (indirectly) that you've committed a crime.

created by a performative, he does not mean the obligation created by a promise, the duty created by an order, or the social balance restored by an apology, which all involve extra-linguistic institutions. But the merely linguistic fact created by a performative utterance is the mere fact of the act (the expression of the relevant attitude), and that fact is constituted simply by the intention with which the utterance is made, the intention that it be a promise, an order, an apology, or whatever.

So when Searle says of performatives that "the manifestation of the intention to perform the action, in an appropriate context, is sufficient for the performance of the action" (p. 551), he does not fully appreciate the difference between the role of intention in convention-constituted speech acts and its role in non-conventional, communicative ones. In convention-constituted speech acts, intending is not sufficient for performance and in some cases is not even necessary, for sometimes just uttering the right words in the right circumstances is sufficient (just as doing the right thing, such as holding up an auction paddle, suffices to make a bid).²¹ In non-conventional, communicative speech acts, the intention constitutes the act because the act is nothing more than verbally expressing an attitude. That is precisely the sort of thing one can do just by intention (not that you can say anything you like and still make your intention evident), for it is nothing more than a matter of intention. One can perform the act with or without using a verb that names the type of act – and do so in essentially the same way. So no special explanation, such as the declaration analysis, is needed for the case in which the verb is used, namely the case of simple performative utterances. Besides, as mentioned in the previous section, the declaration analysis does not work for hedged and embedded performatives, where too the performative verb is used.

5. PERFORMATIVES AND LITERAL MEANING

When we say that non-institutional performative utterances succeed by virtue of intention and not by satisfying any special convention, we mean any putative linguistic convention that goes beyond the lexical meaning of performative verbs or the meaning of performative sentences. Now Searle suggests that it is part of the meaning of performative sentences to "encode the intention to perform the act named in the sentence by the utterance of that very sentence" (p. 552), but we deny this, at least if it

²¹ These cases typically involve a special ritual phrase, like "I dub thee", "Guilty", or "Nay". We call such cases "locution-specific" (p. 110).

are admittedly unambiguous and can be used non-performatively. So how could their literal meaning determine their performative use? Searle does remark, "The sentence[s] uttered as an assertion and uttered as a performative mean exactly the same thing. Nonetheless, when they are uttered as performatives the speaker's intention is different from when uttered as an assertive. Performative speaker meaning includes sentence meaning but goes beyond it", but then he adds, "with the addition of the word 'hereby', sentence meaning and performative speaker meaning coincide" (p. 552). Here Searle supposes that "hereby" means "by-this-here-very-utterance". Yet considering that it can be used to refer to some collateral act, such as giving someone a written notice, rather than to the utterance of the performative sentence itself, a more accurate rendering of its meaning is "by-this-here-very-act". Thus sentence meaning and performative speaker meaning do not coincide after all.

Only near the end of his paper does Searle make clear that in suggesting that performative sentences "encode the intention to perform the act named in the sentence by the utterance of that very sentence", he does not mean that performativity is a semantic property: "As far as the literal meaning of the sentence is concerned, any sentence that describes an overt intentional action could be used performatively. There is nothing linguistically wrong with the utterance, 'I hereby make it the case that all swans are purple'. The limitation . . . is not in the semantics, it is in the world" (p. 554). That is why, by Searle's lights, any utterance which in one way or another can make true its propositional content qualifies as a declaration. He contrasts the supernatural declarations made by God and the magical ones made by witches and wizards with the "quasi-magical" ones performed by us ordinary mortals; we are empowered by "a kind of human agreement" (p. 549). But some declarations are more straightforward in how they achieve success. If I say, "I am speaking English", I make it the case that I am speaking English, and if I say, "I seem not to like olives", by my utterance I make it the case that I seem not to like olives. I don't need any quasi-magical power to do these things. These utterances, like ordinary performative utterances and unlike the declarations embedded in special institutional contexts, do not require for their performance any institutional apparatus, including extra-semantic linguistic conventions; like ordinary performatives they succeed as acts of communication by means of recognition of intention, not by conformity to convention.

Finally, notice that although Searle agrees that performatives are state-

step of his sample inference pattern:

- (8) S both said that he ordered me to leave and made it the case that he ordered me to leave. Therefore he made a true statement.

Searle claims that "this last step explains how the performative utterance can also be a true statement" (p. 553), but nothing that precedes it accounts for the fact that S made a statement at all. He claims that "the truth of the statement derives from the declarational character of the utterance and not conversely", but gives no reason why "in the case of performative utterances, the *assertion* [and not merely the truth of the would-be assertion] is derived from the declaration and not the declaration from the assertion" (pp. 553–554; our emphases). Indeed, the assertion, i.e., the fact that an assertion is made, is not derived at all.

Ordinary performative utterances are statements too, and only those confined to specific institutional situations are declarations. We have argued that Searle's critique of our account depends on conflating performativity with communicative success. We agree with him that the performativity of performative utterances does not depend on their being statements; only their communicative success does. However, their performativity requires no special explanation, such as that offered by Searle's declaration analysis, for they are but one example of standardized forms of words used to perform speech acts indirectly. Their communicative success has essentially, though not in detail, the same pattern of explanation as other standardized indirect speech acts. The mere fact that performatives make explicit the type of speech act being performed does not make them theoretically special.²²

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