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HOW TO DO THINGS
WITH WORDS

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LECTURE I

WHAT I shall have to say here is neither difficult nor contentious; the only merit I should like to claim for it is that of being true, at least in parts. The phenomenon to be discussed is very widespread and obvious, and it cannot fail to have been already noticed, at least here and there, by others. Yet I have not found attention paid to it specifically.

It was for too long the assumption of philosophers that the business of a 'statement' can only be to 'describe' some state of affairs, or to 'state some fact', which it must do either truly or falsely. Grammarians, indeed, have regularly pointed out that not all 'sentences' are (used in making) statements:¹ there are, traditionally, besides (grammarians') statements, also questions and exclamations, and sentences expressing commands or wishes or concessions. And doubtless philosophers have not intended to deny this, despite some loose use of 'sentence' for 'statement'. Doubtless, too, both grammarians and philosophers have been aware that it is by no means easy to distinguish even questions, commands, and so on from statements by means of the few and jejune grammatical marks available, such as word order, mood, and the like:

¹ It is, of course, not really correct that a sentence ever *is* a statement: rather, it is *used* in *making a statement*, and the statement itself is a 'logical construction' out of the makings of statements.

though perhaps it has not been usual to dwell on the difficulties which this fact obviously raises. For how do we decide which is which? What are the limits and definitions of each?

But now in recent years, many things which would once have been accepted without question as 'statements' by both philosophers and grammarians have been scrutinized with new care. This scrutiny arose somewhat indirectly—at least in philosophy. First came the view, not always formulated without unfortunate dogmatism, that a statement (of fact) ought to be 'verifiable', and this led to the view that many 'statements' are only what may be called pseudo-statements. First and most obviously, many 'statements' were shown to be, as KANT perhaps first argued systematically, strictly nonsense, despite an unexceptionable grammatical form: and the continual discovery of fresh types of nonsense, unsystematic though their classification and mysterious though their explanation is too often allowed to remain, has done on the whole nothing but good. Yet we, that is, even philosophers, set some limits to the amount of nonsense that we are prepared to admit we talk: so that it was natural to go on to ask, as a second stage, whether many apparent pseudo-statements really set out to be 'statements' at all. It has come to be commonly held that many utterances which look like statements are either not intended at all, or only intended in part, to record or impart straightforward information about the facts: for example, 'ethical propositions' are perhaps intended, solely or partly, to evince

emotion or to prescribe conduct or to influence it in special ways. Here too KANT was among the pioneers. We very often also use utterances in ways beyond the scope at least of traditional grammar. It has come to be seen that many specially perplexing words embedded in apparently descriptive statements do not serve to indicate some specially odd additional feature in the reality reported, but to indicate (not to report) the circumstances in which the statement is made or reservations to which it is subject or the way in which it is to be taken and the like. To overlook these possibilities in the way once common is called the 'descriptive' fallacy; but perhaps this is not a good name, as 'descriptive' itself is special. Not all true or false statements are descriptions, and for this reason I prefer to use the word 'Constatative'. Along these lines it has by now been shown piecemeal, or at least made to look likely, that many traditional philosophical perplexities have arisen through a mistake—the mistake of taking as straightforward statements of fact utterances which are *either* (in interesting non-grammatical ways) nonsensical *or else* intended as something quite different.

Whatever we may think of any particular one of these views and suggestions, and however much we may deplore the initial confusion into which philosophical doctrine and method have been plunged, it cannot be doubted that they are producing a revolution in philosophy. If anyone wishes to call it the greatest and most salutary in its history, this is not, if you come to think of it, a

large claim. It is not surprising that beginnings have been piecemeal, with *parti pris*, and for extraneous aims; this is common with revolutions.

PRELIMINARY ISOLATION OF
THE PERFORMATIVE¹

The type of utterance we are to consider here is not, of course, in general a type of nonsense; though misuse of it can, as we shall see, engender rather special varieties of 'nonsense'. Rather, it is one of our second class—the masqueraders. But it does not by any means necessarily masquerade as a statement of fact, descriptive or constative. Yet it does quite commonly do so, and that, oddly enough, when it assumes its most explicit form. Grammarians have not, I believe, seen through this 'disguise', and philosophers only at best incidentally.² It will be convenient, therefore, to study it first in this misleading form, in order to bring out its characteristics by contrasting them with those of the statement of fact which it apes.

We shall take, then, for our first examples some utterances which can fall into no hitherto recognized *grammatical* category save that of 'statement', which are not nonsense, and which contain none of those verbal danger-signals which philosophers have by now detected or think

¹ Everything said in these sections is provisional, and subject to revision in the light of later sections.

² Of all people, jurists should be best aware of the true state of affairs. Perhaps some now are. Yet they will succumb to their own timorous fiction, that a statement of 'the law' is a statement of fact.

they have detected (curious words like 'good' or 'all', suspect auxiliaries like 'ought' or 'can', and dubious constructions like the hypothetical): all will have, as it happens, humdrum verbs in the first person singular present indicative active.¹ Utterances can be found, satisfying these conditions, yet such that

- A. they do not 'describe' or 'report' or constate anything at all, are not 'true or false'; and
- B. the uttering of the sentence is, or is a part of, the doing of an action, which again would not *normally* be described as, or as 'just', saying something.

This is far from being as paradoxical as it may sound or as I have meanly been trying to make it sound: indeed, the examples now to be given will be disappointing.

Examples:

- (E. a) 'I do (sc. take this woman to be my lawful wedded wife)²—as uttered in the course of the marriage ceremony.²
- (E. b) 'I name this ship the *Queen Elizabeth*'—as uttered when smashing the bottle against the stem.
- (E. c) 'I give and bequeath my watch to my brother'—as occurring in a will.
- (E. d) 'I bet you sixpence it will rain tomorrow.'

¹ Not without design: they are all 'explicit' performatives, and of that prepotent class later called 'exercitives'.

² [Austin realized that the expression 'I do' is not used in the marriage ceremony too late to correct his mistake. We have let it remain in the text as it is philosophically unimportant that it is a mistake. J. O. U.]

In these examples it seems clear that to utter the sentence (in, of course, the appropriate circumstances) is not to *describe* my doing of what I should be said in so uttering to be doing¹ or to state that I am doing it: it is to do it. None of the utterances cited is either true or false: I assert this as obvious and do not argue it. It needs argument no more than that 'damn' is not true or false: it may be that the utterance 'serves to inform you'—but that is quite different. To name the ship *is* to say (in the appropriate circumstances) the words 'I name, &c.'. When I say, before the registrar or altar, &c., 'I do', I am not reporting on a marriage: I am indulging in it.

What are we to call a sentence or an utterance of this type?² I propose to call it a *performative sentence* or a performative utterance, or, for short, 'a performative'. The term 'performative' will be used in a variety of cognate ways and constructions, much as the term 'imperative' is.³ The name is derived, of course, from 'perform', the usual verb with the noun 'action': it indicates that the issuing of the utterance is the performing of an action

¹ Still less anything that I have already done or have yet to do.

² 'Sentences' form a class of 'utterances', which class is to be defined, so far as I am concerned, grammatically, though I doubt if the definition has yet been given satisfactorily. With performative utterances are contrasted, for example and essentially, 'constative' utterances: to issue a constative utterance (i.e. to utter it with a historical reference) is to make a statement. To issue a performative utterance is, for example, to make a bet. See further below on 'illocutions'.

³ Formerly I used 'performatory': but 'performative' is to be preferred as shorter, less ugly, more tractable, and more traditional in formation.

—it is not normally thought of as just saying something.

A number of other terms may suggest themselves, each of which would suitably cover this or that wider or narrower class of performatives: for example, many performatives are *contractual* ('I bet') or *declaratory* ('I declare war') utterances. But no term in current use that I know of is nearly wide enough to cover them all. One technical term that comes nearest to what we need is perhaps 'operative', as it is used strictly by lawyers in referring to that part, i.e. those clauses, of an instrument which serves to effect the transaction (conveyance or what not) which is its main object, whereas the rest of the document merely 'recites' the circumstances in which the transaction is to be effected.¹ But 'operative' has other meanings, and indeed is often used nowadays to mean little more than 'important'. I have preferred a new word, to which, though its etymology is not irrelevant, we shall perhaps not be so ready to attach some pre-conceived meaning.

CAN SAYING MAKE IT SO?

Are we then to say things like this:

'To marry is to say a few words', or

'Betting is simply saying something'?

Such a doctrine sounds odd or even flippant at first, but with sufficient safeguards it may become not odd at all.

¹ I owe this observation to Professor H. L. A. Hart.

A sound initial objection to them may be this; and it is not without some importance. In very many cases it is possible to perform an act of exactly the same kind *not* by uttering words, whether written or spoken, but in some other way. For example, I may in some places effect marriage by cohabiting, or I may bet with a totalisator machine by putting a coin in a slot. We should then, perhaps, convert the propositions above, and put it that 'to say a few certain words is to marry' or 'to marry is, in some cases, simply to say a few words' or 'simply to say a certain something is to bet'.

But probably the real reason why such remarks sound dangerous lies in another obvious fact, to which we shall have to revert in detail later, which is this. The uttering of the words is, indeed, usually a, or even *the*, leading incident in the performance of the act (of betting or what not), the performance of which is also the object of the utterance, but it is far from being usually, even if it is ever, the *sole* thing necessary if the act is to be deemed to have been performed. Speaking generally, it is always necessary that the *circumstances* in which the words are uttered should be in some way, or ways, *appropriate*, and it is very commonly necessary that either the speaker himself or other persons should *also* perform certain *other* actions, whether 'physical' or 'mental' actions or even acts of uttering further words. Thus, for naming the ship, it is essential that I should be the person appointed to name her, for (Christian) marrying, it is essential that I should not be already married with a wife

living, sane and undivorced, and so on: for a bet to have been made, it is generally necessary for the offer of the bet to have been accepted by a taker (who must have done something, such as to say 'Done'), and it is hardly a gift if I *say* 'I give it you' but never hand it over.

So far, well and good. The action may be performed in ways other than by a performative utterance, and in any case the circumstances, including other actions, must be appropriate. But we may, in objecting, have something totally different, and this time quite mistaken, in mind, especially when we think of some of the more awe-inspiring performatives such as 'I promise to . . .'. Surely the words must be spoken 'seriously' and so as to be taken 'seriously'? This is, though vague, true enough in general—it is an important commonplace in discussing the purport of any utterance whatsoever. I must not be joking, for example, nor writing a poem. But we are apt to have a feeling that their being serious consists in their being uttered as (merely) the outward and visible sign, for convenience or other record or for information, of an inward and spiritual act: from which it is but a short step to go on to believe or to assume without realizing that for many purposes the outward utterance is a description, *true or false*, of the occurrence of the inward performance. The classic expression of this idea is to be found in the *Hippolytus* (l. 612), where Hippolytus says

ἡ γλῶσσ' ὀμώμοχ', ἡ δὲ φρήν ἀνωμοτός,

i.e. 'my tongue swore to, but my heart (or mind or other

backstage artiste) did not'.¹ Thus 'I promise to . . .' obliges me—puts on record my spiritual assumption of a spiritual shackle.

It is gratifying to observe in this very example how excess of profundity, or rather solemnity, at once paves the way for immodality. For one who says 'promising is not merely a matter of uttering words! It is an inward and spiritual act!' is apt to appear as a solid moralist standing out against a generation of superficial theorizers: we see him as he sees himself, surveying the invisible depths of ethical space, with all the distinction of a specialist in the *sui generis*. Yet he provides Hippolytus with a let-out, the bigamist with an excuse for his 'I do' and the welsher with a defence for his 'I bet'. Accuracy and morality alike are on the side of the plain saying that *our word is our bond*.

If we exclude such fictitious inward acts as this, can we suppose that any of the other things which certainly are normally required to accompany an utterance such as 'I promise that . . .' or 'I do (take this woman . . .)' are in fact described by it, and consequently do by their presence make it true or by their absence make it false? Well, taking the latter first, we shall next consider what we actually do say about the utterance concerned when one or another of its normal concomitants is *absent*. In no case do we say that the utterance was false but rather

¹ But I do not mean to rule out all the offstage performers—the lights men, the stage manager, even the prompter; I am objecting only to certain officious understudies, who would duplicate the play.

that the utterance—or rather the *act*,¹ e.g. the promise—was void, or given in bad faith, or not implemented, or the like. In the particular case of promising, as with many other performatives, it is appropriate that the person uttering the promise should have a certain intention, viz. here to keep his word: and perhaps of all concomitants this looks the most suitable to be that which 'I promise' does describe or record. Do we not actually, when such intention is absent, speak of a 'false' promise? Yet so to speak is *not* to say that the utterance 'I promise that . . .' is false, in the sense that though he states that he does, he doesn't, or that though he describes he misdescribes—misreports. For he *does* promise: the promise here is not even *void*, though it is given *in bad faith*. His utterance is perhaps misleading, probably deceitful and doubtless wrong, but it is not a lie or a misstatement. At most we might make out a case for saying that it implies or insinuates a falsehood or a misstatement (to the effect that he does intend to do something): but that is a very different matter. Moreover, we do not speak of a false bet or a false christening; and that we *do* speak of a false promise need commit us no more than the fact that we speak of a false move. 'False' is not necessarily used of statements only.

¹ We deliberately avoid distinguishing these, precisely because the distinction is not in point.

LECTURE II

WE were to consider, you will remember, some cases and senses (only some, Heaven help us!) in which to *say* something is to *do* something; or in which *by* saying or *in* saying something we are doing something. This topic is one development—there are many others—in the recent movement towards questioning an age-old assumption in philosophy—the assumption that to say something, at least in all cases worth considering, i.e. all cases considered, is always and simply to *state* something. This assumption is no doubt unconscious, no doubt is precipitate, but it is wholly natural in philosophy apparently. We must learn to run before we can walk. If we never made mistakes how should we correct them?

I began by drawing your attention, by way of example, to a few simple utterances of the kind known as performatives or performatives. These have on the face of them the look—or at least the grammatical make-up—of ‘statements’; but nevertheless they are seen, when more closely inspected, to be, quite plainly, *not* utterances which could be ‘true’ or ‘false’. Yet to be ‘true’ or ‘false’ is traditionally the characteristic mark of a statement. One of our examples was, for instance, the utterance ‘I do’ (take this woman to be my lawful wedded wife), as

uttered in the course of a marriage ceremony. Here we should say that in saying these words we are *doing* something—namely, marrying, rather than *reporting* something, namely *that* we are marrying. And the act of marrying, like, say, the act of betting, is at least *preferably* (though still not *accurately*) to be described as *saying certain words*, rather than as performing a different, inward and spiritual, action of which these words are merely the outward and audible sign. That this is so can perhaps hardly be *proved*, but it is, I should claim, a fact.

It is worthy of note that, as I am told, in the American law of evidence, a report of what someone else said is admitted as evidence if what he said is an utterance of our performative kind: because this is regarded as a report not so much of something he *said*, as which it would be hear-say and not admissible as evidence, but rather as something he *did*, an action of his. This coincides very well with our initial feelings about performatives.

So far then we have merely felt the firm ground of prejudice slide away beneath our feet. But now how, as philosophers, are we to proceed? One thing we might go on to do, of course, is to take it all back: another would be to bog, by logical stages, down. But all this must take time. Let us first at least concentrate attention on the little matter already mentioned in passing—this matter of ‘the appropriate circumstances’. To bet is not, as I pointed out in passing, merely to utter the words ‘I bet, &c.’: someone might do that all right, and yet we might still not agree that he had in fact, or at least entirely,

succeeded in betting. To satisfy ourselves of this, we have only, for example, to announce our bet after the race is over. Besides the uttering of the words of the so-called performative, a good many other things have as a general rule to be right and to go right if we are to be said to have happily brought off our action. What these are we may hope to discover by looking at and classifying types of case in which something *goes wrong* and the act—marrying, betting, bequeathing, christening, or what not—is therefore at least to some extent a failure: the utterance is then, we may say, not indeed false but in general *unhappy*. And for this reason we call the doctrine of *the things that can be and go wrong* on the occasion of such utterances, the doctrine of the *Infelicities*.

Suppose we try first to state schematically—and I do not wish to claim any sort of finality for this scheme—some at least of the things which are necessary for the smooth or ‘happy’ functioning of a performative (or at least of a highly developed explicit performative, such as we have hitherto been alone concerned with), and then give examples of infelicities and their effects. I fear, but at the same time of course hope, that these necessary conditions to be satisfied will strike you as obvious.

- (A. 1) 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, and further,

- (A. 2) the particular persons and circumstances in a given case must be appropriate for the invocation of the particular procedure invoked.
- (B. 1) The procedure must be executed by all participants both correctly and
- (B. 2) completely.
- (Γ. 1) Where, as often, the procedure is designed for use by persons having certain thoughts or feelings, or for the inauguration of certain consequential conduct on the part of any participant, then a person participating in and so invoking the procedure must in fact have those thoughts or feelings, and the participants must intend so to conduct themselves,¹ and further
- (Γ. 2) must actually so conduct themselves subsequently.

Now if we sin against any one (or more) of these six rules, our performative utterance will be (in one way or another) unhappy. But, of course, there are considerable differences between these ‘ways’ of being unhappy—ways which are intended to be brought out by the letter-numerals selected for each heading.

The first big distinction is between all the four rules A and B taken together, as opposed to the two rules Γ (hence the use of Roman as opposed to Greek letters). If we offend against any of the former rules (A’s or B’s)—that is if we, say, utter the formula incorrectly, or if,

¹ It will be explained later why the having of these thoughts, feelings, and intentions is not included as just one among the other ‘circumstances’ already dealt with in (A).

say, we are not in a position to do the act because we are, say, married already, or it is the purser and not the captain who is conducting the ceremony, then the act in question, e.g. marrying, is not successfully performed at all, does not come off, is not achieved. Whereas in the two *F* cases the act *is* achieved, although to achieve it in such circumstances, as when we are, say, insincere, is an abuse of the procedure. Thus, when I say 'I promise' and have no intention of keeping it, I have promised but. . . . We need names for referring to this general distinction, so we shall call in general those infelicities A. 1-B. 2 which are such that the act for the performing of which, and in the performing of which, the verbal formula in question is designed, is not achieved, by the name MISFIRES: and on the other hand we may christen those infelicities where the act *is* achieved ABUSES (do not stress the normal connotations of these names!) When the utterance is a misfire, the procedure which we purport to invoke is disallowed or is botched: and our act (marrying, &c.) is void or without effect, &c. We speak of our act as a purported act, or perhaps an attempt—or we use such an expression as 'went through a form of marriage' by contrast with 'married'. On the other hand, in the *F* cases, we speak of our infelicitous act as 'professed' or 'hollow' rather than 'purported' or 'empty', and as not implemented, or not consummated, rather than as void or without effect. But let me hasten to add that these distinctions are not hard and fast, and more especially that such words as 'purported' and 'professed' will not

bear very much stressing. Two final words about being void or without effect. This does not mean, of course, to say that we won't have done anything: lots of things will have been done—we shall most interestingly have committed the act of bigamy—but we shall *not* have done the purported act, viz. marrying. Because despite the name, you do not when bigamous marry twice. (In short, the algebra of marriage is BOOLEAN.) Further, 'without effect' does not here mean 'without consequences, results, effects'.

Next, we must try to make clear the general distinction between the A cases and the B cases, among the misfires. In both of the cases labelled A there is *misinvocation* of a procedure—either because there *is*, speaking vaguely, no such procedure, or because the procedure in question cannot be made to apply in the way attempted. Hence infelicities of this kind A may be called *Misinvocations*. Among them, we may reasonably christen the second sort—where the procedure does exist all right but can't be applied as purported—*Misapplications*. But I have not succeeded in finding a good name for the other, former, class. By contrast with the A cases, the notion of the B cases is rather that the procedure is all right, and it does apply all right, but we muffle the execution of the ritual with more or less dire consequences: so B cases as opposed to A cases will be called *Misexecutions* as opposed to *Misinvocations*: the purported act is *vitiated* by a flaw or hitch in the conduct of the ceremony. The Class B. 1 is that of Flaws, the Class B. 2 that of Hitches.

of them have the general character, in whole or part, of conventional or ritual acts, and are therefore, among other things, exposed to infelicity.

Lastly we may ask—and here I must let some of my cats on the table—does the notion of infelicity apply to utterances *which are statements*? So far we have produced the infelicity as characteristic of the *performative* utterance, which was ‘defined’ (if we can call it so much) mainly by contrast with the supposedly familiar ‘statement’. Yet I will content myself here with pointing out that one of the things that has been happening lately in philosophy is that close attention has been given even to ‘statements’ which, though not false exactly nor yet ‘contradictory’, are yet outrageous. For instance, statements which refer to something which does not exist as, for example, ‘The present King of France is bald’. There might be a temptation to assimilate this to purporting to bequeath something which you do not own. Is there not a presupposition of existence in each? Is not a statement which refers to something which does not exist not so much false as void? And the more we consider a statement not as a sentence (or proposition) but as an act of speech (out of which the others are logical constructions) the more we are studying the whole thing as an act. Or again, there are obvious similarities between a lie and a false promise. We shall have to return to this matter later.¹

(2) Our second question was: How complete is this classification?

¹ [See pp. 47 ff. J. O. U.]

(i) Well, the first thing to remember is that, since in uttering our performatives we are undoubtedly in a sound enough sense ‘performing actions’, then, as actions, these will be subject to certain whole dimensions of unsatisfactoriness to which all actions are subject but which are distinct—or distinguishable—from what we have chosen to discuss as infelicities. I mean that actions in general (not all) are liable, for example, to be done under duress, or by accident, or owing to this or that variety of mistake, say, or otherwise unintentionally. In many such cases we are certainly unwilling to say of some such act simply that it was done or that he did it. I am not going into the general doctrine here: in many such cases we may even say the act was ‘void’ (or voidable for duress or undue influence) and so forth. Now I suppose some very general high-level doctrine might embrace both what we have called infelicities *and* these other ‘unhappy’ features of the doing of actions—in our case actions containing a performative utterance—in a single doctrine: but we are not including this kind of unhappiness—we must just remember, though, that features of this sort can and do constantly obtrude into any particular case we are discussing. Features of this sort would normally come under the heading of ‘extenuating circumstances’ or of ‘factors reducing or abrogating the agent’s responsibility’, and so on.

(ii) Secondly, as *utterances* our performatives are *also* heir to certain other kinds of ill which infect *all* utterances. And these likewise, though again they might be

brought into a more general account, we are deliberately at present excluding. I mean, for example, the following: a performative utterance will, for example, be *in a peculiar way* hollow or void if said by an actor on the stage, or if introduced in a poem, or spoken in soliloquy. This applies in a similar manner to any and every utterance—a sea-change in special circumstances. Language in such circumstances is in special ways—intelligibly—used not seriously, but in ways *parasitic* upon its normal use—ways which fall under the doctrine of the *etiologies* of language. All this we are *excluding* from consideration. Our performative utterances, felicitous or not, are to be understood as issued in ordinary circumstances.

(iii) It is partly in order to keep this sort of consideration at least for the present out of it, that I have not here introduced a sort of 'infelicity'—it might really be called such—arising out of 'misunderstanding'. It is obviously necessary that to have promised I must normally

- (A) have been *heard* by someone, perhaps the promisee;
- (B) have been understood by him as promising.

If one or another of these conditions is not satisfied, doubts arise as to whether I have really promised, and it might be held that my act was only attempted or was void. Special precautions are taken in law to avoid this and other infelicities, e.g. in the serving of writs or summonses. This particular very important considera-

tion we shall have to return to later in another connexion.

(3) Are these cases of infelicity mutually exclusive? The answer to this is obvious.

(a) No, in the sense that we can go wrong in two ways at once (we can insincerely promise a donkey to give it a carrot).

(b) No, more importantly, in the sense that the ways of going wrong 'shade into one another' and 'overlap', and the decision between them is 'arbitrary' in various ways.

Suppose, for example, I see a vessel on the stocks, walk up and smash the bottle hung at the stem, proclaim 'I name this ship the *Mr. Stalin*' and for good measure kick away the chocks: but the trouble is, I was not the person chosen to name it (whether or not—an additional complication—*Mr. Stalin* was the destined name; perhaps in a way it is even more of a shame if it was). We can all agree

- (1) that the ship was not thereby named;¹
- (2) that it is an infernal shame.

One could say that I 'went through a form of' naming the vessel but that my 'action' was 'void' or 'without effect', because I was not a proper person, had not the 'capacity', to perform it: but one might also and

¹ Naming babies is even more difficult; we might have the wrong name and the wrong cleric—that is, someone entitled to name babies but not intended to name *this* one.

alternatively say that, where there is not even a pretence of capacity or a colourable claim to it, then there is no accepted conventional procedure; it is a mockery, like a marriage with a monkey. Or again one could say that part of the procedure is getting oneself appointed. When the saint baptized the penguins, was this void because the procedure of baptizing is inappropriate to be applied to penguins, or because there is no accepted procedure of baptizing anything except humans? I do not think that these uncertainties matter in theory, though it is pleasant to investigate them and in practice convenient to be ready, as jurists are, with a terminology to cope with them.

LECTURE III

IN our first lecture we isolated in a preliminary way the performative utterance as not, or not merely, saying something but doing something, and as not a true or false report of something. In the second, we pointed out that though it was not ever true or false it still was subject to criticism—could be unhappy, and we listed six of these types of *Infelicity*. Of these, four were such as to make the utterance Misfire, and the act purported to be done null and void, so that it does not take effect; while two, on the contrary, only made the professed act an abuse of the procedure. So then we may seem to have armed ourselves with two shiny new concepts with which to crack the crib of Reality, or as it may be, of Confusion—two new keys in our hands, *and* of course, simultaneously two new skids under our feet. In philosophy, forearmed *should* be forewarned. I then stalled around for some time by discussing some general questions about the concept of the Infelicity, and set it in its general place in a new map of the field. I claimed (1) that it applied to *all* ceremonial acts, not merely verbal ones, and that these are more common than is appreciated; I admitted (2) that our list was *not* complete, and that there are indeed other whole dimensions of what might be reasonably called ‘unhappiness’ affecting ceremonial

performances in general and utterances in general, dimensions which are certainly the concern of philosophers; and (3) that, of course, different infelicities can be combined or can overlap and that it can be more or less an optional matter how we classify some given particular example.

We were next to take some examples of infelicities—of the infringement of our six rules. Let me first remind you of rule A. 1, that 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; and rule A. 2 of course, completing it, was that the particular persons and circumstances in a given case must be appropriate for the invocation of the particular procedure invoked.

- A. 1. *There must exist an accepted conventional procedure having a certain conventional effect, the procedure to include the uttering of certain words by certain persons in certain circumstances.*

The latter part, of course, is simply designed to restrict the rule to cases of utterances, and is not important in principle.

Our formulation of this rule contains the two words 'exist' and 'accepted' but we may reasonably ask whether there can be any sense to 'exist' except 'to be accepted', and whether 'be in (general) use' should not be preferred to both. Hence we must not say '(1) exist, (2) be accepted'

at any rate. Well, in deference to this reasonable query, let us take just 'accepted' *first*.

If somebody issues a performative utterance, and the utterance is classed as a misfire because the procedure invoked is *not accepted*, it is presumably persons other than the speaker who do not accept it (at least if the speaker is speaking *seriously*). What would be an example? Consider 'I divorce you', said to a wife by her husband in a Christian country, and both being Christians rather than Mohammedans. In this case it might be said, 'nevertheless he has not (successfully) divorced her: we admit only some other verbal or non-verbal procedure'; or even possibly 'we (*we*) do not admit any procedure at all for effecting divorce—marriage is indissoluble'. This may be carried so far that we reject what may be called a *whole code* of procedure, e.g. the code of honour involving duelling: for example, a challenge may be issued by 'my seconds will call on you', which is equivalent to 'I challenge you', and we merely shrug it off. The general position is exploited in the unhappy story of Don Quixote.

Of course, it will be evident that it is comparatively simple if we *never* admit any 'such' procedure at all—that is, any procedure at all for doing that sort of thing, or that procedure *anyway* for doing that particular thing. But equally possible are the cases where we do sometimes—in certain circumstances or at certain hands—accept a procedure, but *not* in any other circumstances or at other hands. And here we may often be in doubt (as in

the naming example above) whether an infelicity should be brought into our present class A. 1 or rather into A. 2 (or even B. 1 or B. 2). For example, at a party, you say, when picking sides, 'I pick George': George grunts 'I'm not playing.' Has George been picked? Undoubtedly, the situation is an unhappy one. Well, we may say, you have not picked George, whether because there is no convention that you can pick people who aren't playing or because George in the circumstances is an inappropriate object for the procedure of picking. Or on a desert island you may say to me 'Go and pick up wood'; and I may say 'I don't take orders from you' or 'you're not entitled to give me orders'—I do not take orders from you when you try to 'assert your authority' (which I might fall in with but may not) on a desert island, as opposed to the case when you are the captain on a ship and therefore genuinely have authority.

Now we could say, bringing the case under A. 2 (Misapplication): the procedure—uttering certain words, &c.—was O.K. and accepted, but the circumstances in which it was invoked or the persons who invoked it were wrong: 'I pick' is only in order when the object of the verb is 'a player', and a command is in order only when the subject of the verb is 'a commander' or 'an authority'.

Or again we could say, bringing the case under rule B. 2 (and perhaps we should reduce the former suggestion to this): the procedure has not been completely executed; because it is a necessary *part* of it that, say, the person to be the object of the verb 'I order to . . .' must, by

some previous procedure, tacit or verbal, have first constituted the person who is to do the ordering an authority, e.g. by saying 'I promise to do what you order me to do.' This is, of course, *one* of the uncertainties—and a purely general one really—which underlie the debate when we discuss in political theory whether there is or is not or should be a social contract.

It appears to me that it does not matter in principle at all how we decide in particular cases, though we may agree, either on the facts or by introducing further definitions, to prefer one solution rather than another. But neither bringing under A. 2 nor bringing under B will do as a general rule, and it is important to be clear:

- (1) as against B that however much we take into the procedure it would still be possible for someone to reject it *all*;
- (2) as against A. 2 that for a procedure to be *accepted* involves more than for it merely to be the case that it is *in fact generally used*, even actually by the persons now concerned; and that it must remain in principle open for anyone to reject any procedure—or code of procedures—even one that he has already hitherto accepted—as may happen with, for example, the code of honour. One who does so is, of course, liable to sanctions; others refuse to play with him or say that he is not a man of honour. *Above all* all must not be put into flat factual circumstances; for this is subject to the old objection to deriving an 'ought' from an 'is'. (Being accepted is *not* a circumstance in the right sense.) With many procedures, for example playing games, however appropriate the circum-

stances may be I may still not be playing, and, further, we should contend that in the last resort it is doubtful if 'being accepted' is definable as being 'usually' employed. But this is a more difficult matter.

Now secondly, what could be meant by the suggestion that sometimes a procedure may not even exist—as distinct from the question whether it is accepted, and by this or that group, or not?¹

(i) We have the case of procedures which 'no longer exist' merely in the sense that though once generally accepted, they are no longer generally accepted, or even accepted by anybody; for example the case of challenging; and

(ii) we have even the case of procedures which someone is initiating. Sometimes he may 'get away with it' like, in football, the man who first picked up the ball and ran. Getting away with things is essential, despite the suspicious terminology. Consider a possible case in which we are more likely to state that the procedure does not exist than that we do not accept it: to say 'you were cowardly' may be to reprimand you or to insult you: and I can make my performance explicit by saying 'I reprimand you', but I cannot do so by saying 'I insult you'—the reasons for this do not matter here.² All that

¹ If we object here to saying that there is doubt whether it 'exists'—as well we may, for the word gives us currently fashionable creeps which are in general undoubtedly legitimate, we might say that the doubt is rather as to the precise nature or definition or comprehension of the procedure which undoubtedly does exist and is accepted.

² Many such possible procedures and formulas would be disadvantageous if recognized; for example, perhaps we ought not to allow the

does matter is that a special variety of non-play¹ can arise if someone *does* say 'I insult you': for while insulting is a conventional procedure, and indeed primarily a verbal one, so that in a way we cannot help understanding the procedure that someone who says 'I insult you' is purporting to invoke, yet we are bound to non-play him, not merely because the convention is not accepted, but because we vaguely feel the presence of some bar, the nature of which is not immediately clear, against its ever being accepted.

Much more common, however, will be cases where it is uncertain how far a procedure extends—which cases it covers or which varieties it could be made to cover. It is inherent in the nature of any procedure that the limits of its applicability, and therewith, of course, the 'precise' definition of the procedure, will remain vague. There will always occur difficult or marginal cases where nothing in the previous history of a conventional procedure will decide conclusively whether such a procedure is or is not correctly applied to such a case. Can I baptize a dog, if it is admittedly rational? Or should I be non-played? The law abounds in such difficult decisions—

formula 'I promise you that I'll thrash you'. But I am told that in the hey-day of student duelling in Germany it was the custom for members of one club to march past members of a rival club, each drawn up in file, and then for each to say to his chosen opponent as he passed, quite politely, 'Beleidigung', which means 'I insult you'.

¹ ['Non-play' was at one time Austin's name for the category A. 1 of infelicities. He later rejected it but it remains in his notes at this point. J. O. U.]

in which, of course, it becomes more or less arbitrary whether we regard ourselves as deciding (A. 1) that a convention does not exist or as deciding (A. 2) that the circumstances are not appropriate for the invocation of a convention which undoubtedly does exist: either way, we shall tend to be bound by the 'precedent' we set. Lawyers usually prefer the latter course, as being to apply rather than to make law.

There is, however, a further type of case which may arise, which might be classified in many ways, but which deserves a special mention.

The performative utterances I have taken as examples are all of them highly developed affairs, of the kind that we shall later call *explicit* performatives, by contrast with merely *implicit* performatives. That is to say, they (all) begin with or include some highly significant and unambiguous expression such as 'I bet', 'I promise', 'I bequeath'—an expression very commonly also used in naming the act which, in making such an utterance, I am performing—for example betting, promising, bequeathing, &c. But, of course, it is both obvious and important that we can on occasion use the utterance 'go' to achieve practically the same as we achieve by the utterance 'I order you to go': and we should say cheerfully in either case, describing subsequently what someone did, that he ordered me to go. It may, however, be uncertain in fact, and, so far as the mere utterance is concerned, is always left uncertain when we use so inexplicit a formula as the

mere imperative 'go', whether the utterer is ordering (or is purporting to order) me to go or merely advising, entreating, or what not me to go. Similarly 'There is a bull in the field' may or may not be a warning, for I *might* just be describing the scenery and 'I shall be there' may or may not be a promise. Here we have primitive as distinct from explicit performatives; and there may be nothing in the circumstances by which we can decide whether or not the utterance is performative at all. Anyway, in a given situation it can be open to me to take it as *either* one or the other. It was a performative formula—*perhaps*—but the procedure in question was not sufficiently explicitly invoked. Perhaps I did not *take it as* an order or was not anyway *bound* to take it as an order. The person did not *take it as* a promise: i.e. in the particular circumstance he did not accept the procedure, on the ground that the ritual was incompletely carried out by the original speaker.

We could assimilate this to a faulty or incomplete performance (B. 1 or B. 2): except that it is complete really, though neither unambiguous nor explicit. (In the law, of course, this kind of inexplicit performative *will* normally be brought under B. 1 or B. 2—it is made a rule that to bequeath inexplicitly, for instance, is either an incorrect or an incomplete performance; but in ordinary life there is no such rigidity.) We could also assimilate it to Misunderstandings (which we are not yet considering): but it would be a special kind, concerning the force of the utterance as opposed to its meaning. And the point is

not here just that the audience *did not* understand but that it did not *have* to understand, e.g. to *take it as an order*.

We might indeed even assimilate it to A. 2 by saying that the procedure is not designed for use where it is not clear that it is being used—which use makes it altogether void. We might claim that it is only to be used in circumstances which make it unambiguously clear that it is being used. But this is a counsel of perfection.

A. 2. *The particular persons and circumstances in a given case must be appropriate for the invocation of the particular procedure invoked.*

We turn next to infringements of A. 2, the type of infelicity which we have called Misapplications. Examples here are legion. 'I appoint you', said when you have already been appointed, or when someone else has been appointed, or when I am not entitled to appoint, or when you are a horse: 'I do', said when you are in the prohibited degrees of relationship, or before a ship's captain not at sea: 'I give', said when it is not mine to give or when it is a pound of my living and non-detached flesh. We have various special terms for use in different types of case—'*ultra vires*', 'incapacity', 'not a fit or proper object (or person, &c.)', 'not entitled', and so on.

The boundary between 'inappropriate persons' and 'inappropriate circumstances' will necessarily not be a very hard and fast one. Indeed 'circumstances' can

clearly be extended to cover in general 'the natures' of all persons participating. But we must distinguish between cases where the inappropriateness of persons, objects, names, &c., is a matter of 'incapacity' and simpler cases where the object or 'performer' is of the wrong kind or type. This again is a roughish and vanishing distinction, yet not without importance (in, say, the law). Thus we must distinguish the cases of a clergyman baptizing the wrong baby with the right name or baptizing a baby 'Albert' instead of 'Alfred', from those of saying 'I baptize this infant 2704' or 'I promise I will bash your face in' or appointing a horse as Consul. In the latter cases there is something of the wrong kind or type included, whereas in the others the inappropriateness is only a matter of incapacity.

Some overlaps of A. 2 with A. 1 and B. 1 have already been mentioned: perhaps we are more likely to call it a misinvocation (A. 1) if the person *as such* is inappropriate than if it is just because it is not the duly appointed one (A. 2)—if *nothing*—no antecedent procedure or appointment, &c.—could have put the matter in order. On the other hand, if we take the question of *appointment* literally (position as opposed to status) we might class the infelicity as a matter of wrongly executed (B. 1) rather than as misapplied procedure—for example, if we vote for a candidate before he has been nominated. The question here is how far we are to go back in the 'procedure'.

Next we have examples of B (already, of course, trenched upon) called Misexecutions.

B. 1. *The procedure must be executed by all participants correctly.*

These are flaws. They consist in the use of, for example, wrong formulas—there is a procedure which is appropriate to the persons and the circumstances, but it is not gone through correctly. Examples are more easily seen in the law; they are naturally not so definite in ordinary life, where allowances are made. The use of inexplicit formulas might be put under this heading. Also under this heading falls the use of vague formulas and uncertain references, for example if I say 'my house' when I have two, or if I say 'I bet you the race won't be run today' when more than one race was arranged.

This is a different question from that of misunderstanding or slow up-take by the audience; a flaw in the ritual is involved, however the audience took it. One of the things that cause particular difficulty is the question whether when two parties are involved '*consensus ad idem*' is necessary. Is it essential for me to secure *correct understanding* as well as everything else? In any case this is clearly a matter falling under the B rules and not under the *F* rules.

B. 2. *The procedure must be executed by all participants completely.*

These are hitches; we attempt to carry out the procedure but the act is abortive. For example: my attempt to make a bet by saying 'I bet you sixpence' is abortive

unless you say 'I take you on' or words to that effect; my attempt to marry by saying 'I will' is abortive if the woman says 'I will not'; my attempt to challenge you is abortive if I say 'I challenge you' but I fail to send round my seconds; my attempt ceremonially to open a library is abortive if I say 'I open this library' but the key snaps in the lock; conversely the christening of a ship is abortive if I kick away the chocks before I have said 'I launch this ship'. Here again, in ordinary life, a certain laxness in procedure is permitted—otherwise no university business would ever get done!

Naturally sometimes uncertainties about whether anything further is required or not will arise. For example, are you required to accept the gift if I am to give you something? Certainly in formal business acceptance is required, but is this ordinarily so? Similar uncertainty arises if an appointment is made without the consent of the person appointed. The question here is how far can acts be unilateral? Similarly the question arises as to when the act is at an end, what counts as its completion?¹

In all this I would remind you that we were *not* invoking such further dimensions of unhappiness as may arise from, say, the performer making a simple mistake of fact or from disagreements over matters of fact, let alone disagreements of opinion; for example, there is no convention that I can promise you to do something to your detriment, thus putting myself under an obligation to

¹ It might thus be doubted whether failure to hand a gift over is a failure to complete the gift or an infelicity of type *F*.

you to do it; but suppose I say 'I promise to send you to a nunnery'—when I think, but you do not, that this will be for your good, or again when you think it will but I do not, or even when we both think it will, but in fact, as may transpire, it will not? Have I invoked a non-existent convention in inappropriate circumstances? Needless to say, and as a matter of general principle, there can be no satisfactory choice between these alternatives, which are too unsubtle to fit subtle cases. There is no short cut to expounding simply the full complexity of the situation which does not exactly fit any common classification.

It may appear in all this that we have merely been taking back our rules. But this is not the case. Clearly there are these six possibilities of infelicity even if it is sometimes uncertain which is involved in a particular case: and we *might* define them, at least for given cases, if we wished. And we must at all costs avoid over-simplification, which one might be tempted to call the occupational disease of philosophers if it were not their occupation.

LECTURE IV

LAST time we were considering cases of Infelicities: and we dealt with cases where there was no procedure or no accepted procedure: where the procedure was invoked in inappropriate circumstances; and where the procedure was faultily executed or incompletely executed. And we pointed out that in particular cases these can be made to overlap; and that they generally overlap with (a) Misunderstandings, a type of infelicity to which all utterances are probably liable, and (b) Mistakes, and acting under duress.

The last type of case is that of *F. 1* and *F. 2*, insincerities and infractions or breaches.¹ Here, we say, the performance is *not* void, although it is still unhappy.

Let me repeat the definitions:

F. 1: where, as often, the procedure is designed for use by persons having certain thoughts, feelings, or intentions, or for the inauguration of certain consequential conduct on the part of any participant, then a person participating in and so invoking the procedure must in fact have those thoughts, feelings, or intentions, and the participants must intend so to conduct themselves;

F. 2: and the participants must so conduct themselves subsequently.

¹ See p. 18 and footnote.