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HOW TO DO THINGS  
WITH WORDS

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## 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.  
 (T. 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,<sup>1</sup> and further  
 (T. 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 T (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,

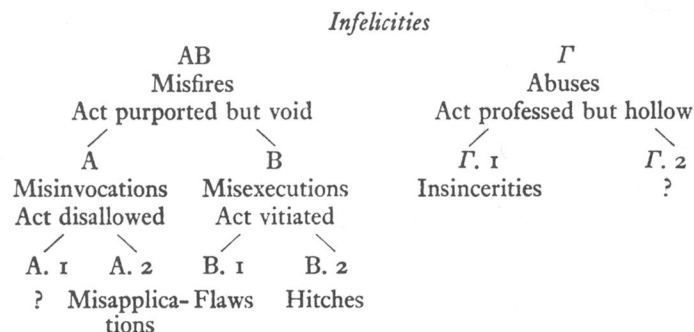
<sup>1</sup> It will be explained later why the having of these thoughts, feelings, and intentions is not included as just one among the other ‘circumstances’ already dealt with in (A).

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 *I* 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 *I* 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 *Misinventions*. 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 *Misinventions*: the purported act is *vitiating* 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.

We get then the following scheme:<sup>1</sup>



I expect some doubts will be entertained about A. 1 and Γ. 2; but we will postpone them for detailed consideration shortly.

But before going on to details, let me make some general remarks about these infelicities. We may ask:

- (1) To what variety of 'act' does the notion of infelicity apply?
  - (2) How complete is this classification of infelicity?
  - (3) Are these classes of infelicity mutually exclusive?
- Let us take these questions in (that) order.

(1) How widespread is infelicity?

Well, it seems clear in the first place that, although it has excited us (or failed to excite us) in connexion with certain acts which are or are in part acts of *uttering words*, infelicity is an ill to which *all* acts are heir which have

<sup>1</sup> [Austin from time to time used other names for the different infelicities. For interest some are here given: A. 1, Non-plays; A. 2, Misplays; B, Miscarriages; B. 1, Misexecutions; B. 2, Non-executions; Γ, Disrespects; Γ. 1, Dissimulations; Γ. 2, Non-fulfilments, Disloyalties, Infractations, Indisciplines, Breaches. J. O. U.]

the general character of ritual or ceremonial, all *conventional* acts: not indeed that *every* ritual is liable to every form of infelicity (but then nor is every performative utterance). This is clear if only from the mere fact that many conventional acts, such as betting or conveyance of property, can be performed in non-verbal ways. The same sorts of rule must be observed in all such conventional procedures—we have only to omit the special reference to verbal utterance in our A. This much is obvious.

But, furthermore, it is worth pointing out—reminding you—how many of the 'acts' which concern the jurist are or include the utterance of performatives, or at any rate are or include the performance of some conventional procedures. And of course you will appreciate that in this way and that writers on jurisprudence have constantly shown themselves aware of the varieties of infelicity and even at times of the peculiarities of the performative utterance. Only the still widespread obsession that the utterances of the law, and utterances used in, say, 'acts in the law', *must* somehow be statements true or false, has prevented many lawyers from getting this whole matter much straighter than we are likely to—and I would not even claim to know whether some of them have not already done so. Of more direct concern to us, however, is to realize that, by the same token, a great many of the acts which fall within the province of Ethics are *not*, as philosophers are too prone to assume, simply in the last resort *physical movements*: very many

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.<sup>1</sup>

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

<sup>1</sup> [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 *etiolations* 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;<sup>1</sup>

(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

<sup>1</sup> 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