

The Austinian Conception of Illocution and its Implications for Value Judgments and Social ontology

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ABSTRACT

This paper deals with J.L. Austin's conception of illocution and some of its philosophical implications as to value judgments and social ontology. It is argued that according to Austin, illocutionary acts have conventional effects, and that conventional effects are defeasible and depend upon intersubjective agreement. In support of the claim that all illocutionary acts have conventional effects, it is explained how illocutionary effects can be described and this mode of description is applied to Austin's classes of illocutionary acts. Then, the implications of Austin's classification of illocutionary acts for value judgments are discussed and it is claimed that Austin challenges the fact-value dichotomy by assimilating statements of fact to value judgments. The Austinian conception of illocution is also relevant to social ontology. Many social realities can be described as sets of deontic states of the agents involved, and illocution is part of the picture because it involves the active production of deontic states of social agents by means of intersubjective agreement. In conclusion, a possible counterintuitive consequence of the conception of illocution presented is discussed and a solution is proposed.

KEYWORDS

Illocutionary act, conventionality, deontic state, value judgment, social ontology

1. *Introduction*

In this paper I present the Austinian notion of illocutionary effect and discuss some of its philosophical implications as to value judgments and social ontology. Illocutionary acts are characterized by most authors as acts, whose effect is the production of the hearer's uptake. They aim to be understood or, more specifically, to make the hearer understand the speaker's communicative intention. This idea is to be found in early work on speech act theory by Strawson (1964) and Searle (1965, 1969). It seems both historically fair and theoretically relevant to mention that it was not Austin's idea. Indeed, reconstructing Austin's perspective on illocution can help us see that speech act theory was originally designed to have philosophical implications that have failed to be made explicit ever since.

In the next section I explain how the notion of illocutionary act as the expression of a communicative intention aiming at its own recognition became part of the mainstream version of speech act theory. I then explain what I believe Austin meant to say about illocution with his famous remark about the role of the hearer's uptake, and what the resulting notion of a conventional illocutionary

effect contributes to certain issues in discourse analysis and in philosophy, particularly those about value judgments and social ontology.

2. Austinian illocutionary effects

In introducing three ways in which illocutionary acts are, according to him, connected to effects, Austin writes:

“Unless a certain effect is achieved, the illocutionary act will not have been happily, successfully performed [...]. I cannot be said to have warned an audience unless it hears what I say and takes what I say in a certain sense[...] the performance of an illocutionary act involves the securing of uptake.” (1962, 116)

Peter F. Strawson, in his paper on “Intention and convention in speech acts” (1964), reads Austin as implying that no other effect than uptake is necessarily connected to the performance of an illocutionary act. This reading enables him to reinterpret Austin’s illocutionary force as a kind of speaker meaning (in the sense given to this expression by Grice 1957), that is, the intention of the speaker to achieve a response thanks to the recognition by the audience of her intention to achieve it. Searle shares Strawson’s view, but adds to it that the response aimed at should not be thought of as the actual formation of a new belief or other attitude in the audience, which would be a perlocutionary effect as opposed to an illocutionary one, and that the conventionality of language should be recognized as contributing to the understanding of the speaker’s intention on the part of the audience. He then defines the “illocutionary effect” as the understanding of the meaning and force of an utterance (1969, 47). Strawson’s reading of Austin’s notion of uptake later influenced the inferential approach to speech act theory of Kent Bach and R.M. Harnish (Bach and Harnish 1979), and continues to be influential.

However, as I have already argued elsewhere (Sbisà 2009), Austin merely meant uptake to be a necessary condition for the successful achievement of the core effect of the illocutionary act, and just after the passage we have cited, he describes thus the second effect to which he holds the illocutionary act to be connected:

“The illocutionary act ‘takes effect’ in certain ways, as distinguished from producing consequences in the sense of bringing about states of affairs in the ‘normal’ way, i.e. changes in the natural course of events...”. (Austin 1962, 117)

It is clear enough that he means this effect to be produced by all kinds of illocutionary acts (while the third effect he mentions, the inviting of a response, is explicitly attributed to some kinds only). The problem with the illocutionary act’s “taking effect” is that Austin’s characterization of it is vague and more negative than positive (saying what it is not rather than what it is), and exemplified by one

case only, the formal and ceremonial act of naming a ship, from which it appears difficult to generalize.

I think that the key to understanding what this mysterious effect consists of, lies in considering what way of bringing about a state of affairs is to be contrasted with the “normal” way, that is, with the introduction of a change in the natural course of events. When we do something that interacts with a natural chain of causes and effects, our contribution and its effects come to belong to that chain, on a par with its other members: the efficacy of what we do is by natural causation. But in the case of the naming of a ship, the illocutionary effect is that the ship is given a name, so that certain subsequent acts (such as referring to the ship by another name) are out of order. Such an effect is not the output of a natural causal chain, nor of a change we introduce into such a chain. It occurs in a social frame and needs the audience recognize that a naming procedure was successfully performed.

Austin may have been wrong to rely on this example alone, as if it were intuitive that we can generalize from it. But that Austin maintained that illocutionary acts have conventional effects, is already shown by his Condition A1 for the felicity of performative utterances (I recall that illocutionary acts are the kind of actions that performative utterances perform):

“There must exist an accepted conventional procedure *having a certain conventional effect*, that procedure to include the uttering of certain words by certain persons in certain circumstances...”. (Austin 1962, 14, my italics)

Thus, according to Austin, the core effect of an illocutionary act is “conventional”; that is, it is made possible by the social frame and brought about thanks to that kind of agreement between speaker and audience about what is being done, which we may call uptake. The conventionality that according to him is common to all illocutionary acts appears, then, to pertain primarily to effects. It should be noted that in the debate over the conventionality of illocutionary acts, attention has been paid mainly to the means by which the illocutionary act is performed, while the nature of its effects has been neglected. This has led to recognizing as conventional acts only those illocutionary acts whose performance is explicitly and rigidly regulated by extralinguistic conventions, while other illocutionary acts have been analyzed, following Strawson’s suggestion, as intention-based. But if all illocutionary acts are conventional for Austin, it must be because they all have conventional effects. It is this sense of “being a conventional act” that has to be taken into account in order for us to grasp what Austin wanted to contend, or if we think there is something to be learnt from his conception of illocution.¹

¹ Ruth Millikan, who defends the conventionality of illocutionary acts, does so on the basis of her conception of conventionality as the repetition of patterns (Millikan 1998, 2005; see also Kissine 2013, 179-181). Although she focuses, as usual, upon the means by which the act is

Of course, what makes an effect conventional is still an open question, which I will have something to say about in section 3. I will then move on (in section 4) to another matter not treated in sufficient detail by Austin: the problem of how to describe the conventional effects of illocutionary acts.

3. *When is an effect “conventional”?*

In his preparatory notes for *How to Do Things with Words*, Austin seems to be worrying about a possible contradiction between his doctrine of infelicities (the flaws in performative utterances that can make them “null and void”) and the received principle that nothing that was done can be made undone (the source of which is in Aristotle’s *Nicomachean Ethics*, 6,2) (cf. Sbisà 2007). He realizes that, when an utterance designed to perform a certain illocutionary act turns out to be “null and void”, the act that it purported to perform does not hold and its alleged effects vanish. In a way, it seems that something which was done is indeed rendered undone. In fact, by-default agreement about some act and its effects gives provisional reality and efficacy to states of affairs (e.g. a couple’s being man and wife) that later on may be discovered not to hold (e.g. if it turns out that one of the spouses was already married). This provisional, by-default reality is puzzling, but seems to be typical of “conventional” effects. It corresponds approximately to the property of “defeasibility” pertaining, according to Hart (1949), to the ascriptions of rights and of responsibility: the liability to being annulled in particular circumstances. When an illocutionary act is “null and void”, not everything in it is rendered undone: something was done in any case, and namely, the (flawed) performance of a procedure, and there are effects, though these might be different from those which that procedure is designed to bring about (e.g. legal responsibility for bigamy). The discovery of infelicity makes the illocutionary act undone insofar as the bringing about of its conventional effect is concerned. In this sense, defeasibility can be seen as the hallmark of conventionality for actions and their effects.

Obviously, if the effect brought about by a certain action is to be defeasible, it must be produced in a way which admits of annulment. This way cannot therefore consist in the causal modification of a material object. Austin’s claim that illocutionary acts “take effect” in a way other than by interacting with a natural chain of causes and effects, together with his claim that they cannot be successfully performed (and therefore “take effect”) unless the audience’s uptake is secured (see section 2 above), suggest that the way in which conventional effects

performed, the resulting view of illocution may be compatible with the Austinian view I favour (for a view based on Millikan’s, which seems to accept some of my points about the nature and dynamics of illocution, see Witek 2014).

can be brought about is precisely through by-default agreement among the relevant participants as to their being brought about.

The “uptake” to be secured by illocutionary acts is, therefore, an agreement of the participants (often implicit or even tacit) upon what has been done. When this agreement occurs (or can be presumed to occur by default, in the absence of any sign of disagreement), the illocutionary act has been successfully performed and its conventional effect has been achieved (in the defeasible mode explained above). There are a whole series of further problems as regards the securing of uptake: notably, whether the actual bringing about of uptake is required, or whether the mere effort of doing all that would reasonably lead to actual uptake, and whether it is the actual uptake or intended uptake that determines the illocutionary act performed. I cannot address these problems here, but I would suggest that there are many shades to them. For example, a patently wrong uptake will usually not be intersubjectively shared, and will therefore remain ineffective, while a plausible, not contested actual uptake can reasonably be recognized as selecting the illocutionary act that is actually performed with an utterance displaying vague or ambiguous illocutionary force indicators.

4. *How to describe illocutionary effects*

The claim that all illocutionary acts have conventional effects brings to the fore the problem of how to describe illocutionary effects. Quite obviously, and apart from any theoretical motivation and argument, this claim will be plausible only if, for any illocutionary act, one can describe an effect belonging to the conventional kind. In my discussions of this topic, I have proposed that illocutionary effects be described in terms of the distribution of deontic roles among the relevant participants in the situation (1984; 2006, 164-167).

Interpersonal relations can be described in psychological terms, both cognitive and emotional, but they also have a deontic dimension, relative to what members are allowed or authorized or obliged or committed to do with respect to each other or possibly to third parties too. My proposal is that the illocutionary effect is a change in these aspects of the interpersonal relation, which I call “deontic” inasmuch as they are connected with what one can or cannot or should or should not do (one might also call them “normative”, see Witek 2014).² The illocutionary effect is bi-lateral, since a change in the deontic role of one participant requires a corresponding change in the deontic role of some other one.

² John Searle too recognized and discussed the deontic dimension of social facts in his *The Construction of Social Reality*, from a perspective based on his notion of declaration and on “count as” rules (1995, 100-110). He concluded, however, that reference to deontic aspects was not particularly useful for his project.

The variety of illocutionary effects, so intended, can be described on an empirical and linguistic-phenomenological basis, without any pre-conceived symmetry or constraint. The resulting typology is certainly weaker than a theoretical, principled one, but is perfectly suited to the aims of exemplifying conventional effects and of providing discourse analysis with empirically grounded heuristic tools. In such descriptions, we can use the lexicon of modal verbs (can, should, ought to), other deontic verbs (e.g. oblige, commit, entitle) and nouns (e.g. obligation, commitment, entitlement, duty, debt, right, license). Not all states that can be described in such terms are the direct effect of an illocutionary act; some may be the effect of non-verbal procedures approximately equivalent to an illocutionary act of a certain kind, others may be deontic-level consequences stemming from illocutionary effects. Here are examples of conventional effects of illocutionary acts, described in terms of the deontic states produced:

- Marrying: bilateral rights + obligations
- Naming : semantic rule + social norm (holding for all participants)
- Promising: commitment (for speaker) vs right (for addressee)
- Apologizing: exemption (for speaker) vs empowerment (for addressee)
- Advising: bilateral non-strict obligations
- Warning: obligation (for addressee) vs exemption (for speaker)

The typical effects of Austin's illocutionary classes can also be described in these terms, approximately as follows:

- *Verdictives*: license to act upon the judgement (for addressee) vs commitment to truth or correctness (for speaker)
- *Commissives*: right to expect a certain kind of behaviour from the speaker (for addressee) – commitment to perform (for speaker)
- *Exercitives*: obligation + (possibly) rights and powers (for addressee) vs commitment to support the addressee's deontic state (for speaker)
- *Behabitives*: license to act upon the speaker's expressed state (for the addressee) vs satisfaction of a task or debt (for the speaker)
- *Expositives*: rights, obligations, etc. as above, affecting relations internal or relevant to discourse or conversation.

Note that by focusing on conventional effects, we find ways of describing illocution other than the lexicon of performative verbs and thus provide the analyst with subtler tools for all those illocutionary acts, the force of which is the result of the combination of a number of indicators and is therefore complex or hybrid. It goes without saying that this way to describe illocution is not bound to assume one-to-one correspondence between sentence type and (intended) illocutionary act.

Though not relevant to the topic of this paper, it should be stressed that the way of describing illocutionary effects presented here also preserves the illocution-perlocution distinction, which is sometimes under threat from those approaches that treat all effects of speech acts (other than uptake) as perlocutionary ones and therefore external to the illocutionary act. Distinguishing illocution from perlocution is not a matter of contrasting an act with its effects or consequences, but regards instead the kind of effects (material or psychological on the one hand, conventional on the other) that are taken into consideration. Once this is clarified, using the illocutionary-perlocutionary distinction in the analysis of discourse and conversation may become easier and more fruitful. Indeed, it should be possible to recognize the mediating role of illocutionary effects between speech and its psychological and behavioral effects.

5. *Philosophical implications for the value-fact distinction*

If, as I have tried to explain, the production of conventional effects is ultimately grounded in local tacit agreement, various consequences follow as to the foundations of the human social world. Illocution appears as the locus of the “social contract”. The very agreement that something has been done by words, that after certain words are uttered the relation between the interlocutors changes in some way, is an instance of “social contract” which might (in principle) be conceived of as radically bottom-up (while of course it is most often the renewal of a previously established social frame). Thus illocution (with language, which makes it possible) enables us to regulate our living together, building up shared environments and (hopefully) reducing the need to resort to brute force and coercion in order to solve problems of coordination.

The conception of illocution as presented here has also implications for the philosophy of action, since it comprises the non-trivial assumption that performing an action is equivalent to making oneself responsible for its effect (a certain state of affairs in the world); for the conception of value and the value-fact distinction, which is in question whenever the assertive or descriptive use of language is distinguished from or compared to the use of language in assessments, value judgments and other value-laden speech acts; and for social ontology, since it appears to introduce new kinds of entities into our social world. I will now touch briefly on some of the implications concerning the value-fact distinction and social ontology.

How is moral judgment to be described in this Austinian framework? In his conclusion to *How to Do Things with Words*, Austin suggests that “good” is to be considered as at least in part an illocutionary force indicator (1962, 163-164). This reminds us of the theories of ethical language put forward by C.L. Stevenson or R.M. Hare, in which “good” is said to express approval or prescribe conduct. But

is illocutionary force the same as Hare's "neustic", or is Austin's view of moral language a sophisticated variety of emotivism? There are hints at different ideas in Austin's conclusive chapter.

He says that his classification of illocutionary acts, albeit tentative, is enough to "play old Harry" with the "fetish" of the value-fact dichotomy (1962, 151). But how could the mere shift of the problem of the analysis of "good" from locutionary meaning to illocutionary force have this effect? If facts are still represented in the "locutionary content", while values are the effect of choices and preferences and therefore belong with illocutionary force, is the fact-value dichotomy questioned at all?

In principle, the fact-value dichotomy can be questioned in two ways: by assimilating values to facts and facts to values. One of these ways is naive realism about values. Those who embrace it are admirable, because they display unshakable faith in the reality of the Good. But their position is liable to be borrowed and exploited by fundamentalism, since, with naive realism about values, there comes the assumption that one can know them with at least the same degree of certainty with which we know facts. The other way stresses the human and actional component in factual judgment. We are keen to recognize that value judgments are actions: they involve choice. They are not so arbitrary or subjective as emotional reactions, since they involve the application of criteria, but still there is choice in them, at two levels at least: as to the criteria to be adopted, and as to the appreciation of the relevant details of the situation which is subject to evaluation. But are factual judgments so different? Don't we use criteria in them too (for example, when the judgment results from an inference)? Moreover, factual assertions, too, depend as to their content on our appreciation of the relevant details of the event or situation which is reported or described.

Austin's way of questioning the fact-value dichotomy is the latter. It is not so much expressed by his attempt to present matters of value as matters of force (as opposed to meaning), as by the way in which he speaks of value in his classification of illocutionary acts. There, he groups all judgments together in the class of verdictives, which are "the delivering of a finding, official or unofficial, upon evidence or reasons as to value or fact" (153), need not be final (152), and are concerned with something "which is for different reasons hard to be certain about" (152). The last feature is perhaps the most interesting one. Why should acts of judgment address only matters which are for some reason hard to be certain about? Insofar as our knowledge of events and situations in the world is based on our judgments (that is, on verdictive illocutionary acts), Austin depicts it as something not effortless, but involving actual search for evidence, adoption of criteria, or reasoning, which are kinds of active behaviour on the part of the speaker, with some degree of choice as to what is to count as evidence, which criterion is correct, or what reasons are good ones. Different agents might reach different findings: we might then compare those findings and prefer the soundest

and best grounded one, or, at least, the one which appears as such to us. But the same picture, with slight re-contextualization and small adjustments, may be taken to hold for value judgments.

It is not clear how Austin intended to deal with those statements of fact that are not about something difficult, unclear and the like. What he clearly wants to stress, though, is that whenever we issue a judgment we are engaging in a complex activity. Nonverbal perception may be “direct” and be both phenomenologically understood and verbally reported as the perception of the real object. But judgment, albeit a source of knowledge, is not a passive reflection of reality. For Austin, our knowledge is no mirror of anything: unlike mirrors, it involves an active stance. It is brought about by action, precisely by verdictive illocutionary acts.

If verdictives, so characterized, may also be concerned with values, should we conclude that value judgments too produce knowledge? Can we say there is knowledge of values, not in the trivial sense in which one can describe some people’s axiology, but intending to admit value judgments as production of knowledge? Austin does not tackle these issues. But in the Austinian perspective we are elaborating, I think we can go so far as to say that there should be room for knowledge of values, insofar as not only verdictives about facts, but also verdictives about value can be correct or incorrect. What it is for a value judgment to be correct, however, need not be defined in the same way as what is for a statement of fact to be true.

6. *Philosophical implications for social ontology*

Be it as it may with values, Austin’s view of illocution appears to support realism as to deontic states, since those deontic states that illocutionary acts are designed to bring about must be real ones if the act is to be an action at all. Indeed, without an effect, there would be no action. This view, once again, highlights action, and namely, the active production of deontic states by social agents. As we have seen (in sections 2 and 3), the key to such production is intersubjective agreement. While a stone may be there even if nobody realizes it is there, a state of right or obligation cannot exist unless there is some kind of agreement about its being the case. On certain occasions, this agreement may be cognitive and conscious, but it need not always be. It is enough for it to be implicit, for example, in the coordination of the lines of conduct of the relevant agents. For example, if a command is complied with without protest or hesitation, it is safe to assume that the state of obligation stemming from it has been agreed upon (indeed, it has been acted upon). If, in complying with a command, an agent protests against being obliged to perform that action, this too reveals the basic acceptance of the speaker’s authority and the binding force of her illocutionary act. Lack of worry

about one's non-compliance may indicate a failure to take the received command seriously or perhaps the refusal to take it as a command at all. Nonverbal, by-default agreement suffices for the deontic state to be brought about and become a component of the situational context of the current interaction, from which it might even be inherited by other contexts, thus becoming a largely trans-contextual feature of the interpersonal relation among the agents involved.

It should be noted that the production of deontic states follows both a forward-looking and a backward-looking direction. Looking forward, the output of an illocutionary act is a deontic state, which comes into existence thanks to the illocutionary act (as part of its performance). Looking backward, the accomplished illocutionary act and its outcome presuppose the satisfaction of certain conditions about the agent's status before the performance. If the agent did not have the presupposed status, but the illocutionary act is accepted as such, her status is somehow reassessed and redefined.

This is one of the phenomena that Lewis (1979) dubbed "accommodation" and has perhaps not been studied in sufficient depth with respect to illocutionary acts, where it displays paradoxical features. The rise of a leadership (which did not exist at all before the first command of the new leader was recognized as such and obeyed) may be an example of "accommodation"; it is certainly an example of the influence of presuppositions on social relations. The feeling is that it is from the recognition of that command on, and because of the presuppositions of commanding, that the agent starts enjoying authority over his or her addressee. The status of the agent is changed from that moment on, thanks to the presuppositions or felicity conditions of his/her act, which should have been true before that act.

Many social realities can be described as sets of deontic states of the agents involved: property, marriage, a contract of employment, can all be almost completely specified by listing the rights, obligations, and other deontic states that are assigned to their participants. Even complex institutions can be described in terms of what it is that those who participate in them can do or have to do, or can expect others to do, or must not do, and the like. Roles (in a family, in a peer group, or professional ones) often involve a weaker deontic state, that is, the kind of duty that corresponds to other agents' legitimate expectations.

Deontic states such as having a right or an obligation are represented in language as the possession on the part of an agent of "the right to..." or "the obligation to...": we speak of rights, obligations, duties, licenses, etc., as of objects of a particular kind, which we may call "deontic objects". Here, I make no attempt to discuss whether this way of speaking is literal enough to amount to a shared assumption that rights, obligations, duties, licenses and the like exist as a peculiar category of objects. Laws, for example, are most certainly thought of as something that really exists: perhaps, as existing normative, and therefore deontic, objects. So, one may want to consider deontic states as consisting of the

attribution of a deontic object to an agent. It is to be noted that the ability to bring about deontic states (therefore creating deontic objects, if you like) is the basis of our capacity for creating shared environments through language and is therefore central to culture and civilisation.

7. A puzzle and its proposed solution

I conclude by indicating a limitation from which this fascinating perspective suffers. Are deontic states (and objects) steady and permanent enough, as one would expect of the building blocks of our social and cultural reality, or are they constantly liable to cancellation because there might be infelicities in the illocutionary procedures producing them or the speaker might fail to secure uptake? Certainly, these states and objects appear in the perspective illustrated as being dependent upon human interaction (as well as framing it). It would seem that they cannot come into being, or survive, without the support of intersubjective agreement. Thus, Austin's notion of illocution might be deemed inadequate for providing social ontology with secure foundations, or at the very least, it is not enough if what we are searching for are agent-independent objects. It is to be noted that deontic objects may even be observer-independent, but are not, and cannot be, agent-independent.

Let us recall, though, what we have said above about the Austinian perspective on value judgments. Verdictives produce legitimate claims to knowledge (which, by default, can be taken as knowledge) if they are grounded in the agent-speaker's recognized competence, but a perfectly felicitous verdictive may still be wrong. If it is a judgment about facts, it will be either true or false. And as to value judgments, Austin seems to admit of some objective correctness/incorrectness for them too.

Now consider an issue of human rights. Imagine a social group in which a child is believed and dealt with as not endowed with any right. The way she is spoken to and about never comprises any right-granting illocution: she is never addressed with permissions, concessions, promises, apologies or wishes; moreover, no matter what she says (imagine she speaks, nevertheless), she is never taken as performing verdictives, exercitives, or commissives. Has she, then, no right? If by-default intersubjective agreement around her is that she is to be dealt with that way, can this be accepted as a reason to say that so-called human rights do not hold in her case? Of course not. Indeed, the notion of human rights is designed to apply precisely to such cases and to help protect people in such conditions. It can apply, I surmise, because judgments about justice are verdictives and therefore liable to be correct or incorrect. A judgment to the effect that the way those people deal with that child conforms to justice, would be clearly incorrect (whatever they may believe about their own behaviour and their reasons). We

may conclude that in fact, the child does have human rights, or perhaps, more precisely, that human rights should be attributed to her. The former way of putting it assumes that her rights are already there, albeit unrecognized. The latter way amounts to claiming that she has a right to human rights. I would prefer the latter way of putting it, as it matches better not only our intuitions about justice, but also the perspective on rights as deontic objects developed above. It is we, in fact, who both recognize the child's right to human rights and issue a verdictive about her deontic state that is both felicitous and (hopefully) correct.

The moral is that illocutionary uptake can be accepted and theorized as the basic source of deontic states and objects, without falling into a counterintuitive (if not dangerous) sort of relativism, providing that the correctness/incorrectness of verdictives is not reduced to a mere matter of intersubjective agreement. This is one reason for having not just one level of assessment of speech acts, but two: in Austin's terms, this means a felicity/infelicity assessment and an assessment aiming at detecting (objective) correctness/incorrectness. Defeasibility is limited to cases of infelicity, while error and injustice are the targets of our continuous efforts to redress and improve our relations with the world we live in as well as with each other.

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