No norm for (off the record) implicatures[1]

Javier González de Prado

Department of Logic, History and Philosophy of Science, UNED, Spain.

jgonzalezdeprado@fsof.uned.es

Abstract: It is widely held that there is a distinctive norm of assertion. A plausible idea is that there is an analogous, perhaps weaker, norm for indirect communication via implicatures. I argue against this type of proposal. My claim is that the norm of assertion is a social norm governing public updates to the conversational record. Off the record implicatures are not subject to social norms of this type. I grant that, as happens in general with intentional actions, off the record communicative acts may be subject to normative assessments on different levels (for instance, regarding their moral or prudential appropriateness). However, such assessments do not generate distinctive norms that apply to all cases of implicature.

1. Introduction

Several authors have argued that there is a distinctive norm of assertion (among others, Williamson 1996, 2000; García-Carpintero 2004; Hawthorne 2004; Weiner 2005; Lackey 2007; Rescorla 2009; MacFarlane 2014; Goldberg 2015). The question I want to address is whether there are analogous (even if perhaps weaker) norms for implicatures.

If assertion were subject to norms by virtue of being an intentional communicative act, then it would be reasonable to expect that communication via implicatures is also governed by similar norms. Green (2017) has recently defended a view in this direction.

On this view, implicatures are subject to normative evaluations due to their communicative role, more specifically due to the expectation that others may rely on what one implicates.

I shall argue, however, that the norms distinctive of assertion are best understood as social norms governing public updates to the conversational record (see Fricker 2017; also Kölbel 2011). Assertion is a public speech act that is constitutively subject to social norms of this type. While I leave open the possibility that indirect but public speech acts can be performed by means of implicatures, I will contend that implicatures are often used to communicate contents in ways that are not registered by the public record of the conversation – for example, insinuating them (Camp 2018). Insofar as assertion is a public speech act, this latter type of off the record implicature does not count as asserted. My claim is that off the record implicatures are not subject to distinctive conversational norms, even if of course they can be evaluated in relation to moral or prudential considerations (as intentional actions generally are). In this way, while non-asserted implicatures may be subject to different forms of normative assessment, they will not be governed by distinctive norms analogous to that of assertion.

This is the plan for the paper. In section 2 I discuss the arguments offered by Green (2017) and others in favor of the existence of norms for implicatures. I argue that these proposals fail to identify norms of implicatures analogous to the norms distinctive of assertion, even if they provide interesting insights on the normative implications of indirect speech. After that, in section 3 I present my preferred view of the norm of assertion as a social norm constitutive of the speech act of asserting. Then, in section 4, I argue that the norm of assertion is one the social norms that govern public contributions to the conversation, that is contributions that get registered in the public record of the conversation. In section 5 I go on to examine the possibility of using implicatures, and in particular insinuations, to communicate contents off the record. In section 6 I argue that off the record implicatures do not involve public commitments, and therefore avoid being subject to norms governing public contributions to the conversation. The paper closes with some concluding remarks.

2. Assertion and reliance

According to Green (2017), assertions are governed by epistemic norms because of our established practice of relying on each other's assertions as sources of information. On this view, 'one takes on epistemic responsibility for what others come to believe on the basis of one's assertions' (217: 382), given that one can expect others to rely on one's assertions. Green's contention is that we can also expect others to rely on what we implicate, so by parity there should be an epistemic norm governing communication via implicatures.

In the same spirit, Coates (2016) argues that the reason there are epistemic norms for assertion is that we risk harming our audience if we assert something false and they rely on it. Like Green, Coates thinks that the same happens with implicatures, which are therefore subject to similar epistemic norms (see also Williams 2002: 197).

I think that Green and Coates are right that we can generally expect others to rely on our assertions, and there are often (moral and prudential) reasons not to mislead those that rely on our words. However, it is doubtful that this explains the existence of a distinctive norm of assertion – that is, a norm to which assertions are subject in all cases, just by virtue of being that type of speech act. So, while Green and Coates capture interesting aspects of the normative assessment of assertions, they fail to give a full picture of the normativity of this speech act. In particular, their views do not account for the existence of norms characteristic of assertion, applying generally to instances of such a speech act regardless of further moral or prudential considerations.

First, it is far from obvious that there are always reasons not to mislead our audience (Boghossian 2005: 207; also Hattiangadi 2006). In particular, it can be argued that sometimes there are no reasons not to lie. Think of examples in which one must deceive a killer in search of an innocent victim. Moreover, it may happen that it is in the best interest of one's audience to be misguided about some issue. In these cases, it seems that the speaker has reasons to mislead the audience (and lacks reasons not to, insofar as the audience will not be harmed from being misled). And yet, these utterances are still subject to the norm of assertion. They can be assessed as incorrect as assertions, insofar as they fail to meet the relevant epistemic standards (say, insofar as they are false or are unsupported by the evidence). It is undesirable for an account of the norm of assertion to take on a commitment to the contentious view that we always have reasons not to mislead an audience that can be expected to rely on us. However, without this commitment, a reliance view cannot explain why assertions are always subject to the relevant norms.

Furthermore, the expectation that hearers will rely on what we assert is defeasible. Indeed, there can be instances of assertion in which the speaker reasonably expects that the audience will *not* rely on what she asserts. We may face stubborn hearers that we know will not change their minds no matter what we say. Nonetheless, it makes sense to evaluate our assertions in this situation with respect to the epistemic norms of assertion (for instance, our assertion can be criticized as incorrect if is blatantly false). There are also cases of bald-faced lies, in which it is common knowledge that the speaker is lying, and therefore is not going to be trusted by the audience. Still, the bald-faced liar is making a speech act subject to (and breaking) the norms of assertion.[2] So, it is not the case that in all speech acts governed by the norms of assertion we find an expectation that the audience will rely on what the speaker says or communicates. Expectations of trust are not always present in situations where the norms of assertion apply.

Since audiences are, in many contexts, likely to rely on what we assert, moral and prudential considerations concerning interpersonal reliance are typically relevant when assessing assertions. However, this fact in itself does not give rise to a norm characteristic of assertions that applies to any instance of that speech act. Many other acts will be subject to similar normative considerations (as Green notes), and it is easy to think of cases of assertion in which such considerations are not operative. Thus, we have to look elsewhere to flesh out the idea that there is a distinctive norm of assertion. In the next section I present what I take to be the most promising construal of this idea.

3. The social norm of assertion

The best way to understand the norm of assertion is, I think, as constitutive of that type of speech act (as proposed by Williamson 2000; also García-Carpintero 2004; MacFarlane 2014). That is, it is a constitutive feature of assertions to be subject to certain norms. This does not mean that assertions cannot break these norms, but rather that they are evaluable as incorrect or somehow inappropriate if they do (Williamson 2000: 240).

What is the source of these constitutive norms of assertion? I think that the most plausible answer is to see them as social norms characteristic of the practice of asserting

---

[2] For a defense of this claim, see Marques (2020); also Stokke (2018: 20-21). Dissenting views are held by Keiser (2016) and Maitra (2018).

(Fricker 2012, 2017; Kölbel 2011). Social norms are generated and sustained by the sanctioning behavior of the participants in a relevant social practice (see Bicchieri 2005). Examples include rules of etiquette and the norms governing games. For instance, if it is appropriate in a certain dining practice to hold one's knife with the left hand, it is because the members of that community are disposed to enforce this standard of behavior – they tend to disapprove of deviations.

The view I will endorse here is that something analogous happens with assertion. Assertoric practices are constituted in part by the fact that participants are disposed to sanction each other in accordance with certain standards. More specifically, these sanctions take the form of criticism, reproach and demands of retraction. Participants in conversations often challenge assertions with respect to the relevant standards, for instance by asking 'How do you know?' (Williamson 2000; McKinnon 2012); and, when such standards are not met, speakers tend to be criticized and demanded to retract their speech act (MacFarlane 2014). These patterns of sanctioning behavior give rise to the social norms of assertion.

Now, it is worth stressing that social norms are just internal standards of a social practice, and may lack prescriptive weight. It is possible that, in some cases, there are no authoritative reasons to follow the social norms constitutive of a given practice (perhaps the agent has no reason to avoid the corresponding sanctions, or she is confident that she will manage to avoid them). Actually, we may have good (moral or prudential) reasons to violate certain social norms (imagine that these practices are unjust). In this way, I am not assuming that there are always reasons against violating conversational norms like the norms of assertion.

I will say that a social norm is operative if the relevant patterns of social sanctions are in place, regardless of whether agents have reasons to respect such norms. The normative nature of social norms is therefore lightweight (it does not have necessary prescriptive implications), but this is precisely the type of normative behavior that we observe in the case of assertion. As discussed above, in certain situations a speaker may lack reasons against lying or misleading her audience. This is no problem for the present account of the norms of assertion. In these cases, the speaker's utterance would still be subject to the norms of assertion, as an instance of this kind of speech act. So, the speaker's assertion can be assessed as inappropriate in relation to the standards constitutive of assertion. It is just that in these cases the speaker has no reasons to conform

to such standards. Note, however, that these standards can still be said to be operative in the practice, insofar as participants remain generally disposed to sanction each other accordingly.

For all I have said, our reasons to follow the norms of assertion may derive from the kinds of considerations regarding interpersonal reliance discussed by Green (2017), Coates (2016) or Williams (2002). These considerations could even explain why we have a practice constitutively governed by the norms of assertion. However, these are social norms, established by relevant sanctioning behaviors, and their existence is in principle independent of possible moral or prudential reasons to follow them.

In the next section I argue that assertion is subject to its constitutive social norm by virtue of being a public speech act, shaped by public practices of sanctioning and interpersonal assessment. As we will see later, communication via implicatures does not always share this publicity.

4. Public conversations

Assertions are public, in the sense that the participants in a conversation are in a position to attribute them openly to asserters. The norms of assertion, therefore, are norms governing public contributions to the conversation. The publicity of assertion is reflected in the patterns of criticism, sanctions and challenges that ground its norms. These forms of social sanctioning presuppose that participants are in a position to attribute publicly to the speaker the relevant assertoric speech act. Take, for instance, demands of retraction of incorrect assertions. It does not make sense to ask a speaker to retract some conversational move if it cannot be attributed to them.

Due to the publicity of assertion and its norms, asserters undertake public commitments in front of the audience, in particular a commitment to the truth of what they asserted.[3] That is, assertoric commitments can be properly attributed to the speaker by the other participants in the conversation. Assertoric commitments are interpersonal,

---

[3] For the view that assertions involve a commitment to the truth of what is asserted, see among others, Peirce (1934), Brandom (1983, 1994), Camp (2006), Rescorla (2009), Kölbel (2011), McFarlane (2011), Fricker (2012), Viebahn (2017, 2020), Shapiro (2019), Kirk-Giannini (2020), Marsili (2021).

in that the other participants in the conversation can hold the speaker accountable for failing to live up to them (Brandom 1983, 1994; Alston 2000; Marsili 2020). In turn, the speaker can demand others to acknowledge the commitments she has undertaken by making her assertion. In this sense, the relevant assertoric commitments are public (the dialectical, interpersonal nature of assertoric commitments is stressed, among others, by Brandom 1983, 1994; Rescorla 2009; Kölbel 2011; MacFarlane 2011).

Assertoric commitments, thus, are part of the public features of the conversation. As such, they are registered in the *conversational record* (see Camp 2018 for discussion). As I understand it, the conversational record reflects the state of the conversation as mutually and publicly recognized by the participants. The conversational record is public in the sense that sufficiently cooperative speakers should be prepared to acknowledge openly that the state of the conversation is as registered in the record. Being a competent participant in conversations involves tracking what goes on record, and being disposed to recognize it openly, if necessary – for instance, if other participants challenge a public conversational contribution. If participants fail to acknowledge how the public conversational record stands, the conversations risks losing the degree of coordination required for it to proceed in an intelligible way.

It is worth stressing that the conversational record does not typically have a physical realization (it is not registered in an actual scoreboard). Rather, it is a theoretical tool that represents the dispositions of agents to acknowledge and attribute to each other different conversational moves. As we will see, publicity does not just require common knowledge or shared access to the relevant information. A group of agents may have common knowledge about some fact without being disposed to recognize it openly in front of each other. That fact is therefore not public knowledge.

By virtue of being public, the information registered in the conversational score plays a special role in negotiations about how to proceed with conversations. In general, this type of publicity is characteristic of interpersonal practices that require negotiation in order to maintain a sufficient degree of coordination, given the potentially conflicting aims and interests of the participants. Negotiation about how to go forward in such practices may prove difficult if there is not a minimal background agreement about what the current situation is. And this background agreement must be public for participants to be able to appeal to it when negotiating how to move on.

Think of a competitive game like tennis. A tennis match will not proceed smoothly unless players are prepared to acknowledge openly what the current score is. For instance, the players need to agree on whose turn it is to serve, if the match is to carry on. It is not enough that it is manifest to both players whose turn it is. This fact must be public, so that players can openly refer to it in case their rival tries to keep serving illegitimately. Otherwise, it will not be easy to repair possible breaches of coordination arising from the different interests of the players.

Something similar happens in conversations. Conversations are collective activities that require a sufficient level of interpersonal coordination about what conversational moves have been made and their implications. However, participants often have diverging interests, and this may lead to conflicts about what the current state of the conversation is and how it should go forward (this is especially so in adversarial contexts like disputes). When negotiating how to solve these possible conflicts, participants need to be able to refer to facts about the conversation that are openly recognized by everyone involved. Lack of public agreement on the basic aspects of the state of the conversation threatens to undermine the minimal level of coordination required for the conversation to go on. The conversational record represents the features of the state of the conversation that the participants are taken to agree on publicly, and that offer a baseline for further negotiation about the evolution of the conversation.[4]

Of course, it is an idealization to assume that participants will generally agree in all details of their appraisal of the public state of the conversation. For instance, participants may differ in their recollection of the exact words used by a speaker. However, a satisfactory degree of conversational coordination only requires that there is sufficient overlap among the different views of the record of the conversation. It will only be necessary to repair misalignments among the participant's grasp of the conversational record when these misalignments threaten the type of coordination needed for the

---

[4] To be clear, I am not suggesting that conversations have to be open in a way that makes them accessible to any potential hearer. There can be secret or coded conversations. However, in order for the conversation not to be defective, the relevant participants must be on the same page about what the conversational record is – in particular, what has been asserted, and by whom.

purposes of the conversation. And negotiations about how to solve these disagreements will rest on more basic public accord about how the conversational record stands.

The norms of assertion are social norms governing updates of the public score of the conversation. More specifically, these norms determine the commitments publicly undertaken by speakers when making assertions. In this way, assertoric norms constrain the evolution of conversations and facilitate public negotiations about how they should proceed. As discussed above, what sustains these social norms are the patterns of sanctions and criticism in force in the community. The immediate aim of assertoric social norms is to foster conversational coordination, so they are not directly dependent on moral or prudential considerations. In particular, assertoric commitments can be undertaken even when there is no expectation that the speaker's audience will rely on what she says (e.g. in bald-faced lies).

The claim I want to explore in the rest of the paper is that off the record conversational moves are not under the scope of conversational norms like the norms of assertion. These norms track public accountability: the associated commitments are only undertaken if the speaker's contribution is registered in the public conversational record. Therefore, speakers may avoid being subject to these conversational norms if their communicative moves are not recorded as public contributions to the conversation. This, I will argue, is what happens with certain types of off the record, non-asserted implicatures.

5. Off the record communication

On the view I am adopting here, assertions are characterized by the way in which they update the public conversational record, and by the norms that constitutively govern such updates. So far, I have said nothing about what linguistic means can be used to make assertions. In particular, I have not required that assertions are made by using declarative sentences in accordance with their conventional meanings. In principle, the conversational impact characteristic of assertions can be achieved by using sentences in ways that differ from or go beyond their conventional interpretations (see Camp 2018; García-Carpintero 2019; also Viebahn 2017).

I will leave open the possibility that we can make indirect assertions, that is assertions made using sentences non conventionally. I will follow García-Carpintero

(2019) in considering that a speech act is made indirectly if, and only if it is performed using a sentence that, by default, in central cases (and according to its conventional meaning and mood) is used to perform a different speech act. So, an assertion of *p* is indirect when it is not made by uttering the type of declarative sentence that by default, in central contexts, is used to express such a proposition in accordance with its conventional meaning. For instance, an agent can assert indirectly that she will attend a party by uttering the following interrogative sentence:

1. How could I miss it?

Similarly, it seems that some Gricean conversational implicatures can count as indirectly asserted, for instance scalar implicatures. In general, I will grant that speakers can make indirect assertions using non-literal language, for example in metaphors, irony or loose talk (Bergmann 1982; Camp 2006, 2012).

Although my arguments do not rely on this point, I will allow for the possibility that conversations can be quite flexible regarding what counts as an assertion. I will consider that what is registered as a public assertion is a matter of negotiation among the participants in the conversation (Camp 2006; Simons 2018). That is, whether some conversational contribution counts as an assertion depends, at least to some extent, on whether the participants are disposed to treat it and assess it as such. The idea, thus, is that speakers can manage to assert publicly contents using a variety of indirect methods, as long as the rest of the participants let them get away with it (Camp 2006, 2018; Simons 2018). This is especially likely to happen in relaxed, cooperative contexts where stakes are low, and the interests of the participants are aligned. In these situations, participants can be expected to be rather lax about what is recorded as having asserted.

However, there remains a crucial distinction between information that is shared by the participants in a conversation and information that is registered in the public conversational record. This distinction allows for the possibility that contents are communicated without being tracked by the record of the conversation. In order for a content to be successfully communicated, the audience has to form the relevant attitudes by virtue of recognizing the communicative intentions of the speaker. This can happen even if neither the speaker nor the audience are willing to acknowledge publicly that such

a communicative act has taken place. I will suggest that some (non-asserted) implicatures, and in particular contents that are merely insinuated, work in this way.

Note that information does not need to be public even if it is common knowledge. Let us use the label 'public conversational common ground' to refer to the information that is publicly recorded as mutually presupposed by the participants in the conversation (I am of course taking cue from, Stalnaker's notion of common ground, but emphasizing its public nature). As Stalnaker stresses, this body of information often diverges from the information that is taken to be common knowledge in the conversation. First, participants can presuppose something for the purposes of the conversation without believing it, for instance by accepting it as a working hypothesis (Stalnaker 2002, 2014: 45; Stokke 2013). Conversely, the fact that something is common knowledge in a conversation does not necessarily mean that it is part of the public common ground, i.e that it is registered publicly as shared information in the conversational score (Camp 2018). The participants may not be disposed to recognize publicly that such information is shared. Think, for instance, of a conversation about the artistic career of a friend where, for the sake of politeness, it is not publicly acknowledged as common ground that his career has no long-term future, even if it is common knowledge that this is so.

For all I have said, information that is shared but not public may play a significant role in guiding the evolution of the conversation. This non-public shared information can have an influence on what possibilities participants pay attention to, or on matters of contextual salience. In particular, speakers can rely on non-public common knowledge to communicate further contents, say as insinuated implicatures. Even if this shared information is not publicly acknowledged, in that participants are not willing to commit to it openly, insofar as it constitutes common knowledge it can be exploited in Gricean interpretative processes.

However, non-public information is not well suited to play one of the central functions of the (public) conversational record, namely, to allow participants to negotiate and solve misunderstandings and disagreements about the state of the conversation. Participants are not in a position to quote that shared information when arguing about the state of the conversation, unless they make it public (for instance by asserting it). Relatedly, participants will not be able to attribute openly to each other communicative moves that are not registered in the public record of the conversation. As a result, these moves are not exposed to the types of interpersonal assessment and criticism that

underwrite the social norms governing public speech acts, including the norms of assertion.

Speakers, thus, can engage in off the record communication by exploiting the possibility of conveying contents in a non-public way. In doing this, they avoid undertaking the public commitments resulting from on the record communication, in particular, a commitment to what has been asserted. Insinuation is the paradigmatic way of putting forward contents off the record without public accountability, as discussed in detail by Camp (2018; 2022). When insinuating, speakers aim to be able to reject attributions of a commitment to what is being insinuated. That is, they want to be in a position to avoid acknowledging a public commitment to their insinuation. In this way, speakers who insinuate aspire to preserve plausible deniability about what they intend to communicate (Camp 2018: 44; also Fricker, 2012).

Consider the following example (a variation of Grice's recommendation letter example). Anne has been to an art exhibition opening, and when questioned about it, she says:

2. The cocktail was excellent.

In the appropriate context, Anne may succeed to convey with this utterance that the exhibition was mediocre. However, this is something she insinuates, not something she asserts, and she may deny having intended to convey that content. So, if asked why she thinks that the exhibition was not very good, she can insist that she has not said that – she just found the cocktail particularly remarkable and wanted to comment on it. Anne can successfully disavow a public commitment to what she has insinuated. However, this does not need to prevent her target audience from recognizing her intention to communicate that insinuated content – it is just that she is in a position to deny a public attribution of such an intention.

Plausible deniability in insinuation is achieved by resorting to indirect ways of conveying the insinuated content, that is by using sentences in ways that differ or go beyond their conventional interpretations. The closer some content is to the conventional, literal interpretation of the speaker's utterance, the more difficult it becomes for the speaker to disavow publicly a commitment to it, without retracting her speech act (Camp

2006, 2016; Borg 2019). As argued by Camp (2006, 2016), conventional meanings function as a baseline in negotiations about what commitments can be attributed to the speaker. This is particularly clear in hostile, competitive or antagonistic contexts, in which participants are only minimally cooperative, for instance in court or in political debates.

To be clear, I am not claiming that direct communication does not depend on some degree of interpretative cooperation and charity. After all, there is still a lot of contextual disambiguation and pragmatic interpretation going on even when we say things explicitly in accordance with conventional meanings (Peet 2015; García-Carpintero 2019; Boogart, Jansen and van Leeuwen 2021; Camp 2022). However, the possibility of misinterpretation is far more restricted here than in indirect forms of communication involving implicatures or non-literal language. Conventional meanings allow us to minimize misunderstandings and interpretative mismatches, be them malicious or not. In order to reduce the room for uncharitable interpretation, speakers in hostile contexts may reject the attribution of commitments to what they have not explicitly said. Likewise, audiences may demand speakers to use explicit, literal language, so that it is clear what commitments they can be pinned down on. In this way, witnesses in front of a jury must offer direct, explicit answers to the questions posed to them, and may protest if they are recorded as having asserted something they have not said literally.

Remember that I granted above that in relaxed contexts participants may be willing to recognize public commitment undertaken by means of indirect conversational moves. So, I am not claiming that explicit, conventional speech is always required for conversational contributions to be registered in the public record. The point I am making is rather that, in less cooperative scenarios, or in situations where misinterpretations are to be minimized, participants may be reluctant to recognize publicly contributions that are not sufficiently close to linguistic conventions, or that rely on implicit assumptions. I am taking conversational publicity to be, to a significant extent, negotiated among the participants in the conversation. In hostile or high stakes contexts, participants will often be inclined to stick to conventional rules in order to determine what contributions are publicly acknowledged.

A lack of willingness to play by the rules of basic linguistic conventions, when demanded to by the other participants, threatens to undermine the minimal level of coordination necessary for non-defective conversations. Even in hostile, adversarial

contexts, conversation require a basic degree of coordination to progress in an intelligible way. This minimal level of coordination is threatened if participants stop following the same basic linguistic conventions. So, a speaker who rejects the attribution of a commitment to contents asserted directly risks being perceived as not cooperative enough to be a competent interlocutor, especially in contexts in which participants have required that non-literal, indirect contributions are avoided. I am not claiming that basic conversational coordination is necessarily derailed by occasional disavowals of publicly undertaken commitments. However, blatant disregard for public assertoric commitments puts basic conversational coordination at risk.

By contrast, as Camp (2018; 2022) explains, it is often possible to insinuate something indirectly as an implicature while ensuring that there are alternative interpretations of the utterance that could count as sufficiently cooperative in that context. When challenged, insinuators can refuse to own publicly their full communicative intentions by (disingenuously) presenting one of these alternative interpretations as their only intended meaning, without needing to retract their original speech act. If these alternative interpretations are reasonable enough in the conversational context, the speaker can still preserve at least a minimal appearance of conversational cooperativeness (Camp 2018: 45; 2022). Even if the speaker is not being really helpful, and may indeed aim at misleading the audience, basic conversational coordination can be maintained: the exchange may remain sufficiently intelligible.[5] In this way, speakers can get to communicate insinuated implicatures off the record, without undertaking a public commitment to them (Kölbel 2011; Camp 2018). In order to do so, what is crucial is the existence of alternative interpretations that can constitute reasonable enough contributions to the public conversational record (Camp 2022).

6. No norm for (off the record) implicatures

As we have been discussing, successful indirect communication can be off the record. Insinuation by means of (non-asserted) implicatures is an example of this type of non-

---

[5] Admittedly, there may be some wiggle room to deny in intelligible ways commitments undertaken explicitly (Boogart, Jansen and van Leeuwen 2021; Camp 2022). For instance, speakers can try to argue that they were joking, or that they were not speaking literally. But this wiggle room will be smaller than in the case of insinuations and other forms of indirect speech, and it will be made even smaller if the audience asks the speaker to respond using literal, direct speech.

public communication, which escapes the purview of the social norms governing updates to the public conversational record, such as the norms of assertion. Thus, unlike what happens with assertion, being subject to such social norms is not constitutive of implicatures.

It might be suggested that implicatures that are not recorded as asserted can nonetheless constitute some other public speech act, perhaps governed by weaker norms, such as guessing or conjecturing. However, when implicatures are conveyed off the record, the speaker does not need to undertake any public commitment to their content, not even a commitment weaker than that associated with assertions. These implicatures do not have to leave any trace in the public conversational record – given that they are, after all, conveyed off the record. In this way, the speaker can insist that she is only committed to what she has asserted, or more generally to the speech acts she counts as having performed publicly. Attributions of further communicative acts, in particular of having insinuated off the record implicatures, can be rejected by speakers while still retaining at least a minimal appearance of cooperativeness – this is what it means for off the record implicatures to be plausibly deniable.

We find, therefore, a marked asymmetry between assertions and off the record implicatures. The latter lack the public profile of the former. When making an assertion, speakers become publicly bound by certain norms. A failure to acknowledge these public commitments, for instance by dismissing appropriate challenges, will make the speaker count as insufficiently cooperative as an interlocutor, and may disrupt the course of the conversation. This uncooperative speaker, one could say, would be failing to play by the rules that define the game of having a conversation. It is difficult for a conversational exchange to proceed in a sufficiently coordinated way if the participants are reluctant to acknowledge publicly their commitment to what they have asserted.

Nothing like this happens with off the record implicatures. A speaker may remain minimally, but sufficiently cooperative without recognizing any commitment to contents implicated off the record, and without being responsive to public challenges targeting those contents. Doing so will perhaps make the speaker pedantic and unforthcoming, but she can insist that she is living up to all the public commitments that can be legitimately attributed to her. While this insistence may be irksome for her audience, it will not undermine the basic functioning of the conversation. There will still be a minimal public

record around which the participants can coordinate so that the conversation moves forward.

Thus, in the case of off the record implicatures we will not observe the patterns of public criticism, sanctions and reproach that underlie social conversational norms like the norms of assertion. For instance, the presuppositions involved in 'How do you know?' challenges, or even in weaker challenges such as 'What makes you believe that?' are not generally appropriate in the case of off the record implicatures – because it is not publicly agreed that the speaker has presented herself as knowing or somehow endorsing the implicated content. Similarly, participants are not in a position to demand publicly the retraction of an insinuation, since the speaker has not been recorded publicly as having made the insinuation in the first place. If the audience demands that the speaker takes back something she merely insinuated, she can just reply that she never said that – she did not commit herself to such implicated content. Despite the speaker's refusal to respond to these challenges, the conversation may retain a sufficient degree of coordination, sustained by what has been explicitly registered in the public conversational record.

Haziza (2022) has recently argued that implicatures are generally properly targeted by public challenges and criticism analogous to those underwriting the norm of assertion. In particular, Haziza claims that it is appropriate to challenge speakers when they implicate, without asserting, something they do not know. He grants that implicatures can often be denied plausibly, in order to scape criticism. But, according to him, the reason why it is typically easier to avoid criticism targeting what one implicates, rather than what one asserts, is that implicatures are harder to detect and pin down than assertions. So, there is a norm for implicature but it is often difficult to hold speakers accountable to it.

While I agree that implicatures can receive different types of criticism, I maintain that such criticism does not ground a constitutive, distinctive norm for implicatures. As I have argued above, speakers are in general in a position to rebut successfully challenges to what they have merely implicated just by disavowing any public commitment to those implicated contents. Go back to the example of Anne's comment about the exhibition opening. Imagine different ways in which a hearer, Sebastian, can challenge or criticize Anne's malicious comment:

3. Anne: The cocktail was excellent.

   Sebastian: Why do you think that the exhibition was not good?

   Anne: I didn't say that the exhibition was not good.

4. Anne: The cocktail was excellent.

   Sebastian: Take that back! You shouldn't suggest that the exhibition was

      mediocre, everyone thought it was great!

   Anne: I just said that the cocktail was excellent, don't put other words in my

      mouth!

In the challenge in (3), Sebastian questions Anne's grounds for endorsing the content of her implicated insinuation. If implicatures were subject to a knowledge norm, this questioning would be pertinent, since knowing something implies thinking it is the case (and this questioning would also be appropriate if the norm for implicature were weaker, for instance a belief norm). In the second challenge (4), Sebastian chides Anne for what she has insinuated, rising doubts about its accuracy. Again, a knowledge norm for implicatures would license challenges that target the accuracy of what is implicated.

Crucially, Anne can successfully reply to these challenges without lying. She does not need to claim that she did not intend to suggest that the exhibition was mediocre. It is enough for her to demand being held accountable for her actual words, and insist that she did not say that the exhibition was mediocre – indeed, she did not commit herself to any assessment of the artistic merits of the exhibition. Thus, Haziza's explanation of how speakers can avoid criticism when breaking the alleged norm of implicature does not work here. For Anne's reply does not involve pretending not to have made an insinuation she actually made, taking advantage of the elusive, implicit nature of implicature. Rather, Anne stands by what she asserted explicitly, and rejects the attribution of further conversational commitments. In this way, Anne would be treating as conversationally appropriate only those challenges that target what she actually said, those contents to which she is publicly committed. As pointed out above, Anne's dismissal of Sebastian

challenges still allows for a minimal level of conversational coordination. This would not happen if Anne disavowed her public commitment to her assertions. For instance, if she just denied having asserted that the cocktail was excellent, when it is plain to her audience that she had said so, the intelligibility of the conversational exchange would be seriously threatened.

Note that I am not assuming that all indirect conversational moves can be made off the record. Arguably, there are indirect contributions for which speakers cannot easily avoid the attribution of public commitments (Camp 2022). This will be especially so if there are not sufficiently reasonable alternative interpretations for the utterance. Think, for instance, of obvious metaphors whose literal reading is non-sensical. All I need to say is that there are other cases in which speakers manage to make indirect contributions off the record, in particular by means of implicatures. My claim is that in these cases, speakers do not need to undertake a public commitment to such indirect contributions. Thus, if examples (3) and (4) above strike one as involving on record implicatures, my point can be made in relation to whatever other cases one thinks are clear instances of off the record communication via implicatures.

Let me stress as well that I am not claiming that speakers cannot be challenged for what they insinuate or implicate off the record. These are intentional acts for which speakers are generally responsible, and can therefore be subject to criticism, for instance on moral or prudential grounds. What these examples aim to show, however, is that speakers can dismiss such challenges to off the record moves while preserving enough conversational coordination, so that the exchange is not render unintelligible. Thus, one can remain a sufficiently competent conversant without acknowledging publicly a commitment to such off the record contributions. So, off the record implicatures are not subject to the forms of public assessment and sanction that give rise to the social norms constitutive of public speech acts. Responding to appropriate challenges targeting public assertoric commitments is part of what it takes to be a competent conversant. Things are different, however, for challenges to what is merely insinuated off the record. Conversations can remain sufficiently coordinated even if participants reject such challenges. Thus, there is no social norm constitutive of off the record implicatures as conversational acts. If (off the record) implicatures are governed by some norm, it will be a norm of a different type.

Indeed, as I have pointed out above, off the record implicatures that fall out of the scope of the social norms governing public speech acts can still be targeted by other types of normative evaluations – in particular, evaluations from a moral or prudential perspective. As Green (2017) points out, audiences often rely on what speakers implicate, and they can be misled by it. If there are moral or prudential reasons not to mislead someone that relies on us, they will also apply when the relevant expectations are created by what we implicate. However, I have argued above that it is controversial that there are always moral or prudential reasons not to misled people. And, anyway, there are cases in which the audience is not disposed to rely on what the speaker conveys, so there is no risk that they will be misled by it. Bald faced lies are one example, but we can also think of situations in which it is common knowledge that the speaker's insinuations are misleading or unreliable. In these cases, reasons against misleading would not by themselves tell against insinuating contents known to be false. Therefore, moral or prudential considerations against misleading do not seem to generate a distinctive epistemic norm applying to all off the record implicatures.

Concluding remarks

It is instructive to consider the analogy between assertions and legal contracts. If an agent signs a contract to the effect that she will bring about some outcome, she undertakes a legal commitment to do so. The other signatories will not only expect the agent to honor the contract, they are also entitled to complain legally in case she does not. This does not need to happen if an agent generates intentionally certain expectations in her addressee without becoming contractually bound to fulfill them. In these cases, the addressee is not entitled to the same type of complaint and redress as when her expectations are backed by a contract (regardless of whether the agent is morally blameworthy for having created misleading expectations).

My contention is that the norms of assertion work like a contract in that they make the asserter publicly bound by a commitment to her targeted audience. Off the record communication provides a way for speakers to get across contents to their audience without undertaking the public commitments generated by assertions. Such non-asserted contents are not added to the conversational record, but it may be that the speaker's main goal is only to get the audience to adopt certain attitudes, even if they are not reflected in

the record of the conversation. The price paid for bypassing the norms governing updates to the conversational record is that one's communicative act will not be recognized as a public contribution to the conversation. Yet sometimes speakers may want to achieve their communicative aims surreptitiously, avoiding public recognition of their intentions.

References

Bergmann, M. (1982). Metaphorical assertions. *The Philosophical Review*, *91*(2), 229-245.

Bicchieri, C. (2005). *The grammar of society: The nature and dynamics of social norms*. Cambridge: Cambridge University Press.

Boghossian, P. (2005). Is meaning normative? In A. Beckermann and C. Nimtz (eds.), *Philosophy – Science – Scientific Philosophy* (pp. 205-218). Paderborn: Mentis.

Boogaart, R., Jansen, H., & van Leeuwen, M. (2021). "Those are your words, not mine!" defence strategies for denying speaker commitment. *Argumentation*, *35*(2), 209-235.

Borg, E. (2019). Explanatory roles for minimal content. *Noûs*, *53*(3), 513-539.

Brandom, R. (1983). Asserting. *Noûs 17*(4), 637–50.

Brandom, R. (1994). *Making it explicit: Reasoning, representing, and discursive commitment*. Cambridge, MA: Harvard university press.

Camp, E. (2006). Contextualism, metaphor, and what is said. *Mind & language*, *21*(3), 280-309.

Camp, E. (2016). Conventions' Revenge: Davidson, Derangement, and Dormativity. *Inquiry 59*(1), 113-138.

Camp, E. (2018). Insinuation, common ground, and the conversational record. In D. Fogal, D. Harris, & M. Moss (Eds.), *New work on speech acts*. Oxford: Oxford University Press.

Camp, E. (2022). Just saying, just kidding: Liability for accountability-avoiding speech in ordinary conversation, politics and law. In L.R. Horn (ed.), *From Lying to Perjury:*

Linguistic and Legal Perspectives on Lies and Other Falsehoods, *3* (pp. 227-260). De Gruyter.

Coates, D.J. (2016). The epistemic norm of blame. *Ethical Theory and Moral Practice*, *19*(2), 457-473.

Fricker, E. (2012). Stating and insinuating. *Proceeding of the Aristotelian Society, 86*(1), 61-94.

Fricker, E. (2017). Norms, constitutive and social, and assertion. *American Philosophical Quarterly, 54*(4), 397-418.

García-Carpintero, M. (2004). Assertion and the semantics of force-markers. In C. Bianchi (Ed.), *The semantics/pragmatics distinction* (pp. 133–166). Stanford: CSLI Publications.

García-Carpintero, M. (2019). Sneaky assertions. *Philosophical Perspectives*, *32*(1), 188-218.

Goldberg, S. (2015). *Assertion: On the philosophical significance of assertoric speech*. Oxford: Oxford University Press.

Green, A. (2017). An epistemic norm for implicature. *The Journal of Philosophy*, *114*(7), 381-391.

Hattiangadi, A. (2006). Is meaning normative? *Mind & Language*, *21*(2), 220-240.

Hawthorne, J. (2004). *Knowledge and lotteries*. Oxford: Oxford University Press.

Haziza, E. (2022). Assertion, implicature, and iterated knowledge. *Ergo*, *8: 35.*

Keiser, J. (2016). Bald-faced lies: How to make a move in a language game without. making a move in a conversation. *Philosophical Studies 173(2)*, 461–477.

Kirk-Giannini, C.D. (2020). Why horizontalism. *Philosophical Studies*, *177*(10), 2881-2905.

Kölbel, M. (2011). Conversational Score, Assertion and Testimony. In H. Cappelen and J. Brown (Eds.), *Assertion: New Philosophical Essays* (pp. 49–77). Oxford: Oxford University Press.

Lackey, J. (2007). Norms of assertion. *Noûs*, *41*(4), 594-626.

MacFarlane, J. (2014). *Assessment sensitivity: Relative truth and its applications*. Oxford: Oxford University Press.

Maitra, I. (2018). Lying, acting, and asserting. In E. Michaelson & A. Stokke (eds.), *Lying: Language, knowledge, ethics, and politics* (pp. 73–94). Oxford: Oxford University Press.

Marques, T. (2020). Disagreement with a bald-faced liar. *Ratio 33*(4), 255-268.

Marsili, N. (2021). Lying, speech acts, and commitment. *Synthese*, *199*, 3245–3269.

McKinnon, R. (2012). How do you know that 'how do you know?' Challenges a speaker's knowledge? *Pacific Philosophical Quarterly*, *93*(1), 65-83.

Peet, A. (2015). Testimony, pragmatics, and plausible deniability. *Episteme*, *12*(1), 29-51.

Peirce, C.S. (1934). *Belief and Judgment*. Cambridge, MA: Harvard University Press.

Rescorla, M. (2009). Assertion and its constitutive norms. *Philosophy and Phenomenological Research*, *79*(1), 98-130.

Shapiro, L. (2019). Commitment accounts of assertion. In S. Goldberg (Ed.), *Oxford handbook of assertion* (pp. 75-98). Oxford: Oxford University Press.

Simons, M. (2018). Convention, Intention, and the Conversational Record. In G. Preyer (ed.), *Beyond Semantics and Pragmatics* (pp. 284-302). Oxford: OUP.

Stalnaker, R. (2002). Common ground. *Linguistics and philosophy*, *25*(5/6), 701-721.

Stalnaker, R. (2014). *Context*. Oxford: Oxford University Press.

Stokke, A. (2018). *Lying and insincerity*. Oxford: Oxford University Press.

Viebahn, E. (2017). Non-literal lies. *Erkenntnis*, *82*(6), 1367-1380.

Viebahn, E. (2020). Lying with Presuppositions. *Noûs*, *54*(3), 731-751.

Weiner, M. (2005). Must we know what we say? *The Philosophical Review*, *114*(2), 227-251.

Williams, B. (2002). *Truth and Truthfulness: An Essay in Genealogy*. Princeton, NJ: Princeton University Press.

Williamson, T. (1996). Knowing and asserting. *The Philosophical Review*, *105*(4), 489-523.

Williamson, T. (2000). *Knowledge and its Limits*. Oxford: Oxford University Press.