

TRUTHFUL LIARS: HOW THEY ARE POSSIBLE (Draft June 14, 2013)

La vérité est si obscurcie en ce temps, et le mensonge si établi, qu'à moins que d'aimer la vérité, on ne saurait la connaître.

(Pascal)

1. *Is Truth a Norm?*

In what sense, and of what, is truth a norm? Is it a norm of inquiry? Of belief? Of assertion? In this paper I will claim that truth is *not* a norm of belief and assertion in the sense that having a belief and making an assertion commit us to the truth of what is believed and asserted.

The thesis that truth is a norm of assertion, in particular, has been held, explicitly or not, by many important philosophers in the analytic tradition and in the pragmatist as well. The basic idea is that asserting that p commits to the truth of p . Sometimes, for instance by Peirce, the thesis is presented in terms of responsibility: by virtue of some social norm, asserting that p makes me responsible of the truth of the propositions I assert¹. Sometimes, for instance by Frege, the thesis is taken to depend on the very nature of the act of assertion: since to assert that p is to assert that p is true, if one asserts that p he is committed to the truth of p ². The same is held by Searle in contemporary speech act theory³.

Now, I take such a thesis to be wrong and I will try to show that making an assertion commits one to *sincerity*, not to truth. But of course this does not throw the concept of truth out of the picture: since asserting that p is asserting that one believes that p , and believing that p is believing that p is true, making an assertion we are committed to believe that what we say is true. Plainly this is correct if believing that p is really believing that p is true. What in the end must be made clear is in what sense such commitments are normative and whether there is a sense in which truth is a norm of belief and assertion even though believing and asserting commit us rather to justification and sincerity.

To discuss this topic, I present in § 2 Peirce's theory of assertion, which will be critically examined in § 3, where the case of the Truthful Liar and other cases are presented. Finally I consider in § 4 a sense of normativity in which, still, truth is a norm of belief and assertion⁴.

2. *Peirce's Theory of Assertion*

Peirce did not write a specific work on assertion, but in his papers one can find several considerations on it and its relations to proposition, belief, and judgment.

In a paper written around 1895, he defines assertion as the act of the speaker communicating to the listener that he has a certain belief, namely that in certain circumstances a certain idea is for him 'definitively compulsory'.

¹ Cf. e.g. CP 2.314-315, 2.252, 5.30, 8.313.

² See Frege (1918-1919: 294 Eng. trans.).

³ "When I say something and mean it, I am committed to the truth of what I say. And this is so whether I am sincere or insincere" (Searle 1999: 144).

⁴ This paper elaborates on some previous work like Tuzet (2006) and Canale and Tuzet (2006).

The assertion consists in the furnishing of evidence by the speaker to the listener that the speaker believes something, that is, finds a certain idea to be definitively compulsory on a certain occasion (CP 2.335).

In this and in other passages Peirce remarks the *pragmatic dimension of asserting*: every assertion is an act communicating a belief. On this basis he will claim that asserting makes one responsible for what is asserted (CP 5.546-548, c. 1908; cf. CP 2.315).

Of course assertion is not to be confused with proposition: the same proposition can be articulated to various propositional attitudes, giving place to different pragmatic relations. A proposition can be doubted, asked, judged, asserted, ordered.

I may state it to myself and worry as to whether I shall embrace it or reject it, being dissatisfied with the idea of doing either. In that case, I doubt the proposition. I may state the proposition to you and endeavor to stimulate you to advise me whether to accept or reject it: in which I put it interrogatively. I may state it to myself; and be deliberately satisfied to base my action on it whenever occasion may arise: in which case I judge it. I may state it to you: and assume a responsibility for it: in which case I assert it. I may impose the responsibility of its agreeing with the truth upon you: in which case I command it. All these are different moods in which the same proposition may be stated (NEM 4: 39).

An interesting point made by Peirce concerns the difference between asserting and judging. In his *Syllabus*, a work dating (presumably) from 1902, he refers to ‘judgments’ as acts of mental acceptance of propositions (CP 2.309). In another passage of the same work – even if there is no explicit reference to the act of judging – the distinction is put forward between the act of *asserting*, which implies some responsibility toward *other subjects*, and the act of *assenting*, which implies some consequence for the *own conduct* of the assenting subject:

an act of assertion supposes that, a proposition being formulated, a person performs an act which renders him liable to the penalties of the social law (or, at any rate, those of the moral law) in case it should not be true, unless he has a definite and sufficient excuse; and an act of assent is an act of the mind by which one endeavors to impress the meanings of the proposition upon his disposition, so that it shall govern his conduct, this habit being ready to be broken in case reasons should appear for breaking it (CP 2.315).

Peirce refers a bit vaguely to the social or moral law inflicting some sanction on those who make a false assertion. What is worth noting is the defeasible character of the ascription of responsibility: he who makes a false assertion is liable to some penalties ‘unless he has a definite and sufficient excuse’⁵.

On this basis Peirce remarks the difference between an act concerning the agent’s own conduct – the act of *assenting* and undertaking the practical consequences of a certain proposition believed – and the act of *asserting*, namely the act of declaring to others the truth of a certain proposition (cf. CP 8.115, c. 1900).

In 1904 Peirce confirms that *assertion* is not an act of pure signification, but a ‘public’ act implying some penalties as possible consequences, in case the assertion is false (CP 8.337). On the contrary the *judgment* remains a ‘private’ act, ‘the self-recognition of a belief’⁶. To *judge* is to *assent*, not to *assert*.

Such a distinction is basically maintained in a subsequent fragment (presumably of 1908) entitled *Judgment and Assertion* (CP 5.546-548)⁷. The fragment starts from the analysis of assertion. As

⁵ On the ascription of responsibility and rights see Hart (1949).

⁶ “According to my present view (I may see more light in future) the act of assertion is not a pure act of signification. It is an act of exhibition of the fact that one subjects oneself to the penalties visited on a liar if the proposition asserted is not true. An act of judgment is the self-recognition of a belief; and a belief consists in the deliberate acceptance of a proposition as a basis of conduct” (CP 8.337). Of course this view is disputable; cf. Brandom (1994: 158): “The judgment is the internalization of a public process of assertion”. On acceptance cf. Burge (1993), Engel (1999) and (2000).

⁷ With the difference that in this fragment Peirce introduces the idea that the judgment is something which *ripens* in the mind. On this see Tuzet (2006). On the normativity of judgment in a naturalist picture, see Papineau (2003, Chap. 1).

already said, asserting implies undertaking some responsibility. Whereas in 1902 (CP 2.315) Peirce referred to the social and moral law, now he refers more concretely to the legal practice.

If a man desires to assert anything very solemnly, he takes such steps as will enable him to go before a magistrate or notary and take a binding oath to it. Taking an oath is not mainly an event of the nature of a setting forth, *Vorstellung*, or representing. It is not mere saying, but is *doing*. The law, I believe, calls it an “act”. At any rate, it would be followed by very real effects, in case the substance of what is asserted should be proved untrue. This ingredient, the assuming of responsibility, which is so prominent in solemn assertion, must be present in every genuine assertion (CP 5.546).

This passage sketches a sort of speech acts theory *ante litteram*⁸. According to it, an *assertion* differs from other speech acts in virtue of the consequences which are peculiar to it. Asserting implies an assuming of responsibility: he who makes an assertion exposes himself to the consequences of it, namely to some penalties or sanctions in case the assertion is false (CP 5.546)⁹. This is the case for asserting commits to the truth of the proposition asserted.

More precisely, when we assert a proposition we are responsible to those who will eventually orient their conduct on our assertion. So the responsibility for a false assertion is grounded in the fact that some negative consequence can be the case for those who act on it, or in particular for those who suffer harm from a decision based on it – as the case, for instance, of someone convicted on the basis of a false testimony (the legal example is made by Peirce himself in NEM 4: 249).

Conceiving of assertion as an act implying a responsibility is in tune with a pragmatist conception of meaning¹⁰. Any assertion has certain *effects*, to be verified and evaluated in a dimension which is not only ethical and practical, but also legal and institutional¹¹. But a point should be made clearer, in my opinion: we are not directly responsible of the truth of our assertions, but rather of their *sincerity*. To put it differently: what is immediately relevant for the ascription of responsibility is not the relation between what is asserted and what is *true*, but the one between what is asserted and what is *believed*.

3. A Critique of Peirce’s Theory

According to Peirce we have to say that, first, at least *prima facie* the speaker is responsible of the truth of his assertions, and, second, in virtue of this very responsibility a false assertion is to be sanctioned. I take this view to be wrong¹². The responsibility of assertion does not directly depend on truth, but rather on *belief*. We are not directly committed to the truth of our assertions: what matters is (a) what we *believe* to be true or false and (b) whether we assert what we believe.

⁸ Cf. obviously Austin (1955) and Searle (1969).

⁹ For a comparison of Peirce and Searle on these topics, see Brock (1981). Note that, according to Peirce (but using a later terminology), every ‘illocutionary act’ has a perlocutionary aspect which enters its definition; from this point of view, Searle’s separation of the illocutionary (primary) from the perlocutionary (secondary) is inadequate (cf. Searle 1969). What interests Peirce are the ‘real consequences’ of assertions and judgments (CP 5.546-547).

¹⁰ Cf. Tiercelin (1993: 303): “l’acte d’assertion proprement dit met en cause la vérité ou la fausseté de l’énoncé, et implique un engagement ou la responsabilité de celui qui l’effectue. L’acte d’assertion suppose donc d’une part, une analyse des conditions auxquelles l’assertion doit obéir pour être susceptible de rencontrer le vrai mais d’autre part aussi, des effets de toute nature, en raison de la multiplicité possible des interprétants, qu’elle peut avoir dans le contexte de la communication. L’acte d’assertion ne comporte donc pas seulement des *dimensions* pragmatistes: il est pragmatiste de part en part [...]”. Cf. Pape (2002).

¹¹ Cf. CP 8.313; Tiercelin (1993: 304).

¹² Unfortunately even some prominent scholars do not remark it. E.g. Hilpinen (2004: 156): “In an assertive speech act, the utterer of a proposition ‘assumes responsibility’ for its truth and is assumed to suffer some untoward consequences if the sentence turns out to be false, and the hearer or the interpreter will suffer the negative effects of the acceptance of false proposition unless he detects its falsity”.

Peirce claims that “one subjects oneself to the penalties visited on a liar if the proposition asserted is not true” (CP 8.337). However, I shall remark, a lie is not a false statement, but a statement that contradicts the actual belief of the speaker. Someone lies when he says that p and believes that $non-p$, even if it is true that p ; and vice versa he lies when he says that $non-p$ and believes that p , even if it is true that $non-p$. In this sense we should say that *sincerity* rather than truth is the norm of assertion. Let me clarify this point with the following examples.

I will start from the case of the *Truthful Liar* (or perhaps *Wishful Liar*). Theodore believes that the person who killed Basil was not Anastasia. (He has some evidence that it was Sophia). But he has some personal motive for wanting Anastasia to be convicted. So, when he gives his testimony in the trial on Basil’s murder, he asserts that he saw Anastasia killing Basil. So, he believes that $non-p$ but asserts that p . Now, suppose that it is in fact true that Anastasia killed Basil. Is Theodore lying?

This is an analysis of his case: (1) he believes that $non-p$; (2) he asserts that p ; (3) it is true that p . Is he lying? According to Peirce’s account, he is not, since his assertion is true. However, according to my intuitions, he is, for his assertion contradicts his actual belief.

Of course to answer the question one should see *what to count as a lie*. What are the conditions of a lie? We should consider the following:

- (i) asserting that p but believing that $non-p$, or vice versa asserting that $non-p$ but believing that p ;
- (ii) asserting something false.

Now, something is a lie when (i) obtains or rather when the conjunction of (i) and (ii) obtains? If we take (i) as a sufficient condition, Theodore is a truthful liar; if we think that the conjunction of (i) and (ii) is needed, he is rather a wishful liar: he tried to lie but didn’t succeed¹³.

Consider now some further situations. Imagine what we might call the case of the *Reliable Falsity-teller*: Theodore believes that the person who killed Basil was Anastasia and he has some evidence that it was she. Then he asserts that it was she. But suppose that in fact it was Sophia. Is he lying? This is what happens here: (1) he believes that p and he is justified in believing that p ; (2) he asserts that p ; (3) it is false that p . Is Theodore lying? If making an assertion commits to sincerity, of course he is not. If it commits to truth, he is, unless the commitment is not strict and he has a ‘definite and sufficient excuse’ (in our example, he has some good evidence that it was Anastasia).

Finally, consider the case of the *Unreliable Truth-teller*: imagine that Theodore believes it was Anastasia, but he is not justified in so believing (he has no evidence at all). Suppose also that he asserts so and that it is in fact true that it was she. In this case: (1) he believes that p but he is not justified in believing that p ; (2) he asserts that p ; (3) it is true that p . Is Theodore lying? According to Peirce’s account, he is not, for his assertion is true. According to my intuitions, strictly speaking he is not, for his assertion is not only true but also sincere. However, we are still disappointed by the fact that he asserts what he has no justification to believe.

So, if I were to sum up these considerations, I would say that asserting that p commits to:

- 1) being sincere;
- 2) giving on demand a justification of the belief that p ;
- 3) accepting the consequences of the belief that p ¹⁴.

Therefore, if I am right, lying is determined by the relation between what is believed and what is asserted, in a way which is relatively independent from the truth. Notice however that such an independence is just relative: it is relative to those cases in which a false belief may be nevertheless justified (and the asserting subject is capable of providing such a justification). The situation is different when an error is not justified: when, according to a given norm or criterion, one is expected to have a true belief. In this case, even if one were saying what really corresponded to his actual belief (strictly speaking, he were not lying), he would be responsible for the fault in fixing

¹³ I am indebted to Susan Haack for a suggestion on this last point.

¹⁴ In this paper I don’t deal with this last requirement, on which some considerations – elaborated from Brandom (1994) and (2000) – can be found in Canale and Tuzet (2005), (2006) and (2007).

accurately his own belief (to talk law, he wouldn't be responsible for fraud, but for negligence¹⁵). Thus, to be responsible of an assertion is not to be responsible of its truth or falsity, rather of its conformity to actual belief, on condition that the latter can be justified. In this sense, *sincerity* rather than truth is a norm of assertion¹⁶. Remember what Peirce specified in 1902: the subject is not responsible if he has 'a definite and sufficient excuse' (CP 2.315). Peirce got the point but perhaps didn't put a sufficient emphasis on it.

However, as I said above, this does not throw the concept of truth out of the picture: insofar as asserting that *p* is asserting that one believes that *p*, and believing that *p* is believing that *p* is true, we should give an account of the normativity of truth for belief and ask whether, in the same sense, truth is also a norm of assertion.

4. What Sense of Normativity?

Pascal Engel is among the philosophers who have given an account of truth as being a norm of belief¹⁷. The starting question is whether *truth* is the goal of our epistemic practices and beliefs or whether such a role is played by *justification*. Engel has claimed that truth is a norm of belief in the sense that it is *constitutive* of belief that 'belief aims at truth'¹⁸. This does not mean that if something is true then one ought to believe it, for this would commit us to believe even trivial and irrelevant truths. It rather means, according to Engel, that one ought to believe only what is true¹⁹.

Engel rejects principle (A): For any *p*, if it is true that *p*, one ought to believe that *p*; but he subscribes to principle (B): For any *p*, one ought to believe that *p* only if *p* (is true)²⁰. He believes that the latter expresses a constitutive *norm of belief* and that truth is normative only insofar as there are norms of belief formation²¹.

Now, one may think the same about assertion. It is implausible to accept principle (A'): For any *p*, if it is true that *p*, one ought to assert that *p*; but it is not implausible to accept principle (B'): For any *p*, one ought to assert that *p* only if *p* (is true). In this sense, for those who follow such a norm, "asserting something is asserting something that one takes to be true"²².

The problem, of course, is that we have no absolute guarantee that what we believe to be true or assert to be true is in fact true. So, even if truth is a constitutive norm of belief and assertion, it is not a norm in the sense that having a belief or making an assertion commits us to the truth of such a belief or assertion. From a constitutive point of view, when we believe that *p* we believe that *p* is true, and when we assert that *p* we assert that (we believe that) *p* is true. But the ascription of responsibility does not (directly) depend on truth, but on justification with regard to belief and on sincerity with regard to assertion²³. As to assertion, this was showed in the case of the Truthful Liar. As to belief, think of the cases of the Reliable Falsity-Teller and Unreliable Truth-Teller: what determines the fact that the latter but not the former deserves some sanction is the fact that the latter has no justification for his (true) belief, while the former has a justification even though his belief turns out to be false; if believing would commit us to truth, the Unreliable Truth-Teller would

¹⁵ Cf. e.g. Holmes (1881, Chaps. III and IV); Hart and Honoré (1959, Part II).

¹⁶ Notice that this is not incompatible with the idea that truth is the norm of belief: when we assert that *p* we are supposed to believe that *p* is true. On the conceptual relations between belief, assertion and truth, cf. Engel's remarks in Engel and Rorty (2005: 31 ff.).

¹⁷ See e.g. Engel (2001), (2002), (2007). On truth's normativity and a pragmatist conception of truth (explaining it in terms of its role in practice) cf. Price (2003). See also Esfeld (2005).

¹⁸ Engel (2001: 43). On constitutive rules cf. Searle (1995).

¹⁹ Engel (2001: 47). See also Engel (2002, Chap. 5).

²⁰ Or rather, in a formulation that takes into account our standards of *knowledge*: For any *p*, believe that *p* only if, for all you know, *p* (is true). See Engel (2002: 128-129). Cf. Williamson (1996).

²¹ Engel (2002: 129-130).

²² Engel (2001: 43).

²³ Not 'directly' because it depends on some norm or criterion whether an error might be justified or not.

satisfy the requirement and deserve no sanction, while the Reliable Falsity-Teller would deserve a sanction regardless of the fact that his (false) belief is justified.

To conclude, truth is a norm in the constitutive sense of what it means to have a belief and to make an assertion. However, it is not a norm in the sense that a false belief or assertion is to be sanctioned: the ascription of responsibility depends on justification and sincerity. The case of the Truthful Liar (or Wishful Liar) and the other cases presented above support this conclusion, for one cannot explain what happens in those circumstances unless he recognizes the different commitments of belief and assertion.

ABBREVIATIONS AND REFERENCES

CP

Collected Papers of C.S. Peirce, 8 vols., ed. by C. Hartshorne, P. Weiss (vols. 1-6), and A. Burks (vols. 7-8), Harvard University Press, 1931-1958. For example, CP 5.189: volume 5, paragraph 189.

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