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RESPONSIBLE FOR TRUTH? Peirce on Judgment and Assertion

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Peirce didn't write a specific work on judgment, nor on assertion. But in his writings many remarks can be found on judgment, proposition, belief and assertion. After presenting some of them, I will argue for a broad conception of judgment. The main reason for that are the difficulties in assessing our responsibility in judging and asserting if judgment and assertion are considered in a narrow and separate sense. I claim that a broad conception of judgment, with assertion as one of its parts, is better to that purpose, namely the determination of responsibility.

The following distinction should be kept in mind¹:

- (A) judgment as a mental act referring a predicate to a subject (this might be called *proposition-forming* conception of judgment)
- (B) judgment as an act of assent toward a proposition (*proposition-assenting* conception).

The early Peirce endorses (A). The later Peirce endorses (B). According to (B), judging is different from asserting. To assent is an *internal* act. To assert is an *external* act.

My aim is to show that this *internal* conception of judgment, contrasted with the *external* dimension of assertion, is too narrow to account for the social and normative aspects of judging and even asserting.

1. *Judgment and Assertion*

Peirce's early writings deal with the classification of judgments, in particular with the distinction between analytic and synthetic judgments (cf. W1: 219, 245-248, 288-289)². As to the common nature of judgments, he endorses conception (A).

Every judgment consists in referring a predicate to a subject (W1: 152, 1864; cf. W2: 179, 1868).

But in 1880 he says that the judgment is the *representation to ourselves that we have a belief* (W4: 164; CP 3.160). This is the conception he will basically maintain in his later reflection. For instance in 1893 c. (CP 2.435) he says that a judgment is an act of consciousness in which a belief is recognized.

¹ It is not stated nor explicitly discussed by Peirce, but I take it to be implicit in his writings.

² Cf. Tiercelin (1993), chap. 1, and the well-known Murphey (1961).

In a passage of (presumably) 1902, he takes judgments to be acts of mental acceptance of propositions (CP 2.309). Here is present conception (B).

Then he makes the distinction between the act of *asserting*, which implies some responsibility toward *other subjects*, and the act of *assenting*, which implies some consequence for the *own conduct* of the assenting subject:

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

In 1903 (c.) he compares *assertion* and *judgment* stressing the psychological character of the latter and the fact that it only affects the ‘judge’, while the former currently affects others.

What is the essence of a Judgment? A judgment is the mental act by which the judge seeks to impress upon himself the truth of the proposition. It is much the same as an act of asserting the proposition, or going before a notary and assuming formal responsibility for its truth, except that those acts are intended to affect others, while the judgment is only intended to affect oneself (CP 2.252).

This seems to be Peirce’s idea: the *judgment* has an *internal* nature distinct from the public and *external* nature of *assertion*.

Now note one possible objection to this claim: it derives from a narrow conception of judgment. In such a conception, the judgment as individual psychological act has nothing to do with those forms of socially relevant judgment as moral, political and legal judgments. In particular, legal judgments as judicial decisions are public and have a constitutive capacity of affecting others and their acts³. Some years later in fact Peirce will suggest a less internalist conception of judgment.

In 1903 (in his lectures on Pragmatism) he deals with the *perceptual judgment*⁴. As every judgment forms mentally a proposition to which the subject adheres, the perceptual judgment is the judgment forming a proposition on what is present to senses. In a certain sense, it affects the future conduct of the perceiver⁵. But the most peculiar character of this kind of judgment is the fact that it is *utterly beyond control*; the way in which it is formed is quite uncontrollable (CP 5.115 ff., 5.157).

Even after the percept is formed there is an operation which seems to me to be quite uncontrollable. It is that of judging what it is that the person perceives. A judgment is an act of formation of a mental proposition combined with an adoption of it or act of assent to it. A percept on the other hand is an image or moving picture or other exhibition. [...] I do not see that it is possible to exercise any control over that operation or to subject it to criticism (CP 5.115).

But the uncontrolled, essentially *psychological* modality of forming a perceptual judgment is not utterly separated from the *logical* patterns of reasoning: Peirce remarks the contiguity of perceptual judgment and abductive inference, i.e. the inference suggesting a hypothesis (CP 5.180 ff.). The question is that “abductive inference shades into perceptual judgment without any sharp line of demarcation between them” (CP 5.181). So the perceptual judgments are to be regarded as “an extreme case of abductive inference, from which they differ in being absolutely beyond criticism” (CP 5.181; cf. CP 5.185).

³ See e.g. Cardozo (1921), MacCormick (1978), Aarnio and MacCormick (1992).

⁴ CP 5.115-119, 5.151-194. Cf. CP 7.619 ff., CP 4.539 ff. See Hookway (1985), chap. V. Following Peirce, I tried to argue for the abductive character of perception, involving perceptual judgments, in Tuzet (2003).

⁵ “In a perceptual judgment the mind professes to tell the mind’s future self what the character of the present percept is” (CP 7.630).

What is to be noted for our purposes? 1) if the *perceptual* judgment, like an abductive suggestion, comes like a flash (CP 5.181), then *non-perceptual* judgment doesn't come like a flash; 2) Peirce claims that the judgment is the act which mentally forms a proposition combined with the act of adopting it, that is an act of assent toward the proposition (CP 5.115). Here, to be noted, he articulates conceptions (A) and (B).

In 1904 *assertion* is taken to be not an act of pure signification, but a 'public' act implying some penalties as possible consequences, in the case it were the assertion of falsity; on the contrary the *judgment* remains a 'private' act, 'the self-recognition of a belief' (CP 8.337). To *judge* is to *assent*, not to *assert*.

But in *Judgment and Assertion* (CP 5.546-548), a fragment of (presumably) 1908, while maintaining the basic difference between judgment and assertion, Peirce introduces the idea of the judgment's being something that *ripens*. He starts from the analysis of assertion. Asserting implies the assuming of responsibility. Whereas in 1902 (CP 2.315) he referred to the social and moral law, now he refers to the legal practice.

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

It is pretty clear that Peirce views involve a speech acts theory *ante litteram*⁶. Being an act, asserting means an assuming of responsibility; 'assuming responsibilities' means 'taking the consequences' (CP 5.546)⁷. But judging is liable to some consequences as well. Peirce acknowledges that every new concept first comes to the mind in a judgment; then he says that a judgment is something that *ripens* in the mind (CP 5.546). He does not specify whether the process of ripening is to be intended as psychological, logical, or both. In any case, the *ripe* judgment approves a proposition. A concept constitutive of the proposition appears in the judgment before such an approving is made: "the concept makes its appearance before the judgment is ripe, when it is still in the problematic or interrogatory mood" (CP 5.547). In these terms, Peirce remarks that every judgment is the *effort* of acquiring some *truth* (CP 5.546). Truth comes from the predication of a concept (if the concept is true of the object considered) and the act of predication is capable of producing real consequences:

the judgment, which is the sole vehicle in which a concept can be conveyed to a person's cognizance or acquaintance, is not a purely representitious event, but involves an act, an exertion of energy, and is liable to real consequences, or effects (CP 5.547).

Judging, as well as asserting, is a kind of *doing*. If the concept predication is both believed and asserted, then, first, it bears on the subject's conduct (CP 5.548) and, second, it makes him responsible to others. On the first consequence in particular, notice that it is related to the

⁶ Cf. obviously Austin (1955) and Searle (1969). Notice that assertion is not to be confused with proposition: the same proposition can be articulated to various propositional attitudes. A proposition can be doubted, asked, judged, asserted, ordered (NEM 4: 39).

⁷ For a comparison of Peirce and Searle on these topics, see Brock (1981). To be noted that, according to Peirce (but using a later terminology), every 'illocutionary act' has a perlocutionary aspect which enters its definition; from this point of view, Searle's separation of the illocutionary (primary) from the perlocutionary (secondary) is inadequate (cf. Searle 1969, in particular pp. 20, 25, 44-49, 71). What interests Peirce are the 'real consequences' of assertions and judgments (CP 5.546-547).

pragmaticist conception of meaning, since the *intellectual purport* of a concept is constituted by its bearing upon conduct (CP 5.438, 1905; cf. CP 5.453, CP 5.468, CP 5.427-432).

But even in this later picture, for Peirce the judgment remains an *internal* act. It bears on the conduct of the judger: it has no direct bearing on others. Responsibility to others comes directly from assertion and only indirectly from judgment. So, let's consider more closely the topic of assertion.

2. Assertion and Truth

Asserting presupposes a speaker and a listener.

The assertion consists in the furnishing of evidence by the speaker to the listener that the speaker believes something, that is, finds a certain idea to be definitively compulsory on a certain occasion (CP 2.335, c. 1895)⁸.

On this basis, Peirce will claim that asserting makes responsible for what is asserted. Now the question is: Responsible for the truth of what is asserted?

According to my present view (I may see more light in future) the act of assertion is not a pure act of signification. It is an act of exhibition of the fact that one subjects oneself to the penalties visited on a liar if the proposition asserted is not true (CP 8.337, 1904; cf. CP 2.315, 5.546).

My claim is rather the following: we are not directly responsible in terms of the relation between what is asserted and what is *true*, but in terms of the relation between what is asserted and what is *believed*.

It could be said *prima facie* (as Peirce seems to do) that the speaker is responsible for the *truth* of his assertions, and that the assertion of falsity is to be sanctioned in virtue of this very responsibility. This is not correct however⁹. The responsibility of assertion does not directly depend on truth, but on *belief*. We are not directly responsible for the truth of our assertions: what counts for the determination of our responsibility is (a) what we *believe* to be true or false and (b) whether we assert what we believe. Let me try to clarify this claim with the following examples.

- The case of *President liar*

Suppose that President *B* doesn't believe that Country *I* has nuclear weapons, but he asserts that Country *I* has nuclear weapons. Suppose also that Country *I* has indeed nuclear weapons. Is President *B* lying? If in asserting we were responsible for truth, President *B* wouldn't be lying, since it is true that Country *I* has nuclear weapons, even if (erroneously) President *B* doesn't believe it. So, according to Peirce's account, he is not lying. According to mine, he is.

- The case of *President unreliable*

In the previous case, President *B* didn't believe that Country *I* had nuclear weapons for, suppose, he didn't have evidence for that. Now he doesn't have evidence either, but he does believe that Country *I* has nuclear weapons, and so he asserts. If it is in fact true that Country *I* has nuclear weapons, is he lying? According to Peirce's account, he is not. Nor is he according to mine; but I would add that we are responsible not only for belief but also for

⁸ The passage so continues: "There ought, therefore, to be three parts in every assertion, a sign of the occasion of the compulsion, a sign of the enforced idea, and a sign evidential of the compulsion affecting the speaker in so far as he identifies himself with the scientific intelligence" (CP 2.335).

⁹ Unfortunately even some prominent scholars do not remark that. E.g. Hilpinen (2004), p. 156: "In an assertive speech act, the utterer of a proposition 'assumes responsibility' for its truth and is assumed to suffer some untoward consequences if the sentence turns out to be false, and the hearer or the interpreter will suffer the negative effects of the acceptance of false proposition unless he detects its falsity". Cf. Pape (2002).

belief fixation. So, as it seems to me, strictly speaking President *B* is not lying, but nevertheless he is responsible for asserting what he has no reason to believe (even though the belief is in fact true).

- The case of *President misinformed*

President *B* believes that Country *I* has nuclear weapons and he has good evidence for that (for instance a reliable committee report); and so he asserts. But in fact it is false that Country *I* has nuclear weapons. Is he lying? According to Peirce's account, he is. For he asserts something false¹⁰. According to mine, he is not. For asserting involves being responsible for the asserted belief and eventually for the way in which the belief was fixed, not necessarily for its truth. Now, in the present case, President *B* asserts what he believes and he has a good reason to have such a belief (even though it is in fact false); so he's not lying.

I think that our intuitions agree with the account I propose. I take this to be a proof in favor of it, since in matter of responsibility criteria there is no fact of the matter other than our social normative standards.

Therefore, if I am right, to be responsible of an assertion is not to be responsible for its truth or falsity, rather for its conformity to actual belief and the way the belief was fixed. Remember what Peirce specified in 1902: the subject is not responsible for falsity if he has 'a definite and sufficient excuse' (CP 2.315).

Now the question is: Is the assertive act *per se* sufficient to the evaluation of the asserting subject responsibility? I think it is not, since the evaluation of responsibility requires also an evaluation of the way the belief was fixed. To that purpose, I think that the process of judgment in a broad sense must be taken into account.

3. Judgment and Truth

In 1893 Peirce says that, being belief the intelligent assumption of a habit, a judgment consists in an act of consciousness in which a belief is recognized.

A judgment is an act of consciousness in which we recognize a belief, and a belief is an intelligent habit upon which we shall act when occasion presents itself (CP 2.435, 1893).

A mental act (an act of consciousness) recognizing a belief: such is conception (B) of judgment. But he also says that the content of belief is constituted, in propositional terms, by a predicate associated to a subject (CP 2.435): such is conception (A). (Cf. James 1890, vol. 2, p. 916).

Now a concept predication is capable of being true or false. The judgment is the effort of *acquiring a truth*: the proposition formed is claimed to be true¹¹. This is clearly stated by the later Peirce (1908):

even in solitary meditation every judgment is an effort to press home, upon the self of the immediate future and of the general future, some truth. It is a genuine assertion, just as the vernacular phrase represents it; and solitary dialectic is still of the nature of dialogue. Consequently it must be equally true that here too there is contained an element of assuming responsibility, of "taking the consequences" (CP 5.546).

¹⁰ But he wouldn't be lying if he had a definite and sufficient excuse (CP 2.315).

¹¹ Cf. Frege (1892), p. 159: "Judgements can be regarded as advances from a thought to a truth-value. Naturally this cannot be a definition. Judgement is something quite peculiar and incomparable."

Now, admitting that the judgment is both a mental act associating a predicate to a subject, and the effort of determining the truth of the proposition formed, it is evident that such an effort plays a central role in *justifying the assertion* of the content of judgment.

In order to evaluate an assertion's responsibility – which is not for truth but for conformity to actual belief (sincerity) – not only the assertion itself is to be evaluated, but also the justification for believing what is asserted, and, in some cases eventually, the whole process going from belief formation to assertion. I take *judgment* in a broad sense to be this whole and complex process.

4. *The 'Ripening' of Judgment*

Let's take seriously the idea that the judgment is something which ripens. I propose to articulate it in three fundamental moments at least: *hypothesis*, *inquiry*, *result*.

- To the 'non-ripe judgment', where the concept is present 'in the problematic or interrogatory mood', corresponds the moment of *hypothesis*.
- To the 'effort' through which the truth of the hypothesis is checked, corresponds the *inquiry*.
- To the 'ripe judgment' corresponds the *result* of the inquiry (cf. again CP 5.547).

The judgment is something which ripens from an initial interrogatory and hypothetic stage to a final assertive stage, through an inquiry whose characters depend on the topic and context (it could be an empirical or purely mental inquiry, simple or complex, brief or lasting).

Notice what is at stake: 1) such a proposal tries to articulate the ripening of judgment with the scientific method of belief fixation; 2) it tries to liberate the judgment from a purely psychological and internalist conception, in order to move closer to a social conception of judgment, as an act raising responsibilities not only to the judge but also to others, on the model of legal judgment as socially relevant judgment.

You may ask however: Why a social conception of judgment? Since asserting implies an assuming of responsibility, my answer goes, in order to evaluate such a responsibility not only the assertive act ought to be considered, but also what motivates it and what is taken to justify it. Assertion should be conceived of as part of a more complex process, as it happens in a legal process and judgment, where an assertion is a move in a public reasons-giving and reasons-asking game¹². In such a perspective the assertion is taken as part of a broader judgment process, broader than the single assertive act. In short, the philosophical conception of judgment we argue for is an extension of the legal conception of judgment. It represents a model of the practice of asserting and judging in a social and public dimension.

5. *A Social Conception of Judgment and Assertion*

A strictly psychological conception of judgment is at variance with our social experience of judgment (think of moral, political and legal judgments).

Such a narrow conception is bad for even assertion and the issue of responsibility. In fact the social character of judgment and assertion can be claimed at two levels, linguistic and practical:

¹² I obviously refer to Brandom (1994). An account of the legal process in inferentialist terms is given in Canale and Tuzet (2005). Cf. Tuzet (2004) and (2005) on the role of abduction in legal reasoning.

- (i) on a Wittgenstenian and Brandomian conception of language, speaking a language is a normative and social activity since concept predication may be correct or incorrect and the normative criteria of correctness are determined in a social practice; therefore, judgments and assertions *qua* linguistic items have a social dimension¹³;
- (ii) on our account of the responsibility in judging and asserting, since assertion *per se* makes responsibility very difficult to be determined, the act of asserting is to be intended rather as part of the process of judging: that part which manifests the outcome of our inquiries and evaluations assuming responsibility for them.

Suppose the judgment were a purely internal act: the only act raising external direct responsibility would be the assertion itself (so Peirce). But the sole assertion of a content, taken independently from the beliefs it depends on, independently from the process of hypothesis formation and related inquiry, is a difficult thing to evaluate. If on the contrary responsibility is evaluated in relation to what motivates assertion and to the process of belief fixation, the evaluation is more comprehensive and significant.

Peirce saw the point but didn't put a sufficient emphasis on it, when he specified that a false assertion makes liable unless the speaker has 'a definite and sufficient excuse' (CP 2.315).

To sum up, the judgment as a ripening process might be epistemically articulated in three fundamental moments: hypothesis, inquiry, result. And three correlated acts might count as analytical components of a broad conception of it:

- (A) forming a proposition;
- (B) assenting to (the truth of) the proposition;
- (C) asserting the proposition.

These articulate a *broad conception of judgment*, of which assertion is part. Being so it has a public dimension in which its conclusions can be justified. This does not count as a denial of the psychological dimension of judgment. Judging starts with processes belonging to such a dimension (first of all, the formulation of a hypothesis). But the import of their contents would be inevitably indeterminate if those processes and their outcomes were not to be manifested and publicly evaluated.

To conclude. Perhaps in relation to a broad conception of judgment it is not so inappropriate to talk of *responsibility for truth*. For the judgment in a broad and social sense includes the process of forming and fixing beliefs, together with the final assertion of the outcome. Therefore, the 'judger' is responsible not only of his belief but also of the process leading to it, of the method he used for fixing it. Therefore, if the subject-matter is not a highly controversial one, on which many plausible hypotheses compete, the judger is expected to assert not only what he believes indeed but also what is true¹⁴.

ABBREVIATIONS

CP

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

¹³ Cf. Brandom (1994) and (2000). See also Esfeld (2005).

¹⁴ Or at least, as we saw, he is expected to manifest the sources of his belief and the processes leading to it (perception, memory, introspection, reasoning from evidence, testimony), with the rational bases for claiming its truth.

W

Writings of C.S. Peirce: a Chronological Edition, 6 vols. published, ed. by M. Fisch et al., Indiana University Press, Bloomington, 1982-. For example, W1: 210: volume 1, page 210.

NEM

The New Elements of Mathematics by Charles S. Peirce, 4 vols., ed. by C. Eisele, Mouton, The Hague, 1976. For example, NEM 3: 187: volume 3, page 187.

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