TITLE: "Much Ado About 'Performatives''

ABSTRACT
The paper has two aims. Firstly, it analyses the main arguments which Kent Bach and Robert M. Harnish on the one hand, and John Searle on the other hand put forward in their famous debate about 'how performatives (really) work'. It is argued that this debate has largely been futile, the authors talking at cross-purposes. The reasons are (1) that although both sides use the same terms, borrowed from John L. Austin, they apply significantly different conceptions of these terms, and (2) that both sides are unaware of (1)—such that in effect they are exchanging arguments about different things. The second, and more fundamental issue of the paper is the claim that technical terms (such as "performative utterance" and "illocutionary act") should not be re-defined without a reason, because arbitrary re-definition threatens to cause terminological confusion. It has been argued that this fear is unnecessary because the participants of the debate either are perfectly able to keep the different definitions in mind, or at least have correct assumptions as to which one is used. Given the result of the present analysis, this optimism appears to be unfounded.

On the surface, the present paper is about the debate between Kent Bach and Robert M. Harnish (B&H) on the one hand, and John Searle on the other, about 'how performatives (really) work'. The investigation of 'performative utterances' had an extended previous history1 (although neither Searle nor B&H take up these earlier discussions), and the question they are mainly arguing about continued to be disputed afterwards.2 Nevertheless, the exchange between B&H and Searle stands out; indeed, it is probably the most prominent debate in speech act theory to this day. One of the reasons is that the opponents are the representatives of the two leading theories 'of illocutionary acts',3 and another, that they are indeed to be counted among the most approved experts in the field.

But in fact, the main issue of the paper lies even deeper than the question of 'how performatives (really) work'. It concerns the way in which the basic terms of speech act theory are, or should be, used. Let me shortly explain how I came to write this paper. In [author, book] I argued that those notions which Austin prominently introduced into the theoretical discussion of speech acts should be used as he defined them—all

things being equal, that means, in the absence of a reason to do otherwise. I took this to be quite a platitude; unexpectedly, however, I was confronted with univocal skepticism. Therefore, in [author, paper] I submit arguments. Firstly, (paper, pages, pages) I show how substantially different the conceptions of 'illocutionary acts' are which, for example, Austin (1975), Schiffer (1972), B&H (1979) and Alston (2000) respectively use. Secondly, [paper, pages] I assume that if technical terms are re-defined arbitrarily, then they end up being ambiguous. Evidently, I continue arguing, ambiguity of scholarly terms is undesirable. Therefore, technical terms should not be re-defined without reason.

Had someone complained about the fact that my argument is too trivial to be worth mentioning, I would not have been puzzled at all; what I was confronted with, however, was enduring skepticism about the conclusion. In particular, it was argued that we really are not having any problems with the ambiguity present in speech act theory; we easily cope with it, either by keeping in mind how the relevant author defines the terms under consideration, or else by guessing which of the conceptions available she adopts.

I do not think this is true. It rather appears to me that in speech act theory everyone is preparing her own soup, and everyone is puzzled about the strange ingredients the others are putting in their pots. Evidently, then, the next step for me is to show that when using technical terms such as "performative utterance" and "illocutionary act", we do mistake each other to a considerable extent.

Exactly this is the deeper aim I am pursuing when in the following I analyse the debate between B&H and Searle about 'performative utterances'. I am going to show that (1) the participants in this prominent debate have substantially different conceptions of the meaning and the extension of the terms "performative utterance" and "illocutionary act", and that (2) they fail to be aware of (1). Additionally, I shall show that because of their different conceptions of "performative utterance" and "illocutionary act", the apparent opponents are completely talking at cross-purposes. If this argument is sound, then the expectation that we really can cope with the arbitrary re-definition of technical terms turns out to be too optimistic. The representatives of the leading theories in the field, for instance, do not. I conclude that we should rather let proper terminology come to the aid of our weakness and use the central terms of speech act theory in a more consistent way—at the end of this paper I shall give an indication as to how easily this can be accomplished.

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4 To see what I mean, compare, e.g., the accounts of 'illocutionary acts' presented in Alston (2000), Andersson (1975), Bach and Harnish (1979), Kemmerling (2001), Schiffer (1972), Searle (1969, 1979, 1983, 1989); notice in particular how unclear the relations between these accounts are.
In order to get a full account of the matter, it is necessary first to consider how Austin originally introduced the terms under consideration, concentrating in particular on his account of 'performatives'. I shall then reconstruct and assess the main arguments of the debate.

Originally, Austin was concerned with the question whether all meaningful sentences are true or false. Calling the view that they are the "descriptive fallacy", he starts by emphasising, without much discussion, that some meaningful sentences are not truth-evaluable.

A first group of counter-examples are those sentences which do not take the declarative sentence mood: "besides (grammarians') statements", he points out, "there are […] also questions and exclamations, and sentences expressing commands or wishes or concessions" (1975, 1). But even among the class of declarative sentences, he continues arguing, there are sentences which are not truth-evaluable. On the one hand, he mentions sentences which are, "as KANT perhaps first argued systematically, strictly non-sense, despite an unexceptionable grammatical form" (1975, 2). On the other hand, there are what he calls "masqueraders", sentences which "masquerade as a statement of fact, descriptive or constative" (1975, 4). Among them he classifies "ethical propositions" (1975, 2f.). Additionally, he mentions sentences containing "specially perplexing words", which do not describe or report, but rather indicate "the circumstances in which the statement is made" or the like (1975, 3).

It is at this point, and in this connection, that Austin introduces 'performative utterances'. The type of utterance we are to consider here is not, of course, in general a type of nonsense […]. Rather, it is one of our second class—the masqueraders. But it does not by any means necessarily masquerade as a statement of fact, descriptive or constative. Yet it does quite commonly do so, and that, oddly enough, when it assumes its most explicit form. Grammarians have not, I believe, seen through this 'disguise', and philosophers only at best incidentally. It will be convenient, therefore, to study it first in this misleading form, in order to bring out its characteristics by contrasting them with those of the statement of fact which it apes. (Austin 1975, 4)

Notice that Austin, although he introduces 'performative utterances' in connection with 'masquerading' declarative sentences, unambiguously says that not all performative utterances belong to the masqueraders; it is only in those cases where "it assumes its most explicit form" that the performative utterance is a

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5 For a detailed exposition see [author, title].
'masquerader'; in other cases it is not. Restricting thus his view preliminarily to certain explicit cases, all of
which have, as he (1975, 5) puts it, "hundrum verbs in the first person singular present indicative active",
Austin gives us the following characterisation of what he means when he speaks of 'performative utterances'.

Utterances can be found, satisfying these conditions, yet such that
A. they do not 'describe' or 'report' or constate anything at all, are not 'true or false'; and
B. the uttering of the sentence is, or is a part of, the doing of an action, which again would not normally be described as, or as
'just', saying something. (Austin 1975, 5)

Giving examples of explicit performative utterances, Austin gives these four descriptions:

(E.a) 'I do (sc. take this woman to be my lawful wedded wife)'—as uttered in the course of the marriage ceremony.
(E.b) 'I name this ship the Queen Elizabeth'—as uttered when smashing the bottle against the stem.
(E.c)'I give and bequeath my watch to my brother'—as occurring in a will".
(E.d)'I bet you sixpence it will rain tomorrow.' (Austin 1962, 5)

In order to get a full account of Austin's notion of 'explicit performative utterances', a number of further
comments are necessary.

(a) 'Performative utterances', and hence 'explicit performative utterances', too, are sentences, rather than
utterances of sentences (utterata, rather than utterationes). For Austin (1975, 1, 2) identifies them with
"grammarians' statements", he (1975, 2) ascribes an "unexceptionable grammatical form" to them, he (1975,
6) proposes speaking of "a performative sentence or a performative utterance, or, for short, 'a performative''
and he (1975, 55–66) at length searches for a grammatical criterion for them.

(b) According to criterion (A), the (explicit) performative utterance is not subject to either truth or falsity.
"I assert this as obvious and do not argue it", he says. However, Austin does not drop this dimension of
assessment without substitution. Instead of being true or false, he suggests, performative utterances are
"happy" or "unhappy".

(c) When Austin uses the words "the doing of an action", then this does not refer to any old action—after
all, to say something is to perform an action in some sense, as Austin himself later observes. Rather, as his
subsequent comments make clear, he aims at a peculiar kind of acts, those which he later calls "illocutionary

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6 See Austin 1975, 5, n1, 14.
7 Cf. Austin (1975, 91, n.1).
8 He also hints at arguments, as when he (1975, 6) says that "it may be that the utterance 'serves to inform you'—but that is quite
different", and (ibid.) "When I say, before the registrar or altar, &c., 'I do', I am not reporting on a marriage: I am indulging in it". One
may doubt both the force of his arguments and the obviousness of the claim; but for the present purpose the question whether he was
right is marginal.
acts". Austin (1975, 116f.) gives a definition of the notion of ‘illocutionary acts' in Lecture IX, requiring them to satisfy two criteria.

(1) An act is an illocutionary act only if its performance "involves the securing of uptake", where to 'secure uptake' is, roughly, to make clear to an audience that in issuing the utterance this act is performed.

(2) An act is an illocutionary act only if it is a 'conventional act' in the sense that its performance "takes effect in certain ways", involves 'conventional consequences', which are states of affairs coming into existence by virtue of a convention. Austin mentions, for example, the act of naming a ship the Queen Elizabeth, which has the conventional consequence that "certain subsequent acts such as referring to it as Generalissimo Stalin will be out of order".

(d) As we have already seen, Austin distinguishes between explicit performative utterances and inexplicit ones. In order for an utterance to be "explicit", he (1975, 32) explains, it has to "begin with or include some highly significant and unambiguous expression such as 'I bet', 'I promise', 'I bequeath'". An explicit performative utterance "makes explicit both that the utterance is performative, and which act it is that is being performed" (1975, 62); in performing an illocutionary act by means of an explicit performative I "make my performance explicit" (1975, 39). There are, however, also "inexplicit" performatives; indeed, their existence is the main reason why his search for a grammatical criterion of 'performative utterances' fails. "Inexplicit" performative utterances are performative utterances which, though they are performative, are not explicit in the way under consideration, that is, do not make explicit the illocutionary act performed in making the utterance. Contrasting explicit and inexplicit utterances, Austin (1975, 69) refers to "I promise..."
that I shall be there" (explicit) versus "I shall be there" (inexplicit). Further examples of inexplicit performatives are "Go!" (ordering someone to go) (Austin 1975, 32), as well as (1975, 58) "Turn right!" (ordering someone to turn right), "Done" (accepting a bet) and "Out!" (giving someone out).

(e) Given our task, it is important to emphasise that, as I indicated above, in Austin's mind the question whether performatives are statements is restricted to special cases, namely, to explicit performatives. Right at the beginning he (1975, 4) points out that the 'performative utterance' "does by no means necessarily masquerade as a statement of fact, descriptive or constative. Yet it does quite commonly so, and that, oddly enough, when it assumes its most explicit form".

(f) It is also of particular significance for our issue to see what the predicate "performative" is meant to indicate. As Austin (1975, 6) explains, the word is derived "from 'perform', the usual verb with the noun 'action'", and it is intended to indicate that "the issuing of the utterance is the performing of an action". Terms which can often be used in place of "performative", he says, are "contractual" or "declaratory" (both are, however, eventually too narrow). Furthermore, "[o]ne technical term that comes nearest to what we need is perhaps 'operative', as it is used strictly by lawyers in referring to that part, i.e., those clauses, of an instrument which serves to effect that transaction [...] which is its main object"; so the very essence of 'performativity', according to Austin's conception of the notion, is that the sentence plays a crucial role in bringing a certain illocutionary action about. Both B&H and Searle use, as we shall see, the predicate 'performative' to highlight the explicit indication of the act performed by the sentence uttered. Austin's original intent, in contrast, is to highlight the mere fact that the act is performed—be it explicitly or inexplicitly.

In the following, we shall be concerned with conceptions of 'performative utterances' and 'illocutionary acts' different from Austin's. When I contrast Austin's conceptions with those of others, I shall speak of 'performative utterances'A, and 'illocutionary acts'A.

Let us turn to the starting point of the debate between B&H and Searle, which lies in B&H (1979, 203–208). Here, B&H are concerned with different aspects of Austin's doctrine of 'performative utterances'. The first issue is this. "[T]he negative side of Austin's doctrine—that performative utterances do not constate—".

19 See Austin (1975, 55–66).
they (1979, 203) argue, "is mistaken", evidently aiming at an objection to Austin's criterion (A) of 'performative utterances'. More in detail, they present the situation as follows:

Austin held that despite their declarative grammatical form, performative utterances are not statements, are not true or false. Rather, the job of the performative formula is that of "making explicit" (which is not the same thing as stating or describing) what precise action it is that is being performed by issuing the utterance" [...]. And to use that formula is to perform an act of the sort named by the performative verb. This seems Austin's reason for thinking that performatives [...] are not constative. (B&H 1979, 204)

"But why", they (1979, 204) object to this line of thought, "cannot one both perform an act and in the same breath state that one is performing it?" After an examination (1979, 204–206) of several arguments, which they all find faulty, they maintain that there are no reasons why one cannot do both, and they conclude that "performative utterances are statements too" (1979, 208).

Their argument rests upon the assumption that 'performative utterances' "make explicit" "what precise action it is that is being performed by issuing the utterance". That they thus look like statements, B&H assume, is evidence for the view that they are statements about the performance of the act. Given this evidence in favour of truth-evaluability, B&H argue, a special reason would be necessary for denying that 'performative utterances' are statements.

As it stands, this line of argument fails, and obviously so. Remember that 'performative utterances' can be explicit or inexplicit. Only in the explicit case will the act be indicated by the sentence uttered, in inexplicit cases it will not. Among 'inexplicit performatives' are such sentences as "Turn right!" and "Go!". In cases like these, it would be rather absurd to argue that the act of the speaker is described, or that anything else is described. So in their apparent attack against criterion (A), B&H presuppose an assumption which Austin could never accept.

Since the argument fails so bluntly, we may tend to assume that we have somehow misunderstood the argument. And in fact, although they do aim at an objection to criterion (A), the interpretation of their argument I have just applied is mistaken. For the notion of 'performative utterance' B&H apply is significantly different from the notion I have just applied, following Austin's definition. B&H's definition of the term "performative utterance" is this:

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20 The account defended there goes back to Bach (1975).
An (explicit) performative [utterance] is the utterance of a sentence with main verb in the first-person singular, simple present indicative active, this verb being the name of the kind of illocutionary act one would ordinarily be performing in uttering that sentence [...]. (B&H 1979, 204)

Instances of 'performative utterances', according to B&H (1979, 204), are for example utterances of "I order you to leave", "I promise you a job", or "I apologise for the delay".21

Now even leaving out the details, there are two significant differences between Austin's conception of 'performative utterance' and the definition B&H give. Firstly, whereas Austin's 'performative utterance' is defined as a linguistic token—an 'utterance' in the sense of an utteratum—, B&H define it as the utterance of a linguistic token—an utterance in the sense of an utteratio. Although this difference leaves the extension of cases where a 'performative utterance' is present nearly untouched, it still marks a profound change: Compare the transition from "apple with a stalk" to "stalk of an apple".

Secondly, and perhaps even more importantly, as their own bracketed insertion of "explicit" in the above quotation already indicates, according to B&H's usage, 'performative utterances' are present only in those cases where according to Austin's usage we have an 'explicit performative utterance'. Thus, in B&H's terminology utterances of "Turn right!" and "Go!", uttered in the performance of an order, are not 'performative utterances', whereas in Austin's usage of the term both of the sentences do belong to the 'performative utterances'—indeed, he himself uses them both as examples. Meaning particularly their conception, I shall in the following speak of 'performative utterancesB&H'.

Given their conception of 'performative utterances', it is easy to see why the argument B&H direct against Austin's criterion (A) sounds so queer. B&H presuppose that all 'performative utterances' involve an explicit sentence, because they mistakenly apply the concept of 'performative utterancesB&H' in interpreting Austin's criterion (A). The fact that their argument, as it stands, is nonsensical is thus due to their failure to see that their conception of 'performative utterances' is different from Austin's. (To see the point they have in mind—that there is an intuition to the effect that explicit 'performative utterances' are true or false—we have merely to drop their claim that this is an objection to criterion (A.).)

21 In a comment, Bach and Harnish (1979, 304, n2) represent their conception of 'performative utterances' as "following Austin", and they insinuate that Austin himself ended up with a conception of 'performatives' which was restricted to explicit cases. To my best knowledge, however, there is no indication that Austin did such a thing. Additionally, I give a detailed reply to their claim in [author, book, pages].
Let us turn to the second issue. Despite the (apparent) variance concerning the connection between 'performative utterances' and assertion, B&H do, as they say, "accept the positive side—that [performative utterances] are, or are part of, the doing of an action" (B&H 1979, 203), evidently referring thereby to Austin's criterion (B). Since they maintain, against Austin, that 'performative utterances' are statements, they (1979, 203) arrive at the view that 'performative utterances' "are both doings and statings"; "to utter a performative sentence is to do what one is stating one is doing; indeed, that is what makes the statement true". With "the doing of an action", B&H refer to what they call "illocutionary acts". Thus it may appear as though they indeed endorse Austin's view about the connection between 'performative utterances' and actions, namely, that where we have a 'performative utterance', there we have an 'illocutionary act'.

But let us have a somewhat closer look at what exactly it is that B&H endorse. Their statement of the apparent endorsement of Austin refers to the term 'illocutionary act'. According to B&H's terminology, illocutionary acts are "characterised" by "the sorts of intention with which each act is performed" (1979, xiv). 'Illocutionary intentions' are "reflexive intentions, in the sense of H.P. Grice"; more particularly, they are reflexive intentions "whose fulfillment consists in nothing more than their recognition" (1979, xivf.); thus "the intended illocutionary effect (or simply illocutionary intent) is for H to recognize [the reflexive] intention" (1979, 16). To have such an intention, in B&H's view, is to "express an attitude (such as belief or desire)".

"An illocutionary act is communicatively successful if the speaker's illocutionary intention is recognized by the hearer" (1979, 15; my italics). It remains unclear in B&H's (1979) account whether the mere presence (occurrence, obtainment) of an illocutionary act is restricted to the reflexive intention, and thus is an attempt at (a special kind of) communication, or whether the 'illocutionary act' additionally comprises 'communicative success', and thus is an accomplished act of communication, but there are good reasons to assume that on their account communicative success is not required for the occurrence of an 'illocutionary act'. In any case, the 'communicative success' is achieved "if the attitude the speaker expresses is identified by the hearer by means of recognizing the reflexive intention to express it" (1979, xv). The "identification of the speaker's illocutionary act" consists in the knowledge of "what attitude the speaker is expressing", and "[w]hat type of attitude is expressed determines the kind of illocutionary act being performed" (1979, xv).

22 In their reply (1992) to Searle's objection, they unambiguously assume a definition of 'illocutionary acts' as mere attempts at communication. For example, they (1992, 106) argue that ordering to leave "consists simply in the fact that a certain attitude has been
Thus, according to B&H's definition of 'illocutionary acts', these are mere attempts at communication.—I shall in the following use 'illocutionary act$^{B&H}$' to indicate that this conception is at issue.

Now having in mind their conceptions of the relevant terms, let us see what their apparent endorsement of Austin's account amounts to. They suggest that they are endorsing his view when they argue that 'performative utterances' are part of the performance of an 'illocutionary act'. What they mean with this claim is, of course, that 'performative utterances' are part of the performance of an 'illocutionary act$^{B&H}$'. This, again, amounts to the claim that 'performative utterances' are part of an attempt at communication. However, to say this is by no means to endorse criterion (B). Evidently, in stating criterion (B), Austin means that to issue a performative utterance is to perform 'an illocutionary act$^{A}$'; however, the 'illocutionary act$^{A}$' is something rather different from the 'illocutionary act$^{B&H}$': it is an act which includes both the production of conventional consequences and the securing of uptake; it is an act such as giving an order, conveying property and marrying. About the connection of performative utterances and 'illocutionary acts$^{A}$', again, B&H do not say anything (nor do they intend to). Thus, again their argument misses the point, and again it does so because they fail to observe that Austin's definitions of the central terms are different from theirs, and that therefore they are dealing with something different.

The objection which Searle directs against B&H's account is concerned with the question 'how performative utterances work'. In order to be able to assess Searle's objection properly, we shall now first turn to B&H's (1979, 208) explanation of the matter, that is, of "why an utterance like 'I order you to leave' is a performative", and of "what has to be the case for such an utterance to count as an order". Their explanation proceeds from the assumptions that in the case of a 'performative utterance$^{B&H}$', "the hearer determines what that act is [which the speaker performs, or aims at]", and that "[t]he speaker succeeds insofar as this determination is made correctly". Using the example of an order to leave, they (1979, 208) refer to a six-step "inference pattern", meant to represent "how the hearer could reason, and could be intended to reason":

1. He [sc., the speaker] is saying "I order you to leave".
2. He is stating that he is ordering me to leave.

expressed", and they (1992, 107) say that, quite in general, "in non-conventional, communicative speech acts, the intention constitutes the act because the act is nothing more than verbally expressing an attitude".
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.

(B&H 1979, 208)

Let me shortly demonstrate how confusing this explanation may be for someone who is not aware of B&H's conceptions of 'illocutionary acts' and 'performative utterance'. Let us imagine a reader who applies, for example, the terminology as introduced by Austin, thus expecting an explanation of how 'performative utterances' work in constituting 'illocutionary acts'. Most probably, such a reader would assess B&H's explanation as not very helpful. After all, Austin took great pains to emphasise that for me to marry, for example, it is not sufficient that I utter some words in order to express an attitude: further conditions, required by the convention constituting the kind of act under consideration, have to be met. The person conducting the procedure must be entitled, and both bride and broom must be unmarried (Austin 1975, 8f., 15f.). Likewise, for the making of a bet it is not sufficient that I express an attitude, not even if my audience understands what I intend to communicate by saying "I bet you sixpence it will rain tomorrow". Additionally, the bet must be accepted by the audience, and even its subject must satisfy certain conditions (Austin 1975, 9, 13f., 36f.). Thirdly, to give something it must be mine, while neither "a pound of my living and non-detached flesh", nor "no longer in existence" (Austin 1975, 34, 42, 137)

Now given this nature of 'illocutionary acts', in order to explain how (the issuance of) a 'performative utterance' works, we must refer to such things as the existence of a convention, and the satisfaction of the conditions required by the convention. Reference to how the speaker succeeds in communicating her intentions is obviously not sufficient. So were we to assume Austin's terminology, B&H's explanation, their reference to the six-step inference pattern, is bound to sound irrelevant to us.

To be sure, this assessment would be determined by our mistaken interpretation of what they have in mind. What they really intend to explain is not how a 'performative utterance' works in constituting an 'illocutionary act'; it is instead how a 'performative utterance' (the utterance of a sentence which explicitly indicates the performance of a certain communicative act) works in 'constituting' a certain

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23 They do say a few words about 'conventional acts' in Austin's sense, calling them "conventional illocutionary acts"; see B&H (1979, 108–119).

24 This possibility is not purely theoretical: as we shall see, Searle is such a reader, unaware of the fact that B&H's terminology is different from his.
'illocutionary act'\textsuperscript{B&H} (the communicative act indicated by the sentence). Now as an explanation of how an audience can understand the speaker when she intends to communicate a content by explicitly indicating this content, their six-step inference pattern looks much more to the point. So we see that the use of Austin's terms for something different from what Austin dealt with leads the reader to a quite inappropriate and unjust assessment of their explanation, by suggesting a wrong view as to what the \textit{explanandum} is.

To sum up the issue so far, led astray by their own terminological licence—to use Austin's terms, but to define them differently—B&H think they are, firstly, contradicting Austin's view in one way, secondly, endorsing it in another, and, thirdly, explaining a connection between the acts Austin was concerned with. Because, unawares, they mean quite different things with the terms employed, there really is no contradiction in the first place, no endorsement in the second, and, thirdly, the explanation is about something different.

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Let us turn to Searle's objection against B&H's account. Searle defines the notion of a 'performative utterance' in the following passage:

I believe that the correct way to situate the notion of performatives within a general theory of speech acts is as follows: some illocutionary acts can be performed by uttering a sentence containing an expression that names the type of speech act, as in for example, "I order you to leave the room". These utterances, and only these, are correctly described as ["performative utterances"]. (Searle 1989, 536)

Thus, in Searle's terminology a 'performative utterance' is the utterance of a sentence which explicitly indicates the performance of a certain illocutionary act (a 'performative sentence', as Searle (1989, 537) calls it), "such that the utterance constitutes the performance of the act named by the performative expression in the sentence" (Searle 1989, 537). Searle (1989, 536) himself emphasises that according to this terminology, merely those cases are called 'performative utterances' where an 'explicit' performative utterance' in Austin's sense is present. Furthermore, in Searle's terminology 'performative utterances' are \textit{utterationes}, whereas in Austin's they are \textit{utterata}. Thus, niceties aside, his definition sounds quite like the one B&H apply.

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\textsuperscript{25} This mistake, again, may be felt to be provoked by the fact that they do employ Austin's terms, but do not use them in the way Austin defined them.
However, in Searle's opinion, B&H's account is wrong. He argues that it fails to account for certain 'conditions of adequacy'. In particular, Searle (1989, 538f., 542) argues, B&H fail to explain what he calls the "performative character" and the "self-guaranteeing character" of 'performative utterances'. The 'performative character' consists in the fact that "[p]erformative utterances are performances of the act named by the main verb […] in the sentence" (1989, 542): in Searle's view (1989, 542), any account of 'performative utterances' must explain how the illocutionary act indicated by the sentence can be constituted by the utterance, such as, for example, "how a [performative utterance] could constitute an order".

The phenomenon that we are trying to explain is how a statement could constitute an order, and on this account, it is just blandly asserted in (4) [of B&H's inference pattern] that it does constitute an order. The fact we were trying to explain is left unexplained by the Bach-Harnish account. (Searle 1989, 542)

The 'self-guaranteeing character' consists in the fact that "the speaker cannot be lying, insincere, or mistaken about the type of act being performed" (1989, 542): any account must explain why in making a 'performative utterance' "I can't be lying or mistaken" about the performance of the act indicated by the sentence—that is, why the obtainment of the action is guaranteed.

The view Searle prefers to B&H's account is this. All 'performative utterances', he (1989, 547, 550) suggests, are 'declarations', where what is declared is nothing other than the performance of the illocutionary act indicated by the sentence (1989, 549). (They are assertions, too, but "the assertion is derived from the declaration and not the declaration from the assertion" (1989, 554).) The 'performative utterance' of "I hereby order you to go", for example, is a declaration to the effect that the speaker orders the audience to go, and the 'performative utterance' of "I bet you sixpence it will rain tomorrow" is a declaration to the effect that the speaker bets the audience that it will rain the subsequent day.

Now what is a "declaration"? In Searle's account, "declaration" is a technical term referring to a subtype of 'illocutionary act'. Specifically, an 'illocutionary act' is a declaration iff its "point is to create a new fact corresponding to the propositional content" (1989, 549). Thus, "the successful performance of [a declaration] is sufficient to bring about the fit between words and world, to make the propositional content true" (1989, 549).

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26 Searle proposes eight, no less, 'conditions of adequacy'; he (1989, 540) subsequently admits, however, that perhaps "not […] all these conditions can be met", and that "perhaps some of them are incorrect". He then continues by concentrating on merely two of them—which we are now going to consider.

27 Searle literally writes: "how a statement could constitute an order"; instead of "statement" we must read 'performative utterance': the original wording assumes a crucial element of the view Searle is opposing, that 'performative utterances' are directly statements, rather than declarations.
547; see also 1975, 358). It is most important to notice that the 'declarations' under consideration are possible only against the background of an institution, involving constitutive conventions, conventions, as for example to the effect that to manifest one's intention to perform this or that act, given certain conditions, is to perform the act.29 When God creates light by saying "Let there be light", then this is a 'supernatural declaration', Searle starts explaining. "We ordinary humans", he continues, …

… do not have the ability to perform supernatural declarations, but we do have a quasi-magical power nonetheless of bringing about changes in the world through our utterances; and we are given this power by a kind of human agreement. All of these institutions in question are social institutions, and it is only as long as the institution is recognized that it can continue to function to allow for the performance of declarations. (Searle 1989, 549)

Considering Searle's definition of 'performative utterances' together with his analysis of these utterances as declarations, we see that the conception of 'illocutionary acts' Searle applies in (1989) is the conception of institutional acts. For he defines 'performative utterances' as utterances by which the 'illocutionary act' indicated by the sentence is performed. If, as he suggests, these acts are, and thus can be, performed by virtue of a declaration, then they must be institutional acts. Hence the 'illocutionary acts' performed by means of 'performative utterances' must be institutional acts. Standardly, it is assumed that each illocutionary act can be performed explicitly, and Searle gives no indication that he assumes something else: so it is reasonable to continue as follows. Each illocutionary act can be performed by a 'performative utterance'; hence, all illocutionary acts are institutional acts.

Quite in accordance with this conception of 'illocutionary acts', it is exactly the institutional character that makes up the point of Searle's explanation of 'how performatives work'. For the performance of a 'performative utterance', "there must exist an […] institution and the speaker and hearer must occupy special places within this institution. It is only given such institutions as the church, the law, private property, the state, and a special position of the speaker and hearer within these institutions that one can excommunicate, appoint, give and bequeath one's possessions, or declare war" (Searle 1975, 359). In Searle's view, the conventions of these institutions rule that to perform one of the acts under consideration (an 'illocutionary act'), the speaker must 'manifest' her intention to perform the act, and communicate it to the audience.

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28 Literally, Searle (1989, 538) speaks merely about the utterance's "having the force of" the illocutionary act indicated. I assume that this must be read as either meaning, or entailing, the actual performance of the act. For any other interpretation would contradict several other things Searle says in the paper, and be at odds with the description of the utterance as "self-guaranteeing".

29 From an outside view we would say something like "Among these-or-those people, manifesting one's intention to do … counts as doing it".
Given this description, Searle's explanation of 'how performatives work' is this. There is not (as Searle had believed earlier) a special semantic property of performativity. …

What we find instead are human conventions, rules, and institutions that enable certain utterances to function to create the state of affairs represented in the propositional content of the utterance. These new facts are essentially social, and the act of creating them can succeed only if there is successful communication between speaker and hearer. Thus the connection between the literal meaning of the sentence uttered and the institutional fact created by its utterance. "I promise" creates a promise; "The meeting is adjourned" creates an adjournment. (Searle 1989, 555)

The existence of the convention also explains smoothly the self-guaranteeing character Searle ascribes to 'performatives uterances': "assuming the other conditions on the speech act are satisfied, if [the speaker] intends his utterance to [be a performance] of an order, then it [is such a performance]; because the manifested intention is constitutive of [the performance of the act]"30 (Searle 1989, 556).

Introducing the term "declarations" initially, Searle (1975, 359) stated that these acts are performed within, and thus require the presence of, "an extra-linguistic institution". The only exceptions to this "principle", he argued, "are those declarations that concern language itself, as for example when one says, 'I define, abbreviate, name, or dub'" (1975, 360).31 Now in Searle's view, such acts as promising or ordering are not constituted by extra-linguistic institutional rules. But then, given his original definition of declarations, his explanation would fail. For Searle himself assumes that, for example, "I promise you to come and see you" and "I order you to leave the room" can be 'performatives uterances'. Searle (1989, 549f.) tackles this problem in a straightforward manner. "Language is itself" such an "institution", he suggests, involving constitutive conventions, and thus it is language that constitutes such acts as promising and ordering. Since language is an institution, too, utterances of "I promise you to come and see you" or "I order you to leave the room" can also be 'declarations', by virtue of the constitutive conventions provided by (the institution of) language.32

Let us turn to Searle's criticism of B&H's account. His main objection is that it does not account for those two conditions of adequacy which he assumes, the 'performatives characteristic' and the 'self-guaranteeing

30 Again I replace the reference to 'having a certain force' by a reference to 'the performance of a certain act'; cf. note 28 of this paper.
31 Even these apparent exceptions are probably to be rejected: for although these acts concern the matter of meaning, and thus are in some way 'intra-linguistic', they do not appear to be constituted by institutional rules, and thus do not appear to be 'declarations' in the sense Searle refers to at all.
32 This, no doubt, is a rather peculiar picture. Although it is rather obvious that language involves conventions of the kind which ascribe meaning to signs, it is certainly less obvious that it also involves conventions of this quite different sort, which constitute institutional affairs.
characteristic' of 'performative utterances. Their six-step inference pattern, he argues, does not account for them, hence their account is inadequate.

Now is Searle's objection sound? Let us start by observing that on the surface, both Searle and B&H define 'performative utterances' in the same way, namely, as utterances of the 'illocutionary act' indicated by the sentence. However, the 'illocutionary acts' Searle speaks of in (1989) are something quite different from the 'illocutionary acts' B&H speak about in (1979). As we saw, B&H define 'illocutionary acts' as mere 'attempts at communication', which they explicate as the 'expressing of an attitude'. But the expression of an attitude does not essentially involve any institutions, be they linguistic or extra-linguistic. It is evident that Searle does not subscribe to any such conception of 'illocutionary acts' in (1989); his 'illocutionary acts' are institutional acts. Because B&H's conception of an 'illocutionary act' and Searle's are different, their conceptions of 'performative utterances' are different, too. According to the conception underlying Searle (1989), a 'performative utterance' is the performance of an institutional act; for B&H, however it is the performance of a mere attempt at communication.

For this reason, not only is Searle's objection not valid, it is completely futile. Being performances of mere attempts at communication, 'performative utterances' B&H do not have those special features which Searle speaks of. Since these features are not present, B&H cannot be required to explain their presence (this would be to explain a falsity). The problem is that Searle applies his conception of 'illocutionary acts' in the criticism of an account according to which 'these' acts are something quite different. As a result, Searle completely talks at cross-purposes with his alleged opponents.

But not only Searle does so, B&H themselves do the same in their reply, "How Performatives Really Work". Since they are speaking about attempts at communication, rather than institutional acts, it is quite understandable that in "How Performatives Really Work", B&H (1992, 103f.) reject the 'self-guaranteeing character'. They do not, however, recognise that the apparent disagreement derives from the use of divergent terminology. For they (1992, 103) argue that "[p]erformatives are but a special case of indirect speech acts, in which the audience identifies one communicative intention by way of identifying another"; following the terminology Searle adopts in (1989), however, to 'express an attitude', in B&H's sense, is not to perform an 'illocutionary act' at all.

Also, B&H (1992, 106) understandably insist that Searle's "declarational analysis does not apply to ordinary performative utterances", but again they do not appear to see that the disagreement is terminological. For the argument they bring to bear is that 'performative utterances' "do not create facts in the
same way as genuine declarations”—when we apply the conception of 'performative utterances' which Searle employs in (1989), 'they' evidently do. (Of course, 'they' evidently do not when we apply B&H's terminology.)

B&H (1979, 107) also insist that "[i]n non-conventional, communicative speech acts the intention constitutes the act because the act is nothing more than […] expressing an attitude": what they have in mind is true, and trivially so (in fact, by virtue of their definition of the term "communicative speech act"), but when Searle (1989) is speaking about 'illocutionary acts' and the acts performed by 'performative utterances', then despite the fact that he uses the same terms as B&H, 'non-conventional, communicative speech acts' in B&H's sense are evidently not what he is concerned with.

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Let me summarise the main results of my analysis. Austin (1975) defines 'illocutionary acts' as conventional acts requiring the 'securing of uptake' (the knowledge in an audience that the act is performed). A 'performative utterance', according to his definition, is a linguistic device (rather than the utterance of such a device) uttered in the performance of such an illocutionary act (be it explicit or inexplicit). Since there are inexplicit performative utterances such as "Go!" or "Turn right!", and since these are evidently not true or false, any serious consideration of whether all 'performative utterances' are truth-evaluable is rather absurd.

Unlike Austin, B&H (1979), define 'illocutionary acts' as attempts at communication, and the 'performative utterance' as the utterance of a sentence that explicitly indicates such an attempt at communication, issued in making the attempt indicated. Thus, their definition dubs "performative utterances" what Austin would rather have called "issuance of an explicit performative". They explain 'how performatives work' with reference to a six-step inference pattern which is meant to explain how the speaker can (expect to) succeed in her attempt at communication when using explicit means.

Following their own, different definition of 'performative utterances', they criticise Austin for assuming 'that not all performative utterances are statements, true or false'. Being aware of their definition of 'performative utterances', we observed that their objection misses the point because they are speaking about something which Austin never even considered. They do so because they confuse 'performative utterances' with Austin's 'utterances of explicit performative sentences' (that is, 'performative utterances' B&H); the reason

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33 "Verbally", they qualify here: but according to their account, verbal performance is not necessary.
for this, evidently, is that they fail to observe that their definition of "performative utterance" and Austin's are different.

For Searle (1989), 'illocutionary acts' are institutional acts of some sort (either intra-linguistic or extra-linguistic); his 'performative utterances' are utterances of sentences indicating such an institutional act, issued in performing the act indicated. Searle objects that B&H do not explain 'how performatives work'. Applying, of course, his own conception of 'illocutionary acts', what he has in mind is the question of how institutional acts can succeed if they are performed in the utterance of an explicit device. His objection is pointless, for this is an issue which B&H are not at all concerned with and thus can hardly be blamed for not explaining. The problem is that Searle confuses 'illocutionary acts' with 'illocutionary acts' according to his (1989) conception as institutional acts, and hence 'performative utterance' with his own (1989) 'performative utterances'.

So the whole debate about 'how performatives (really) work' has largely been futile. The main arguments put forward in its course throughout miss the point; they do so because the participants fail to observe that the definitions of 'illocutionary acts' and 'performatives utterances' they employ are profoundly different. In order to avoid talking at cross-purposes in such a way I suggest choosing our terminological inventory more carefully. In particular, I suggest using technical terms as they were originally introduced (as long as there is no peculiar reason to do otherwise). In particular, this means, I suggest using the terms "performative utterance" and "illocutionary act" for the things for which Austin originally defined them, and not using them for something else.

But would not this create considerable problems of its own? It is sometimes suggested that without using such terms as "illocutionary act" and "performative utterance" those issues which, for example, B&H and Searle are dealing with, could not comfortably be debated. This amounts to suggesting a reason by which the requirement under consideration, not to re-define technical terms all things being equal, could be outweighed.

I have two things to say about this objection. Firstly, in order to compensate problems as massive as those we have just dealt with, it appears, the benefit would have to be enormous. Secondly, it does by no means seem that doing without those terms really is so difficult. Let us, for example, take B&H's first 'objection to Austin'. They literally ask, "why cannot one both perform an [illocutionary] act and in the same breath state that one is performing it?" What they mean is, 'why cannot one both express an attitude and in the same breath (explicitly) express one's belief that one has that attitude?'. No reference to "performative utterances"
and "illocutionary acts" is required; moreover, I do not see any good which using the terms, even in connection with clarifying definitions, would bring.

B&H's second issue is, literally, that "to utter a performative sentence is to do what one is stating one is doing". Given B&H's conception of stating, what they mean is that 'to express an attitude explicitly is to do it by expressing the belief that one does so'. Again, to convey what they have in mind, the term "performative utterance" does not appear to be required. Thirdly, they explain how, "[i]n the case of performative utterances [...] normally the hearer could reason, and could be intended to reason". They may as well announce an explanation of 'how in the case of explicitly expressing an attitude the hearer could reason, and could be intended to reason'. Searle objects against their account that it does not explain 'how performatives work'; what he means is simply that it does not explain how institutional acts can be explicitly performed.

In general, when B&H use the term "illocutionary act" then they could instead apply the more transparent terms "attempt at communication" and "expressing an attitude". For the conception of 'illocutionary acts' Searle employs in (1989), "institutional act" would be quite appropriate. What Searle and B&H call "performative utterances" are utterances of sentences which explicitly indicate the 'illocutionary act' performed. Notice that the striking feature of such an utterance is not that it is operative, as the term was originally, and quite appropriately so, intended to indicate, but rather that it is explicit. Accordingly, making use of the predicate "explicit" we will capture the points at issue more appropriately.

So it really does not appear that without such terms as "performative utterance" and "illocutionary act" the issues Searle and B&H are dealing with could not be expressed. In most cases there are in fact better words for what they have in mind. Given this, and assuming the absence of any further reasons for re-definition, I suggest using Austin's terms for the things for which he originally defined them, and calling other things otherwise.

References

Andersson, Jan S. (1975), How to Define "Performative"?, Stockholm: Libertryck.


34 In other writings, Searle adopts different notions of what "illocutionary acts" are supposed to be; see, e.g., [author, book, pages].

Bach (1975), Kent, "Performatives are Statements Too", *Philosophical Studies* 28, 229–236.


