

# Assertion: the Constitutive Norms View

Mona Simon and Christoph Kelp  
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## 1. Introduction

Two important philosophical questions about assertion concern its nature and normativity. Timothy Williamson (1996, 2000) has famously offered an account of assertion that promises to answer both of these questions in one fell swoop. Following Williamson, we will refer to this view as *the C* (for ‘constitutivity’) *account of assertion*, or *CAA*. The key Williamsonian idea here is that assertion is governed by rules that are constitutive of assertion in much the same way in which the rules of games are constitutive of games. Accordingly, one key claim of CAA is that the following is a constitutive rule of assertion:

**C Rule.** One must: assert *p* only if *p* has property *C*.

In fact, CAA is stronger than this. It also entails the following additional theses:

**The Uniqueness Claim (UC).** C Rule is the only constitutive norm governing assertion.

**The Individuation Claim (IC).** Assertion is the only speech act the unique constitutive rule of which is C Rule.

**The Essentiality Claim (EC).** The speech act of assertion is essentially governed by C Rule.

If correct, CAA offers an account of the nature of assertion: assertion is by its very nature the only speech act that is uniquely governed by C Rule. In addition, CAA will also shed light on the type of normativity of this rule of assertion: the normativity is the normativity of a constitutive rule.

Of course, so understood CAA leaves open the question of the identity of the key property *C* at issue in C Rule. Williamson himself identifies *C* with knowledge; according to Williamson, the constitutive norm of assertion is the so called knowledge norm:

**KNA.** One must: assert  $p$  only if one knows  $p$ .

The combination of CAA and KNA is what Williamson calls *the knowledge account of assertion* or *KAA* for short. It is the view that takes centre stage in this paper. Of course, it's possible to combine CAA with a variety of different norms of assertion. However, in view of the fact that it is generally fairly easy to see how the arguments below generalise to other varieties of KAA, the fact that we are focusing on KAA in particular should not raise too many eyebrows.

Now, while KNA is fairly popular in the literature, KAA fails to enjoy the same widespread support; in particular, many argue it is implausibly strong. To this effect, one particular strategy has been often employed: foes of KAA purport to identify conditions that one needs to satisfy in order to count as engaging in a norm-constituted practice, and, further, show that the proposed conditions are incompatible with assertion being constituted by KNA.

This paper defends optimism about the constitutive norm account of assertion; at the same time, the constitutivity thesis defended here is much more modest than the Williamsonian proposal.

To this effect, we start by looking at the extant objections to KAA and we argue that they fail to hit their target in virtue of imposing implausible conditions on engaging norm-constituted activities (§2). Second, we make our own such proposal, and show how it does better than the competition (§3). If our condition is correct, KNA is not constitutive of the speech act of assertion in the same way in which rules of games are constitutive, and thus KAA comes out as too strong. In the last section (§4), however, we embark on a rescue mission on behalf on KAA; we put forth a weaker, functionalist constitutivity thesis. On this view, KNA is etiologically constitutively associated with the speech act of assertion, in virtue of its function of generating knowledge in hearers.

## 2. Constitutive Norms and Conditions of Engagement

Let's begin by following Williamson in distinguishing two questions that one can ask about activities that are governed by constitutive rules.<sup>1</sup> The first is what the rules governing the activity actually are, the second concerns the conditions that people must satisfy to engage in the activity. While Williamson's main concern is with the first of these two questions and, in particular, with mounting a case for KNA, he does make two points about the second question.

First, "constitutive rules do not lay down necessary conditions for performing the constituted act." [2000: 240] That is to say, one can break a constitutive rule and still continue to engage in the constituted activity. For instance, it's possible to cheat in a game of draughts without

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<sup>1</sup> In this paper, we will use the terms 'rule' and 'norm' interchangeably.

thereby ceasing to play draughts. Williamson even grants that one may break constitutive rules often.<sup>2</sup>

Second, Williamson acknowledges that “some sensitivity to the difference – in both oneself and others – between conforming to the rule and breaking it presumably is a necessary condition of playing the game, speaking the language, or performing the speech act.” [Ibid.] In the case of draughts, for instance, if one is completely insensitive to the fact that players who move pieces diagonally conform with the rules and players who move them vertically don’t, then one won’t be playing draughts, even if one happens to move pieces only diagonally. Let us grant Williamson both of these claims.<sup>3</sup>

The issues the two questions touch upon are indeed different. Crucially, however, they are not unrelated. To see this, consider once more Williamson’s proposed condition according to which engaging in an activity governed by a constitutive rule requires some sensitivity to the difference between conforming to a constitutive rule and breaking it. Suppose for some rule putatively constitutive of some activity, it can be shown that one can engage in whilst being completely insensitive to the difference between conforming to the rule and breaking it. Given that Williamson’s condition holds, it follows that the rule cannot be constitutive of the activity. For instance, suppose one can make assertions, whilst being completely insensitive to the difference between conforming to KNA and breaking KNA. If so, and if Williamson is right and that making assertions requires a sensitivity to the difference conforming with and breaking any constitutive rules governing assertion, then KNA cannot be constitutive of assertion.

A number of critics of the Williamsonian picture have ventured to use this relation between constitutive rules and engagement conditions in an effort to show that Williamson must be mistaken and KNA is not constitutive of assertion. More specifically, they have argued along the lines just suggested – that one can make assertions without satisfying the proposed condition – to show that KNA cannot be constitutive of assertion. In what follows, we will look at the main proposals in the literature in turn.

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<sup>2</sup> It may be worth noting that this is entirely compatible with KAA, including the central Essentiality Claim (EC). After all, all that EC claims is that constituted type of act is essentially governed by the constitutive rule, which means that every token of the act are criticisable for violating the rule when it does. It does not mean that one cannot break constitutive rules, nor even that one can break them frequently.

<sup>3</sup> For the record, the second claim seems implausibly strong: it looks as though one can engage in an activity that is constituted by rule R even though one is entirely insensitive to the difference between conforming to R and breaking it. For instance, one may speak English even though one is entirely unaware of the rule that requires one to add ‘s’/‘es’ to present tense verbs in the third person singular. That said, there is a true claim in the vicinity of Williamson’s second claim: one cannot be insensitive to the difference between conforming and breaking too many of the rules constitutive of an activity. Since, however, this issue is of little consequence for the purposes of this section, we will set it aside.

## 2.1 Pagin

Pagin's proposal is that, if KNA is indeed constitutive of assertion, in order to make assertions, one must know that assertion is governed by KNA.<sup>4</sup>

With his engagement condition in play, Pagin goes on to note that there is widespread disagreement in the literature on what the rule of assertion is: several people think KNA governs assertion.<sup>5</sup> Others disagree and impose weaker conditions such as justification or truth, or stronger conditions such as certainty. Yet others opt for contextually variant conditions on permissible assertion.<sup>6</sup> Of course, it cannot be that all these people are right. But given that the issue is so hotly disputed, Pagin argues,

it is most plausible that nobody possesses this knowledge [i.e. of what rule governs assertion] at all, even among those who happen to be right, if some are. (Pagin 2016, 189).

Now we have all the ingredients for an argument against KAA. According to Pagin's engagement condition, if some rule is constitutive of assertion, one can make assertions only if one knows that this rule governs assertion. But since there is widespread disagreement about the rule of assertion, no one knows of any rule that it governs assertion. Hence, there is no constitutive rule of assertion and KAA must be false.

We have worries about both of key premises of this argument. We'll start with the second according to which widespread disagreement about which rule governs assertion precludes knowledge of what the rule is. The obvious response here that even if Pagin is right and no one has philosophical knowledge of the rule of assertion, ordinary folk may well have ordinary knowledge of it. Of course, this response will work only if

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<sup>4</sup> A more precise characterisation of Pagin's thought might be the following: To fully take part in assertoric practice, one must understand what assertion is well enough. But if assertion is governed by some rule, especially a constitutive one, one cannot understand what assertion is well enough unless one knows that the rule in question governs it. This gives us the result that, if KNA governs assertion, to fully take part in assertoric practice, one must know that KNA governs assertion. The above cuts out the detour via understanding. Moreover, we are setting aside a possibility Pagin countenances of partial participation in the practice of assertion. Neither is of central importance for our purposes.

<sup>5</sup> Champions of KNA include Peter Unger (1975), Michael Slote (1979), Keith DeRose (2002), John Hawthorne (2004) and most famously Timothy Williamson (2000). I have also defended KNA in several places (e.g. Author 2016a, Author 2016b, Author 2016c, Author 2017(a), Author Forthcoming). For a reductionist view of testimony centred around KNA see (Fricker Forthcomingb).

<sup>6</sup> See Douven (2006) and Lackey (2008) for a justification norm of assertion. For the truth norm of assertion, see e.g. Weiner (2005) and Whiting (2013). Stanley (2008) defends a certainty norm of assertion. See e.g. Brown (2010), Gerken (2012), Goldberg (2015) and Greenough (2011) for context sensitive norms.

widespread disagreement among philosophers leaves this ordinary folk knowledge intact. Fortunately, there is every reason to think it does. To see this, let's first ask just why one should think that widespread disagreement about the norm is incompatible with knowledge of the norm. The obvious answer is that the disagreement constitutes a defeater for any particular belief about the norm of assertion. The trouble is, however, that it is just not clear that disagreement among philosophers ipso facto constitutes a defeater for ordinary folk knowledge. If this isn't immediately obvious note that, for centuries, philosophers have been disagreeing about things like the existence of the external world and the very possibility of knowledge and so on; surely, though, this disagreement failed to defeat ordinary knowledge about these matters.<sup>7</sup>

What's more it is not clear why we should buy into Pagin's engagement condition in the first place. The reason for this is that the proposal fails to generalize in the right way. Take, for instance, rules of grammar: the ordinary speaker is not explicitly aware of the grammatical rules she obeys. While some of us learn grammar in school, others never do. Why couldn't the same go for the rules of assertion? Why can't it be that, even though speakers don't explicitly know that KNA governs assertion – assuming that it does – they are aware of it implicitly, enough to turn them into proficient practitioners? Pagin considers this option and rejects it:

This would have been an option, had the parallel worked, but it doesn't. In the case of syntax, speakers might disagree about generalizations, but they will typically agree on judgments in particular cases. It is only the pattern itself that is hard to identify. By contrast, in the case of norms of assertion, theorists disagree not only about the generalizations, i.e. the norms, but also about the cases. A belief norm theorist will not think that a false or badly justified assertion is improper, provided it is sincere (although the belief itself might be improper in that case), while adherents of knowledge or justification norms disagree. (Pagin, 190)

We believe the relevant distinction to be drawn here is not the one Pagin suggests, i.e. between generalizations and particular cases. Rather, what seems to be at stake in the case of grammar is that everyone – laymen and specialists – is in agreement about intuitive permissibility/impermissibility of particular grammatical constructions, but the former, as opposed to the latter, don't know the underlying rules

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<sup>7</sup> What's more, it's not even clear that the disagreement constitutes a defeater for philosophers. It doesn't if a steadfast response to the disagreement is permissible here. And, it seems, this case is as good a candidate for this as any.

that explain the intuitive data. If that is the case, however, the parallel with assertion holds: after all, the intuitions triggered by the data employed in the debate are shared by the vast majority of assertion theorists, if not by all. What they disagree about – and, thereby, if Pagin is right, don't know – is the general principle explaining the intuitive data.

Take, for instance, cases of contextual variance (low-high stakes cases): Of course, the explanations of these data differ here: contextualist invoke a shifty semantics for 'know', pragmatic encroachers take knowledge itself to be sensitive to practical stakes and champions of warranted assertability maneuvers believe that the amount/kind of warrant needed for permissible assertion varies with context. At the same time, all sides agree on the intuitive data in these particular cases. Crucially, the same goes, *mutatis mutandis*, for the debate on norms of assertion. Everyone agrees that, in cases of Gettiered assertions or assertions of justified false beliefs, the assertions are intuitively proper. What they disagree about are the explanations of these data. Champions of KNA take these cases to be cases impermissible but blameless assertion and hold that intuition does not distinguish between the two, whereas champions of the justification norm, say, take these cases to be cases of permissible assertion.

What comes to light, then, is that there is reason believe that Pagin does not offer a genuine requirement on engaging in activities that are constituted by rules. It is possible to engage in such a practice without knowing the relevant constitutive rules. As a result, even if Pagin is right and widespread disagreement about the rule of assertion signals widespread lack of knowledge of it, this will fail to speak against KAA.

## 2.2 Cappelen

Recall that, according to the Essentiality Claim, the constitutive rule of assertion is essential to assertion. This means that nothing that isn't governed by the target constitutive rule could be an assertion. Cappelen notices the strength of this claim and points out that all that needs to be done in order show that KAA is false is to adduce a *possible* case in which someone makes an assertion but the assertion is not governed by KNA. Moreover, it looks as though there are possible such cases. To see this, consider any act that, according to champions of KAA, qualifies as a paradigm case of assertion. To take Cappelen's own case, consider "Mia saying that Mandy forgot to pay her cell phone bill last week." Now, ask whether Mia's speech act could have been governed by a different norm than KNA. If the answer to this key question is yes, this means that KNA doesn't govern this act essentially. Since the act is a paradigmatic assertion, there is reason to think that KNA doesn't govern assertion essentially. Given EC, it follows that KAA must be false.

Unsurprisingly, Cappelen wants to argue that the answer to the key question is indeed yes. One guiding thought here is that whatever rule governs a given speech act is associated with a default assumption about that speech. For instance, if KNA holds, assertion is associated with the default assumption that one will assert *p* only if one knows *p*. To mount a case against KAA, Cappelen now invites us to consider the questions whether Mia could have performed the speech act in question if the default assumption concerning that speech act was that she perform it only if *p* is true or perhaps only if she believes that *p*. Cappelen argues that champions of KAA will have to say no. After all, since KNA is constitutive of assertion and so assertion is necessarily associated with the default assumption that one will assert *p* only if one knows *p*. Assertion doesn't allow for different default assumptions to be in play. At the same time, Cappelen claims that the plausible answer is yes. Mia could have performed the speech act in question even if a different default assumption had been in play. KAA thus makes the wrong predictions about this case and so there is reason to think that it is false.

What's worse, assertion differs importantly from other games in this respect. To drive this point home, Cappelen invites us to consider an analogous question about paradigmatic games, such as tennis:

Could [Mia] have played tennis, if serves were thrown by hand, without a racket, and no ball could be hit by a player unless she had a foot on one of the lines?  
(Cappelen 2011, 31)

Unlike in the case of assertion, here the plausible answer is clearly no. This further confirms the above point against KAA.

Note that the key target of Cappelen's case against KAA is EC. Of course, since Williamson accepts EC, Cappelen's argument promises to identify a key weakness in Williamson's proposal. The question we want to raise is whether champions of KAA must and indeed whether they even should embrace EC. Perhaps somewhat surprisingly, there is reason to think that champions of KAA will do well to abandon EC. To see why, think again about games and languages. Note that both evolve over time: some rules get lost in the process, new ones come into play. At the same time, it is highly plausible that games and languages can survive these changes in rules. For instance, it is highly plausible that the game of tennis survived the introduction of the tiebreak rules in 1970. Even more dramatically, consider the case of natural languages which continuously change their rules over time and do so without losing their identity. If that is so, there is independent reason for thinking that EC is too strong: constitutive norms do not essentially govern the activities they constitute.

Of course, this is not to say that anything goes. If we change the rules too dramatically, we'll end up with a different game as is nicely illustrated by Cappelen's tennis case. Compatibly with that, however, as the tiebreak case indicates, the game may also survive changes provided that they are sufficiently moderate. What's more there is reason for thinking that the changes to the rules of assertion that Cappelen considers fall on the sufficiently moderate side of the divide. To see this, let's look at some more drastic changes and ask whether assertion could survive them. For instance, could assertion be governed by a norm according to which one must assert *p* only if one is wondering whether *p* or that one must assert *p* only if one has an occurrent desire for ice cream? It's pretty clear that it couldn't.

What transpires, then, is that there is independent reason to think that games can survive changes to their constitutive rules with the result that there is independent reason to give up EC. And while these changes must indeed not be too dramatic, we have also seen that there is reason to think assertion fits the bill. So, while Cappelen's argument against EC is indeed successful, it carries little weight against KAA, properly understood.<sup>8</sup>

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<sup>8</sup> Incidentally, this may help champions of EC to a comeback. One key thought here is that names of games such as 'tennis' and 'football' do not denote games but families of games, where membership is (in part) determined by sufficient similarity in rules. This would be motivated by the idea that we are willing to classify a certain game as tennis even if it has a rule that only permits red rackets, say, whilst being unwilling to classify the kind of game envisaged by Cappelen as tennis. At the same time, another key thought is that individual members of game families do have constitutive rules, that they have them essentially and that they are individuated by them. As a result, we are playing a slightly different game when we add the rule about racket color, even though both are correctly classifiable as tennis. More generally, what really happens when we change the rules of games and languages is that we move through a sequence of playing slightly different games, speaking slightly different languages, though they belong to the same family.

If this view is correct, champions of KAA may just be able to hold on to EC. After all, assertion behaves like games in that we are willing to classify a certain speech act as an assertion even if it's governed by a slightly different rule but not when the change is too dramatic. Here, too, this motivates the idea that 'assertion' really denotes a family of speech acts where membership is (partly) determined by sufficient similarity in rules. And if the view that members of game families have constitutive rules, that they have them essentially and that they are individuated by them is correct and if it is also correct that we are playing a slightly different game when we change the rules, then there is reason to think that the same goes, *mutatis mutandis*, for members of the assertion family.

Of course, a lot turns on whether this picture is correct. Williamson thinks that at least the part that construes changes in rules as playing slightly different games is on grounds of theoretical fruitfulness (2000, 239). Since settling this issue would take us too far afield, we will not attempt to do so here. However, we would like to note that this view would help Williamson respond to another worry by Cappelen, which is that none of the arguments Williamson offers for KAA are modal (2011, 31). To see why, note that the modality drops out of the background theory about families of games/speech acts and their members. All that Williamson will have to make his point is that the member of the assertion we are using is governed by KAA. The fact that if it is, it's governed by it essentially follows is given by the background theory.



### *2.3 Maitra*

The next argument we will consider is due to Ishani Maitra (2011). Her crucial condition on engaging in activities that are constituted by rules is that constitutive rules cannot be broken flagrantly. And a violation is flagrant in the relevant sense “if it is intentional and sufficiently marked” (2011, 283). It’s easy to see that if Maitra is right, knowledge based versions of KAA are in trouble. After all, it is clearly possible to flagrantly violate KNA, for instance, when one asserts a blatant falsehood that one doesn’t believe and doesn’t have any reason to believe.

Unfortunately, there is reason for thinking that Maitra’s condition is not really a necessary condition for engaging in activities constituted by rules. To see why, consider the case of English once more. It is clear that one may flagrantly violate a constitutive rule of English, without thereby ceasing to speak English. For instance, were we to say “Maitra’s argument just don’t work”, we would have flagrantly violated the rule that requires us to add ‘s’/‘es’ to present tense verbs in the third person singular. While we’d be speaking bad English, we would not thereby cease to speak English altogether. Similarly, by intentionally committing an obvious foul, a football player may flagrantly violate the constitutive rule of football that prohibits fouls. However, he doesn’t thereby stop playing football. (In fact, the game may not even be stopped as the referee may call an advantage for the fouled team.) As a result, Maitra’s argument remains unsuccessful as well.

### **3. Constitutive Norms, Uniqueness and Engagement**

We agree with Williamson that conforming with a constitutive rule is not a necessary condition for engaging in the constituted activity and that it may even be possible to break constitutive rules frequently. Even so, we believe there are limits to how persistently and systematically one can break the constitutive rules of an activity and still engage in the constituted activity. To see why, suppose you are playing a game of draughts with a friend. It may be that your friend cheats, perhaps even often. But now suppose you are attempting to play a game of draughts with a friend only to find that he persistently and systematically moves the pieces horizontally and vertically rather than diagonally. In this case, your friend is not really playing draughts. Alternatively, suppose you wanted to strike up a conversation in English with him. It may be that he breaks the rules of English and perhaps he does so frequently. But now consider a case in which he persistently and systematically utters only strings of the phoneme ‘ka’. When you ask him how he is doing he responds: ‘Kakaka’, when you ask him whether he has gone mad his answer is: ‘Kaka kakaka ka’, and so on. If he persists in this behaviour too systematically, he is not speaking English.

These considerations seem to motivate a condition on engaging in activities that are constituted by rules according to which one cannot violate too many constitutive rules of an activity too systematically without ceasing to engage in the activity.<sup>9</sup> Now, if this is correct, then it is also plausible that for any activity that is governed by a single constitutive rule, one cannot break that rule with near maximum systematicity and engage in the activity. Consider, by way of evidence, a card game, call it *Ace of Spades* in which the only constitutive rule is that one must continue to turn over cards from a standard deck until one turns over the ace of spades. If you violate this rule with near maximum systematicity, say because you regularly stop turning over cards when and only when you turn over the three of hearts, you are not playing Ace of Spades.

Now, according to KAA, there is only one constitutive rule of assertion, to wit, KNA. Given the above condition, KAA predicts that one cannot break KNA with near maximum systematicity and engage in assertion. The trouble is that this doesn't seem right. Consider a victim of an evil demon nearly all of whose beliefs are mistaken. Does the fact that she utters falsehood with near maximum systematicity mean that is no longer asserting? Clearly the answer is no. It only means that she is asserting a lot of falsehoods. Similarly, consider a compulsive liar. Does the fact that he utters falsehoods with near maximum systematicity mean that he is no longer asserting? Again, the answer here is no. It only means that he is asserting a lot of falsehoods.

What comes to light is that it is possible to assert, whilst breaking KNA with near maximum systematicity without ceasing to make assertions. Since according to KAA, KNA is the only constitutive rule of assertion, this means that it is possible to break the only constitutive norm of assertion with near maximum systematicity without ceasing to make assertion. But given that it is plausible that if one breaks too many constitutive rules of an activity too systematically, then one ceases to engage in the activity, there is reason to think that KNA is not the only constitutive rule of assertion. This is our reason for thinking that KAA is false.

#### 4. Constitutivity Light

Why does the practice of making assertions continue to exist? It's very plausible that this question has an answer. It is also very plausible that

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<sup>9</sup> Note that what counts as violating too many rules too systematically may vary from one case to another. In some cases, e.g. the above draughts case, violating a single rule very systematically may be enough. In other cases, e.g. the English case, one would have to violate more than one rule very systematically. Note also that this condition remains plausible even when the rules are broken non-deliberately and blameless, when one tries to follow the rules and one thinks one is doing so. For instance, in the draughts case, your friend may have been misinformed about the rules and as a result think that pieces move vertically and horizontally rather than diagonally.

part of the answer is that it has been doing something good for us. If that is right, there is reason to think that assertion has what is known as an *etiological function* (henceforth also *e-function*). It is this fact that eventually allows us to save a version of the constitutivity model for assertion. To get there, we will first need to say a bit more about e-functions.

For starters, here is a nice characterisation of what e-functions are by Peter Graham:

Functions arise from consequence etiologies, etiologies that explain why something exists or continues to exist in terms of its consequences, because of a feedback mechanism that takes consequences as input and causes or sustains the item as output. (Graham 2014, 35)

The paradigm case of something with an e-function is the human heart. The human heart continues to exist in humans because hearts have produced a beneficial effect for us: they have pumped our blood. The fact that hearts have pumped blood in humans explains why humans have lived long enough to procreate, i.e. to create new humans with new hearts. In this way, the beneficial effect hearts have for humans explains why the human heart continues to exist.

To properly understand e-functions we need to understand three phenomena and how they are related. The first is *function fulfilment*. E-functions are beneficial effects. An e-function is fulfilled when the function bearer produces the beneficial effect. For instance, a heart fulfils its e-function of pumping blood when it does pump blood. The second is *normal functioning*. This is the way the function bearer functioned back when it acquired its function. The third are *normal conditions*. These are the conditions that obtained back when the function bearer acquired its function. These three phenomena are related in important ways. In particular, when a bearer is functioning normally in normal condition, it will *ceteris paribus* produce the beneficial effect, i.e. the relevant function will be fulfilled.

One important feature of e-functions is that they have normative import. More specifically, they give rise to at least two norms that function bearers can live up to or fail to live up to. The first is, unsurprisingly, function fulfilment. When a function bearer fulfils its function, the beneficial effect is produced. The function bearer does what it is supposed to do in a way in which it doesn't when it doesn't produce the beneficial effect. For instance, a human heart that pumps blood does what it is supposed to do whereas a heart that doesn't pump blood for whatever reasons doesn't. This suggests that there is a norm that function bearers satisfy just when they produce the functional effect.

Crucially, however, there is a second kind of norm that is generated by e-functions. The easiest way to see this is to look at some examples. Suppose your heart is taken out of your body for transplantation. While it is sitting in the icebox, some jokester hooks it up to some tubes filled with red wine with the result that your heart is now pumping red wine. Since your heart is not pumping blood but red wine, it doesn't fulfil its function. So it does not satisfy the norm associated with function fulfilment. At the same time, it is also clear that your heart is working as it ought to in a way in which, say, a heart that has been pierced by a dagger isn't. This suggests that there is another norm associated with e-functions, one that's different from function fulfilment. What is that norm? It is widely agreed that it has to do with normal functioning. The heart that is pumping red wine is functioning normally in the sense specified above, i.e. it functions the way hearts functioned back when they acquired their e-function of pumping blood. In contrast, the heart that has been pierced by a dagger no longer functions in this way. In this way, then, there is reason for thinking that there is a second norm for function bearers which is satisfied just when the function bearer functions normally.

With these points in play, let's return to assertion. We already said that it's quite plausible that assertion should have an e-function as it is quite plausible that the practice of making assertions continues to exist because of something good it has done for us. What good has assertion done for us? One prominent answer, which we have also defended elsewhere (e.g. Kelp Forthcoming, Simion 2016), is that it has produced knowledge in us.<sup>10</sup> What's more, the fact that it has produced knowledge in us explains why hearers have continued to respond to assertion with belief rather than with distrust. And the fact that they have continued to respond with belief in turn explains why speakers have continued to make assertions. In this way, assertion exhibits just the feedback loop that is characteristic of e-functions (cf. Millikan 2004, Graham 2010). The fact that assertions have produced the beneficial effect of knowledge in hearers explains why assertion continues to exist today. By the same token, there is reason for thinking that assertion does have the e-function of generating knowledge in hearers.

But given that this is so, we directly get the result that assertion is constitutively associated with two norms, one is satisfied when assertion fulfils its function fulfilment, the other when it is functioning normally. While there is again no question as to what function fulfilment amounts to here, we'd like to spend a bit more time on the question as to what normal functioning involves. How did assertion fulfil its function of generating knowledge in hearers at the moment of function acquisition?

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<sup>10</sup> This claim is also defended in (Goldberg 2015), (Reynolds 2002) and (Turri Forthcoming).

We submit that it's overwhelmingly plausible that at least part of the right answer is: by having been made by a speaker who knows what she asserts. To see this, note that it is quite plausible that knowledge is our way of being in cognitive contact with the world. All we have to do to acquire knowledge is open our eyes, listen to what other people tell us, attend to our feelings, etc. (Kelp and Simion 2015) As a result, it's also plausible that knowledge was present in the vast majority of cases in which speakers generate knowledge in hearers via assertion. Accordingly, in the case of assertion, normal functioning, plausibly includes that the speaker knows what she asserts. But given that e-functions have normative import and, in particular, given that there is a norm that is satisfied when the function bearer functions normally, we get a norm of assertion that is satisfied if and only if the speaker knows what she asserts, i.e. we get KNA.

Even if we the functionalist view of assertion does support KNA, we haven't provided reason for thinking that KNA is also constitutive of assertion. We'll supply this lack now.

First, note that it is knowledge is arguably the goal of inquiry (Kelp 2014, 2017). Moreover, one important reason why hearers participate in the practice of assertion is that doing so often enough enables them to successfully complete their relevant inquiries. If this did not happen, then hearers would lose their motivating for participating in the practice and stop listening to what they are being told. This, in turn, would lead speakers to lose their motivation for making assertions in the first place. The practice would eventually be discontinued. In this way, it is of vital importance that assertion continues to generate knowledge in hearers. If it doesn't, the practice of assertion threatens to disappear.

Second, on most if not all accounts of testimony in the literature,<sup>11</sup> in the vast majority of cases, the speaker needs to know what she asserts in order to be able to generate the corresponding knowledge in her hearers.<sup>12</sup> Given that this is so, it is no accident that KNA governs assertion. On the contrary, it could hardly have been otherwise. Anything less than KNA would systematically have licensed assertions that, in a wide range of cases, would not have generated knowledge in hearers and so would have endangered the very existence of the practice of making assertions.<sup>13</sup>

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<sup>11</sup> See Lackey (2008) for a nice overview.

<sup>12</sup> Exceptions are few - see Graham (2006), (Lackey 2007).

<sup>13</sup> Does this also speak against rules stronger than KNA? Not quite. But note first that since the version of KNA we are considering here only places a necessary condition on permissible assertion, any stronger rule is not incompatible with KNA but entails it. That said, we do believe that knowledge is not only necessary but also sufficient for satisfying the relevant norm of assertion (e.g. Simion 2016). In view of this, it may be worth noting that it is also no accident that the norm of assertion is not stronger than KNA. In a nutshell, the reason for this is that requiring more than knowledge would be

It is in this sense that we think that KNA is constitutive of assertion, i.e. due to the vital contribution it makes to explaining why assertion continues to exist as a type of speech act. At the same time, we'd like to draw attention to just how moderate this constitutivity claim really is. Etiological theories of functions are real-nature theories (Millikan 1984). This means that e-functions are or at least can be contingent features of their bearers. A certain piece of wood may have the e-function of keeping a door open in your household, e.g. if that's why you are keeping it around rather than throwing it out. However, it has this function contingently and may not have had it. Likewise, it may be that assertion has the function of generating knowledge contingently. This is not to say, however, assertion isn't partly constituted by KNA. All it means is that our constitutivity claim comes down to a light-weight, actuality claim: as a matter of fact, KNA plays a constitutive part in our practice of assertion. Importantly, though, although a much weaker claim than the Williamsonian one, our view does do justice to one important intuition that motivates the Williamsonian view; it vindicates the thought that, in an important way, KNA makes a vital contribution to the continued existence of assertion.

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a waste of energy and threaten to limit assertion in its productivity of generating knowledge in hearers.