

# Responsible For Truth? Peirce on Judgment and Assertion

*Responsável pela Verdade?*

*Peirce sobre Juízo e Asserção*

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**Abstract:** We consider Peirce's remarks on judgment focusing on the relations and distinctions between judgment, proposition, belief and assertion. Despite the subtlety of Peirce's distinctions, we finally argue for a broad conception of judgment. The main reason for that is the difficulty of assessing our responsibility in judging and asserting if judgment and assertion are considered in a narrow and separate sense. The argument goes as follows.

Being an act of assent, claims Peirce, judgment is in contrast to assertion: to simply assent is not to assert, for the first is an internal act while the second is external. But such an internal conception of judgment, contrasted to the external dimension of assertion, is in our opinion too narrow a one to account for the social and normative aspects of judging and even asserting. We argue for a broader conception of judgment, with assertion as one of its parts and modeled on the process of legal judgment. In these terms, the idea of someone being responsible for the truth of his assertions would be specified.

**Keywords:** Judgment. Assertion. Legal judgment. Responsibility. Truth.

**Resumo:** *Consideramos as observações de Peirce sobre o juízo, enfocando as relações e distinções entre juízo, proposição, crença e asserção. A despeito da sutileza das distinções peirceanas, finalmente argumentamos em favor de uma concepção mais ampla de juízo. A principal razão para isso é a dificuldade de avaliar nossa responsabilidade ao julgar e emitir asserções, se juízo e asserção forem considerados num sentido estreito e separado. O argumento é o seguinte.*

*Sendo um ato de assentimento, alega Peirce, juízo é diferente de asserção: simplesmente assentir não é asserir, pois o primeiro é um ato interno, ao passo que o segundo é um ato externo. Mas um tal conceito interno de juízo é, diferenciado da dimensão externa da asserção, em nossa opinião, deveras estreito para dar conta dos aspectos sociais e normativos de julgar e, até mesmo, de emitir asserções. Argumentamos em favor de uma concepção mais ampla de juízo, com a asserção como uma de suas partes, uma concepção modelada segundo o processo de juízo legal. Nesses termos, a idéia de alguém ser responsável pela verdade de suas asserções seria especificada.*

**Palavras-chave:** Juízo. Asserção. Juízo legal. Responsabilidade. Verdade.

1. The Judgment between Psychology and Logic
2. Assertion and Truth
3. Judgment and Truth
4. The 'Ripening' of Judgment
5. A Social Conception of Judgment and Assertion

Peirce didn't write a specific work on judgment. But many remarks can be found in his writings on that topic. I will try to compare them focusing on the relations and distinctions between judgment, proposition, belief and assertion. Despite the subtlety of Peirce's distinctions, I will argue for a broad conception of judgment. The main reason for doing this 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.

We should keep in mind since the beginning the distinction between the more traditional sense (A) in which judgment is a mental act referring a predicate to a subject, and the less traditional sense (B) in which judgment is an act of assent toward a proposition. The first we may call *proposition-forming* conception of judgment. The second *proposition-assenting* conception. Peirce does not discuss this distinction explicitly. Yet I believe it is involved in his remarks and fundamental for the comprehension of his thought on this topic. Being an act of assent, he claims, *judgment* is different from *assertion*: to simply *assent* is not to *assert*, for, according to him, the first is an internal act while the second is external. 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. I will argue for a broader conception of judgment, involving assertion and modeled on the process of legal judgment. In these terms, the idea of someone being responsible for the *truth* of his assertions will be specified.

## 1. The Judgment between Psychology and Logic

In his early writings, Peirce deals with the classification of judgments – especially with the Kantian problem of the distinction between analytic and synthetic judgments (cf. W1: 219, 245-248, 288-289). When he comes to consider their common nature, he refers to the relation between subject and predicate in a proposition: “Every judgment consists in referring a predicate to a subject” (W1: 152; 1864 – cf. W2: 179, 1868). It is the traditional proposition-forming conception<sup>1</sup>. In these terms, the *judgment* cannot be clearly distinct from the *proposition*. Indeed it is an important point he relies on: judgments are psychological acts, that is, according to the anti-psychologism of the first Peirce, acts whose very nature is substantially obscure; only a logical analysis in propositional terms can throw some light on them. Peirce believes he can maintain on the one hand the

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<sup>1</sup> But De TIENNE (1996, p. 141-3) notes how in these passages Peirce less traditionally claims that every judgment is an inference.

Kantian project of an analysis and classification of judgments as mental products, and on the other the purpose of clarifying their terms *via* a semiotic and logical model capable of avoiding the errors and drawbacks of psychologism. In so doing, he believes, a *logical* analysis of the products of the mind could be achieved<sup>2</sup>.

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<sup>3</sup>. (In these terms the judgment, which is different from the proposition because of its being an act, is also different from belief).

Subsequently, Peirce also focuses on the distinction between *judgment* and *assertion*, distinguishing the *responsibility* implied in asserting from the responsibility of judgment. After 1900 he takes judgment to be an act as well as assertion, but the former is different from the latter because of its being an essentially 'internal' act. Here the proposition-asserting conception of judgment comes to light.

A passage from the *Syllabus* of (presumably) 1902 refers to 'judgments' as acts of mental acceptance of propositions (CP 2.309). In another passage of the *Syllabus* – even if there is no explicit reference to the act of judging – the distinction is put forward in clear terms as a 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:

[A]n 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)

Peirce refers literally to the social or moral law, but it could be argued that a *legal* flavor is pretty evident here, in the passage referring to the penalties for he who makes a false assertion; no less legal is the specification that the imputation of responsibility has a defeasible character: he who makes a false assertion is liable to some penalties 'unless he has a definite and sufficient excuse'. On the background of this legal dimension is drawn the difference between an act concerning the agent's own conduct – the act of *assenting* and assuming the practical consequences of a certain proposition believed – and the act of *asserting*, namely the act of declaring to others the truth of a certain proposition (cf. CP 8.115, c. 1900).

In a passage dating from 1903 c. (continuing the *Syllabus*) Peirce compares *assertion* and *judgment* stressing the psychological character of the latter and the fact that it only affects the 'judger', while the former currently affects others.

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<sup>2</sup> Cf. TIERCELIN (1993), chap. 1. On Peirce and Kant cf. the well-known MURPHEY (1961).

<sup>3</sup> Cf. also CP 4.53 (1893): "A belief is a habit; but it is a habit of which we are conscious. The actual calling to mind of the substance of a belief, not as personal to ourselves, but as holding good, or true, is a *judgment*".

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)

So, the *judgment* has an *internal* nature distinct from the public and *external* nature of *assertion*? This seems to be Peirce's idea<sup>4</sup>. Now it could be argued that this kind of claim derives from a rather 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 acts<sup>5</sup>. Some years later in fact Peirce will suggest a less internalist conception of judgment.

In his lectures of 1903 on Pragmatism, Peirce deals at length with a specific kind of judgment: the *perceptual judgment*<sup>6</sup>. 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 perceiver<sup>7</sup>. 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, our 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).

<sup>4</sup> One might object that according to Peirce the self is dialectic as well, that an internal act has the form of a dialogue. True, but Peirce is pretty clear on the issue of responsibility: judging does not raise the same responsibility of asserting.

<sup>5</sup> This I cannot show here in detail, but assume it is evident. See e.g. CARDOZO (1921), MacCORMICK (1978), AARNIO; MacCORMICK (1992).

<sup>6</sup> CP 5.115-119, 5.151-194. Cf. CP 7.619 ff., CP 4.539 ff. Here I have no space to account for perception and perceptual judgment in detail. See HOOKWAY (1985), chap. V. Following Peirce, I tried to argue for the abductive character of perception, involving perceptual judgments, in Tuzet (2003).

<sup>7</sup> "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 shall we infer from that? Peirce says that the *perceptual* judgment, like an abductive suggestion, comes like a flash (CP 5.181); this seems to imply that the *non-perceptual* judgment doesn't come like a flash. What matters more for our purposes, 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, Peirce is trying to articulate the two *conceptions of judgment* we mentioned at the beginning: on the one hand, (A) the judgment as *mental act* consisting in *referring a predicate to a subject*, namely forming a proposition; on the other, (B) the judgment as *act of assent* toward the proposition formed.

In 1904 Peirce confirms that *assertion* is 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 (CP 8.337). On the contrary the *judgment* remains a 'private' act, 'the self-recognition of a belief'<sup>8</sup>. To *judge* is to *assent*, not to *assert*.

But in a fragment presumed of 1908 and whose title is *Judgment and Assertion* (CP 5.546-548) he seems to open a perspective for a less internalist conception of judgment. Peirce maintains the basic difference between judgment and assertion but introduces the idea of the judgment's being something which *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 every genuine assertion. (CP 5.546)

This passage sketches a sort of speech acts theory *ante litteram*<sup>9</sup>. According to it, an *assertion* differs from other speech acts in virtue of the consequences peculiar to it. Asserting means an assuming of responsibility; he who makes an assertion exposes himself to the consequences of it. It can be said that 'assuming responsibilities' means 'taking the consequences' (CP 5.546)<sup>10</sup>.

<sup>8</sup> "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. An act of judgment is the self-recognition of a belief; and a belief consists in the deliberate acceptance of a proposition as a basis of conduct" (CP 8.337).

<sup>9</sup> Cf. obviously AUSTIN (1955) and SEARLE (1969).

<sup>10</sup> 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 p. 20, 25, 44-9, 71]). What interests Peirce are the 'real consequences' of assertions and judgments (CP 5.546-547).

But the *judgment* too raises some responsibility. Truly, Peirce develops in this fragment the topic of the assertion's responsibility, but he also considers the judgment and remarks that it doesn't come at a blow. Peirce acknowledges that every new concept first comes to the mind in a judgment; then, though he thinks that determining the *logical* nature of judgment is a difficult question, he says that a judgment is something that *ripens* in the mind (CP 5.546)<sup>11</sup>. Peirce does not specify whether the process of ripening is to be intended as psychological, logical, or both. Is it or not an inferential process? In any case, the outcome of it has a logical relevance. 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:

[T]he 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)

Therefore, there is no doubt that judging, as well as asserting, is a kind of *doing*. The main consequence of that is that judgment *qua* act involves an assuming of responsibility (it wouldn't be so if it were a pure 'representitious event'): "the predication of a concept is capable of becoming the subject of responsibility, since it actually does become so in the act of asserting that predication" (CP 5.547). Notice again that Peirce articulates the two conceptions of judgment we mentioned at the beginning: the judgment is an *act of assent* to a proposition claimed to be true (proposition-assenting conception) and, concerning its logical form, it is constituted by the *predication of a concept* (proposition-forming conception). This concept predication is initially made 'in the problematic or interrogatory mood' and then becomes susceptible of being asserted. This has a *double consequence*: if the concept predication is both believed and asserted, first, it bears on the subject's conduct and, second, it makes him responsible to others. Concerning the first consequence in particular:

[T]he concept has a capability of having a bearing upon conduct; and this fact will lend it intellectual purport. For it cannot be denied that one, at least, of the functions of intelligence is to adapt conduct to circumstances, so as to subserve desire. If the argument is correct, this applies to any concept whatsoever, unless there be a concept that cannot be predicated. (CP 5.548)

It should be noted that the bearing of the concept upon conduct constitutes its *intellectual purport*: this is the core of the pragmatist conception of meaning (to be precise, of the pragmaticist conception), namely that the entire intellectual purport of any symbol consists "in the total of all general modes of rational conduct which, conditionally upon all the possible different circumstances and desires, would ensue upon the acceptance

<sup>11</sup> The later Peirce often makes appeal to the metaphor of fertility and growth: judgment is something that *ripens*, abduction is something *fruitful* (cf. CP 8.384-388; CP 5.402 note 2).

of the symbol” (CP 5.438, 1905; cf. CP 5.453, CP 5.468, CP 5.427-432). A genuine judgment bears on the conduct of the ‘judger’: so that every genuine judgment has a direct practical import on the judger and plausibly an indirect import on others<sup>12</sup>.

To resume, note what Peirce has come to: (i) judging is something more than an obscure psychological act; (ii) the ripe judgment has a logical form (still expressed in the propositional terms of concept predication); (iii) the ripe judgment has a logical and cognitive relevance: it is the effort of acquiring a truth; (iv) it has a practical relevance: it bears on the conduct of the judger; but (v) it has no direct bearing on others: to have a bearing on other’s conduct it is not the role of judgment, it is the role of *assertion*.

In this sense, the judgment remains an *internal* act. Though it has a logical form and relevance, it is enclosed in a psychological dimension which seems to deprive it of any direct social relevance. Responsibility to others comes directly from assertion and only indirectly from judgment. So, before a critical evaluation of this conception of judgment, it is better to deepen the role of assertion. Then, we will come back to judgment.

## 2. Assertion and Truth

Asserting presupposes a speaker and a hearer, or listener. (Less obviously, the hearer might be unknown to the speaker: think of a message in a bottle, or of any text or utterance interpreted by someone unknown to the author). Peirce defines the assertion as the action of the speaker communicating to the listener that he has a certain belief, namely that in certain circumstances a certain idea is for him ‘definitively compulsory’.

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)<sup>13</sup>

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<sup>12</sup> “Pragmatisme et pragmatique des actes de discours s’éclairent mutuellement. Si Peirce a pu mettre la notion de responsabilité au centre de sa théorie des actes de discours [...], c’est qu’il disposait d’un cadre théorique plus large, la théorie pragmatiste de la signification qui, centrée sur la notion de conséquence pratique, suggérait une analyse des énonciations en termes de conséquences qui, eux-mêmes, appellent la notion de responsabilité. Inversement, lorsque, vers 1900, Peirce reformule sa maxime pragmatiste, il y introduit les idées de responsabilité du locuteur et de portée pratique des énonciations sur la conduite future de l’interprète: une proposition est douée de signification si, et seulement si, elle a des effets pratiques concevables et, parmi les effets, une portée concevable sur la conduite de celui qui l’adopte” (CHAUVIRE 1995, p. 150).

<sup>13</sup> 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). Of course, such a compulsion does not prevent the assertion from being an intentional act: every genuine assertion is made intentionally.

Peirce is evidencing here the *pragmatic dimension of asserting*: every assertion is an act communicating a belief. On this basis, Peirce will claim that asserting makes responsible for what is asserted (CP 5.546-548; cf. CP 2.315).

Assertion is not to be confused with proposition: the same proposition can be articulated to various propositional attitudes, giving place to different pragmatic relations. A proposition can be doubted, asked, judged, asserted, ordered.

I may state it to myself and worry as to whether I shall embrace it or reject it, being dissatisfied with the idea of doing either. In that case, I doubt the proposition. I may state the proposition to you and endeavor to stimulate you to advise me whether to accept or reject it: in which I put it interrogatively. I may state it to myself; and be deliberately satisfied to base my action on it whenever occasion may arise: in which case I judge it. I may state it to you: and assume a responsibility for it: in which case I assert it. I may impose the responsibility of its agreeing with the truth upon you: in which case I command it. All these are different moods in which the same proposition may be stated. (NEM 4: 39)

Both assertion and judgment are attitudes toward a proposition. In particular, asserting is an act having a moral and legal relevance (cf. CP 2.314-315, 2.252, 5.30, 8.313): it commits to the truth of the proposition asserted<sup>14</sup>. Practically, when we assert a proposition we are responsible to those who will eventually orient their conduct on our assertion. So the responsibility for a false assertion consists in the fact that negative consequences can be the case for those who act on it, or in particular for those who suffer harm from a decision based on it – as the case, for instance, of someone convicted on the basis of a false testimony (the legal example is chosen by Peirce himself in NEM 4: 249)<sup>15</sup>. In consequence of that, concerning judgment, the judgment's responsibility is either a responsibility for the *agent's own conduct* or a responsibility for the *asserted* judgment.

A *judgment* is a mental act deliberately exercising a force tending to determine in the mind of the agent a belief in the proposition: to which should perhaps be added that the agent must be aware of his being liable to inconvenience in the event of the proposition's proving false in any practical aspect. (NEM 4: 250)

As we said, conceiving of assertion as an act implying a responsibility is in tune with a pragmatist conception of meaning<sup>16</sup>. Any assertion has certain *effects*, to be verified and

<sup>14</sup> More correctly, as we should note, it commits to the belief in the truth of the proposition asserted. Notice an interesting consequence of Peirce's claim: if we take truth as the final opinion, it does not make sense to talk of commitment to truth here and now; so, truth should rather be something like correspondence (cf. CP 5.387, CP 5.407, CP 2.652).

<sup>15</sup> Cf. CP 4.500 on the example of testimony as an assertion indicating a real subject and a state of things existing or existed.

<sup>16</sup> Cf. TIERCELIN (1993, p. 303): "l'acte d'assertion proprement dit met en cause la vérité ou la fausseté de l'énoncé, et implique un engagement ou la responsabilité de celui qui l'effectue. L'acte d'assertion suppose donc d'une part, une analyse des conditions auxquelles l'assertion doit obéir pour être susceptible de rencontrer le vrai mais d'autre part aussi, des effets de toute nature, en raison de la multiplicité possible des interprétants, qu'elle peut avoir dans le contexte de la communication. L'acte d'assertion ne comporte donc pas seulement des *dimensions* pragmatistes: il est pragmatiste de part en part [...]". Cf. PAPE (2002).



evaluated in a dimension which is not only ethical and practical, but also legal and institutional (cf. CP 8.313; Tiercelin 1993, p. 304). But a point should be made clearer: 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* (so does Peirce) that the speaker is responsible for the *truth* of his assertions, and that, in virtue of this very responsibility, the assertion of falsity is to be sanctioned. This is not correct however<sup>17</sup>. 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.

Peirce claims that “one subjects oneself to the penalties visited on a liar if the proposition asserted is not true” (CP 8.337). However, I claim, a lie is not a false statement, but a statement contrary to the actual belief of the speaker. Someone lies when he says that *p* while believing that *non-p*, and he lies even if it is true that *p*; and vice versa he lies when he says that *non-p* while believing that *p*, even if it is true that *non-p*. In this sense I should say that *sincerity* rather than truth is the norm of assertion. Let me clarify this point with the following examples.

I present first 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 he (erroneously) doesn't believe it. So, according to Peirce's account, he is not lying. According to mine, he is<sup>18</sup>.

Now imagine a different case, 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 false<sup>19</sup>. 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 has a good reason to have such a belief (even though it is in fact false).

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<sup>17</sup> 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”. Also some prominent philosophers do not remark that. E.g. SEARLE (1999, p. 144): “When I say something and mean it, I am committed to the truth of what I say. And this is so whether I am sincere or insincere.” I don't think so: we are committed to believe that what we assert (i.e., say is true).

<sup>18</sup> One might add that from a Peircean Agapistic point of view one should avoid strictly individual beliefs or decisions; even if this were true, it does not settle the question whether the norm of assertion is truth or sincerity.

<sup>19</sup> But he wouldn't be lying if he had a definite and sufficient excuse (CP 2.315). We might think that Peirce's fallibilism is at work here, but such a reasonable clause does not suffice to save the flawed claim that truth is the norm of assertion.

Now imagine a third different case, the case of *President unreliable*. Suppose that in the first case above President *B* didn't believe that Country *I* had nuclear weapons because 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. Suppose also 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 now we have to add that what is important is not only belief but also 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 his belief is in fact true).

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, lying is determined by the relation between what is believed and what is asserted, in a way which is relatively independent from the truth. However, such an independence is just relative: it is relative to those cases in which a false belief is nevertheless justified. The situation is different when an error is not justified: when, according to a given norm or criterion, someone is expected to have a true belief. In this case, even if one were saying what really corresponds to his belief (strictly speaking, he were not lying), he would be responsible nevertheless for the fault in fixing accurately his own belief (to talk law, he wouldn't be responsible for fraud, but for negligence<sup>20</sup>). Therefore, in the first place, to be responsible of an assertion is not to be responsible for its truth or falsity, rather for its conformity to actual belief, on condition that belief is justified. In this sense, *sincerity* rather than truth is the norm of assertion<sup>21</sup>. 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. (Moreover, we will see at the end of the paper whether a broad conception of judgment involves a responsibility for truth and not only for belief).

<sup>20</sup> Cf. e.g. HOLMES (1881, chapters III and IV); HART; HONORÉ (1959, second part).

<sup>21</sup> Notice that this is perfectly compatible with the idea that truth is the norm of belief: when we assert that *p* we are supposed to believe that *p* is true. On the conceptual relations between belief, assertion and truth, cf. Engel's remarks in ENGEL; RORTY (2005, p. 31 ff.).

### 3. Judgment and Truth

As we saw, in the passages of 1908 c. where the relation of assertion, truth and responsibility is emphasized, Peirce also says that the judgment is an *act* involving a kind of responsibility, though of a different kind from assertion, bearing on the agent's own conduct (CP 5.546-548; cf. W4: 79 on judgment as an *inward act*). Since those passages are very brief and have a fragmentary character, we are not permitted to claim they contain a theory of judgment. Anyway, it is interesting to look at them as a development of Peirce's previous remarks on judgment.

In 1893, being belief the intelligent assumption of a habit, Peirce says that 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)

Passing over the notion of habit and the practical connotation of belief (see Fisch 1986, pp. 79-109), it is worth remarking that Peirce conceives of the judgment as an *act of consciousness* in which a belief is recognized. An act of consciousness is a kind of *mental act*. But he also says that the content of belief is constituted, in propositional terms, by a predicate associated to a subject (in semiotic terms, by an icon associated to an index)<sup>22</sup>. 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 true. This is clearly stated by the later Peirce:

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)

As we said, both assertion and judgment are attitudes toward a proposition<sup>23</sup>. Judgment in particular involves the *acceptance* of a proposition<sup>24</sup> (cf. NEM 4: 248). It is not irrelevant to note that the same question was also raised by William James, in his *Principles of Psychology*.

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<sup>22</sup> "This act which amounts to such a resolve, is a peculiar act of the will whereby we cause an image, or *icon*, to be associated, in a particular strenuous way, with an object represented to us by an *index*. This act itself is represented in the proposition by a *symbol*, and the consciousness of it fulfills the function of a symbol in the judgment" (CP 2.435).

<sup>23</sup> "The German word *Urteil* confounds the proposition itself with the psychological act of assenting to it" (NEM 4: 39). (To be noted that this is not Frege's position). On the confusion about judgment and proposition cf. also NEM 4: 247.

<sup>24</sup> Peirce seems to draw no distinction between *assent* and *acceptance*; although they could be distinguished by taking the second as less language-centered than assent (see ENGEL [1999]), or by taking acceptance as a stronger commitment, I will take them to be

The commonplace doctrine of ‘judgment’ is that it consists in the combination of ‘ideas’ by a ‘copula’ into a ‘proposition’, which may be of various sorts, as affirmative, negative, hypothetical, etc. But who does not see that in a disbelieved or doubted or interrogative or conditional proposition, the ideas are combined in the same identical way in which they are in a proposition which is solidly believed? *The way in which the ideas are combined is a part of the inner constitution of the thought’s object or content.* (JAMES 1890, v. 2, p. 916)

So the judgment is not the combination of ideas constituting a proposition: in fact the same proposition can be doubted, asked, asserted, etc. Does this imply a critique of the proposition-forming conception of judgment? Yes, if judgment as proposition-forming *coincides* with the proposition. No, if it denotes the *act* that forms a proposition referring a predicate to a subject. In this sense the two conceptions can be articulated: judgment is in a first sense the act that forms a proposition and in a second the act that accepts it. Returning to James, he remarks that Brentano called ‘judgment’ the *assent* to the combination of ideas which constitutes a proposition. So the proposition-assenting conception of judgment comes back to Brentano at least. 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 other words, we shall see that the process leading to assent and then to assertion is essential for the evaluation of responsibility.

Brentano’s conception of judgment as assent to a proposition is significantly reformulated by Gottlob Frege (dropping the psychological reference to the combination of ideas). In 1892 Frege says, without considering it a definition properly, that the judgment is an advance from thought to truth-value<sup>25</sup>. Then in 1918-1919, in the first of his logical investigations (*The Thought*), he exposes a threefold distinction which bears a remarkable similarity with the dynamics outlined by Peirce. Frege distinguishes between: (1) the grasp of a thought – *thinking*; (2) the acknowledgment of the truth of a thought – the act of *judgment*; (3) the manifestation of this judgment – *assertion*<sup>26</sup>. To support this claim, in the second investigation (*Negation*) he has recourse to some typically legal examples (FREGE 1918-9, p. 348-56); in particular an interrogative sentence whose truth-value is to be determined:

‘Did the accused intentionally set fire to his house?’

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pragmatically equivalent. On assertion, acceptance and meaning, cf. DUMMETT (2003, p. 11): “A theory of meaning given in terms of the grounds for asserting a statement I shall call a *justificationist* theory; one given in terms of the consequences of accepting a statement I shall call a *pragmatist* theory.”

<sup>25</sup> 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.”

<sup>26</sup> FREGE (1918-9, p. 329). In the second investigation (*Negation*), cf. the distinction between (1) grasping the sense and (2) judging: we can grasp the sense of an interrogative sentence without knowing the truth-value of its content (*ibid.* pp. 347-348). Cf. also FREGE (1879, p. 52 ff.).

and a conditional sentence whose truth-value is not determined yet:

'If the accused was in Rome at the time of the deed, he did not commit the murder'.

As for Peirce the logical status of a proposition does not depend on a judgment or assertion it constitutes the content of, for Frege the sense of these sentences can be determined prior to the judgment recognizing their truth-value. On the other hand, though a proposition or sentence can be meaningful independently from the judgment on it, it is true for both Peirce and Frege that the recognition of its truth is operated by the *judgment*.

Although Peirce does not share neither Frege's radical anti-psychologism nor his Platonism on the status of thoughts, both they share the idea of judgment's being involved in an 'advance': from thought to truth-value in Frege, from proposition to assertibility in Peirce. We may ask whether such an advance is inferential or not, whether the ripe judgment according to Peirce is an inferential outcome or not. Peirce does not specify it, but I claim that such a process is in any case essential for the evaluation of responsibility.

In order to evaluate an assertion's responsibility, not only the assertion itself is to be evaluated, as we said, but also the justification for believing what is asserted, and, in some cases eventually, the whole process going from the formation of belief to the assertion. I take *judgment* in a broad sense to be this whole and complex process. Moreover, such a complex process involves the application of normative criteria, principles and social values which effectively play an important role in the socially relevant forms of judgment.

On the basis of the idea that judgment is 'something which ripens' I try to sketch in the following a distinction of the moments of ripening. Such a sketch takes the legal judgment as a model of socially relevant judgment, and bears on some characters of the logic of scientific inquiry as it was exposed by Peirce in 1877 and elaborated after 1900 in inferential terms<sup>27</sup>.

#### 4. The 'Ripening' of Judgment

Let's take seriously the idea that the judgment is something which ripens. If that is correct, there is no immediate judgment since there is no immediate predication (even the perceptual predication has an inferential dimension – CP 5.181, 1903). In this sense the process of ripening is both psychological and logical, having both empirical and inferential components. We might 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). In brief, the judgment is something which ripens from an initial interrogatory and hypothetic

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<sup>27</sup> See of 1877 *The Fixation of Belief* (CP 5.358-387; W3: 242-257); compare of 1901 *On the Logic of Drawing History from Ancient Documents* (CP 7.162-255).

stage to a final and 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). This articulation seeks to account for the temporal and reflexive dimension of judgment, together with its components (conjectural, observational and evaluative).

To be clearer on what is at stake: on the one hand, these remarks try to articulate Peirce's scientific method with the process of judging; on the other, they try to liberate the judgment from a purely psychological and internalist conception, in order to move closer to a social conception of it, as an act raising responsibilities not only to the judge but also to others, on the model of legal judgment as socially relevant judgment. How to evaluate an assertion's responsibility without considering the process and reasons leading to it? Since asserting implies an assuming of responsibility, 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 game<sup>28</sup>. 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 I 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.

The model of legal judgment was already considered by John Dewey, stressing something similar to the process of judgment ripening. According to Dewey in his *Logic: the Theory of Inquiry* (1938), the legal judgment is extremely useful for the comprehension of what is judgment in general. The legal judgment presents three fundamental characters (LW 12: 124-125):

- 1) an initial uncertainty and dispute about the *significance* of what happened or about *what* really happened<sup>29</sup>;
- 2) a process of inquiry and evaluation of the elements produced by the parties: on the one hand, the evidence supporting the factual claims<sup>30</sup>; on the other, the conceptual considerations, rules and principles supporting the legal claims<sup>31</sup>;

<sup>28</sup> I obviously refer to BRANDOM (1994). An account of the legal process in inferentialist terms is given in CANALE; TUZET (2006).

<sup>29</sup> "There is uncertainty and dispute about what shall be done because there is a conflict about the *significance* of what has taken place, even if there is agreement about what has taken place as a matter of fact – which, of course, is not always the case. The judicial settlement is a settlement of an *issue* because it decides existential conditions in their bearing upon further activities: the essence of the significance of any state of facts" (LW 12: 123-124).

<sup>30</sup> "On the one hand, propositions are advanced about the states of facts involved. Witnesses testify to what they have heard and seen; written records are offered, etc. This subject-matter is capable of direct observation and has existential reference. As each party to the discussion produces its evidential material, the latter is intended to point to a determinate decision as a resolution of the as yet undetermined situation. The decision takes effect in a definite existential reconstruction" (LW 12: 124).

<sup>31</sup> "On the other hand, there are propositions about conceptual subject-matter; rules of law are adduced to determine the admissibility (relevancy) and the weight of facts offered as

- 3) the final determination of some *legal consequences* for the future<sup>32</sup>.

These three characters have a sort of correspondence to the three moments of *hypothesis, inquiry, result*. Actually the third character presents a difference with the outcome of the epistemic articulation I presented. According to the latter, the result – the ripe judgment – determines the truth of the hypothesis, while according to the third character sketched by Dewey the final judgment determines the *consequences* of the preceding qualification of what happened. There is indeed a difference but I believe there is no tension, since the propositional nature of the resulting judgment implies the consequences of the proposition judged. Suppose the hypothesis is ‘Theodore killed Basil’: if the resulting judgment confirms such a hypothesis, it implicitly determines the legal consequences of the deed. The Fregean ‘advance’ of judgment from thought to truth-value is to be articulated with the pragmatist principle of meaning. Frege’s thesis should be integrated in pragmatic terms, while Dewey’s thesis should be in alethic terms, for inquiry is an effort of acquiring a truth.

Such a Deweyan articulation of judgment can be compared to other previous remarks of him. In a passage of 1911 he stresses that judging is impossible without knowledge, but also that judging goes further than knowledge intended in a narrow sense.

Judgment is power to perceive the bearings of what is known. To conceive known facts and laws in terms of what they prognosticate, what they point or lead to, is judgment. (MW 6: 382)

In a bit later passage, Dewey elaborates a distinction between a *vital* and a *formal* sense of the term ‘judgment’.

This term is employed in a larger and more vital sense and in a narrower and more formal one. In its pregnant sense it means the act (or the power) of weighing facts or evidence, in order to reach a conclusion or decision; or (as is usual with words denoting acts) the result, the outcome of the process, the decision reached by the process of reflective inquiry and deliberation. (MW 7: 262)

This distinction of judgment in a large and vital sense and judgment in a narrow and formal sense is proximate to our distinction between the judgment as a complex process (the whole of the three moments of the ripening) and the judgment as the outcome of the process. As a complex process it starts from a hypothesis connoting an object of

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evidence. The *significance* of factual material is fixed by the rules of the existing juridical system; it is not carried by the facts independent of the conceptual structure which interprets them. And yet, the quality of the problematic situation determines which rules of the total system are selected” (LW 12: 124).

<sup>32</sup> “The final judgment arrived at is a settlement. The case is disposed of; the disposition takes effect in existential consequences. The sentence or proposition is not an end in itself but a decisive directive of future activities. [...] While prior propositions are means of instituting the sentence, the sentence is terminal as a means of instituting a definite existential situation” (LW 12: 124-125). On legal reasoning cf. AARNIO; MacCORMICK (1992).

judgment, continues through an appropriate inquiry, and leads to the determination of what is true of that object together with the consequences of the truth ascertained<sup>33</sup>. Moreover, the determination of the consequences implies taking into account the role of the normative principles and values operating in a social context<sup>34</sup>.

## 5. A Social Conception of Judgment and Assertion

I claim that judgment cannot be confined to the psychological domain. In our social context many judgments have a public role and dimension, notably moral, political and legal judgments. Especially the *legal judgment*, at least in our culture, has a public dimension. This kind of judgment manifests *erga omnes* the process and the outcome of an inquiry which starts from a hypothesis trying to explain what is the case or what happened<sup>35</sup>. This kind of socially relevant judgment ends by declaring publicly its factual conclusions (what has been ascertained) and its normative conclusions (what has to be done). As Dewey remarked, the issue is that of forming an estimate or valuation after investigation and testing. Now, to conceive of the judgment in a strictly psychological way would completely disregard this social and normative dimension. A strictly psychological conception of judgment is at variance with our social experience of judgment.

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. First, 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 dimension<sup>36</sup>. Second, 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. In this paper and the next paragraph in particular I only deal with this second level, but the first is no less important in claiming the social character of judgment and assertion.

In a narrow and separate conception of judgment and assertion, the evaluation of assertion itself would turn out to be, as we said, very difficult. 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, and independently from the process of hypothesis formulation

<sup>33</sup> “In this sense judgment expresses the very heart of thinking. All thinking is, directly or indirectly, a part of the act of judging, of forming an estimate or valuation after investigation and testing” (MW 7: 262).

<sup>34</sup> But, on the disputed question of distinguishing and separating facts from values, cf. Putnam (1995) and (2002).

<sup>35</sup> I stress elsewhere that the first step in legal reasoning is *abduction*, that is *hypothetic* inference; see TUZET (2004) and (2005).

<sup>36</sup> Cf. BRANDOM (1994) and (2000). See also ESFELD (2005).



and the inquiry leading to such a belief, is a difficult thing to evaluate. If on the contrary our responsibility is evaluated in relation to what motivates assertion and to the process of belief fixation, the evaluation is more comprehensive and significant. For it seeks to determine not only whether an assertion is true or false, but also whether it is false but justified, or true but not justified. 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). Such is the issue of the responsibility and justifiability of error: strictly speaking we are responsible for the assertion of our beliefs, not for their truth, but we are also responsible for the way in which we *fix our beliefs*. Not only a *social* dimension is involved in this but also a *normative* one, if it is true that we are expected to fix our beliefs in certain ways and not in others. In this sense, I claim that our responsibilities are better evaluated in relation to the judgment intended as a complex act and process, involving both a psychological and a public dimension, starting from a hypothesis, continuing through an inquiry, coming to a result<sup>37</sup>.

To sum up, the judgment as a ripening process might be epistemically articulated in three fundamental moments: hypothesis, inquiry, result. And three correlated acts 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 on which its conclusions and their aiming at truth 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 we shall come back briefly to the question of responsibility and truth. I said we are responsible of our beliefs and the way they are fixed; not directly of their truth. But 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. In this sense, the judgment involves both factual and normative aspects (in particular, on the normative side, the criteria for fixing beliefs). And the final assertion is not to be evaluated *per se* but in relation to the process leading to it. 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 true<sup>38</sup>.

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<sup>37</sup> The same may be said of reasoning. "Now the inseparable form of reasoning is that of proceeding *from* a starting-point *through* something else, *to* a result" (CP 4.659, c. 1909).

<sup>38</sup> 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.

## Abbreviations

### PEIRCE

CP: *Collected Papers of C.S. Peirce*, 8 v. Eds.: C. Hartshorne; P. Weiss (v. I-VI); A. Burks (v. VII-VIII). Harvard University Press, 1931-1958. For example: CP 5.189 = volume 5, paragraph 189.

W: *Writings of C.S. Peirce: a Chronological Edition*, 6 v. Ed.: M. Fisch et al. Bloomington: Indiana University Press, 1982-. For example: W1: 210 = volume 1, page 210.

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

### DEWEY

MW: *The Middle Works of J. Dewey: 1899-1924*. Ed.: J.A. Boydston. Carbondale and Edwardsville: Southern Illinois University Press, 1976-83. For example: MW 3: 111 = volume 3, page 111.

LW: *The Later Works of J. Dewey: 1925-53*. Ed.: J.A. Boydston. Carbondale and Edwardsville: Southern Illinois University Press, 1981-90. For example: LW 3: 111 = volume 3, page 111.

## References

AARNIO, A.; MacCORMICK, N.D. (Eds.) (1992). *Legal Reasoning*, 2 v. Dartmouth: Aldershot.

AUSTIN, J. (1955). *How to do Things with Words*. Oxford: Oxford University Press[1976].

BRANDOM, R.B. (1994). *Making It Explicit: Reasoning, Representing, and Discursive Commitment*. Cambridge, Mass.; London: Harvard University Press.

\_\_\_\_\_ (2000). *Articulating Reasons: An Introduction to Inferentialism*. Cambridge, Mass.; London: Harvard University Press.

BROCK, J. (1981). "Peirce and Searle on Assertion." In: *Proceedings of the C.S. Peirce Bicentennial International Congress*. Ed.: K.L. Ketner et al. Lubbock, Texas: Texas Tech Press. p. 281-7.

CANALE, D.; TUZET, G. (2006). "Interpretive Scorekeeping." In: *Analisi e diritto 2005*. Ed.: P. Comanducci; R. Guastini. Torino: Giappichelli. p. 81-97.

- CARDOZO, B.N. (1921). *The Nature of Judicial Process*. New Haven; London: Yale University Press, 1991].
- CHAUVIRE, C. (1995). *Peirce et la signification: Introduction à la logique du vague*. Paris, PUF.
- De TIENNE, A. (1996). *L'analytique de la représentation chez Peirce: la genèse de la théorie des catégories*. Bruxelles: Publications des Facultés universitaires Saint-Louis.
- DUMMETT, M. (2003). "Truth and the Past." *The Journal of Philosophy*, v. C, n. 1, p. 5-53[, 2003].
- ENGEL, P. (1999). "Dispositional Belief, Assent, and Acceptance." *Dialectica*, v. 53, n. 3/4, p. 211-26[, 1999].
- ENGEL, P. ; RORTY, R. (2005). *À quoi bon la vérité*. Paris : Grasset.
- ESFELD, M. (2005). «Le pragmatisme en sémantique et en épistémologie contemporaines.» *Philosophia Scientiae*, v. 9, p. 31-48.
- FISCH, M.H. (1986). *Peirce, Semeiotic, and Pragmatism*. Eds.: K.L. Ketner ; C.J.W. Kloesel. Bloomington: Indiana University Press.
- FREGE, G. (1879). "Begriffsschrift." In: *The Frege Reader*. Ed.: M. Beaney. London: Blackwell, 1997.
- \_\_\_\_\_ (1892). "On Sinn and Bedeutung." In: *The Frege Reader*. Ed.: M. Beaney. London: Blackwell, 1997.
- \_\_\_\_\_ (1918-1919). "Logical Investigations." In: *The Frege Reader*. Ed.: M. Beaney. London: Blackwell, 1997.
- HILPINEN, R. (2004), *On a Pragmatic Theory of Meaning and Knowledge*, Cognition, vol. 5: 150-167.
- HOOKEYWAY, C. (1985), *Peirce*, Routledge and Kegan Paul, London.
- JAMES, W. (1890), *The Principles of Psychology*, 2 vols., Harvard University Press, Cambridge (Mass.) and London (England), 1981.
- MacCORMICK, N.D. (1978), *Legal Reasoning and Legal Theory*, Clarendon Press, Oxford.
- MURPHEY, M. (1961), *The Development of Peirce's Philosophy*, Hackett, Indianapolis and Cambridge, 1993.
- PAPE, H. (2002). "Pragmatism and the Normativity of Assertion." *Transactions of the Charles S. Peirce Society*, v. 38, n. 4, p. 521-42[, 2002].
- PUTNAM, H. (1995). *Pragmatism. An open question*. Oxford; Cambridge: Blackwell.

PUTNAM, H. (2002). “The Collapse of the Fact.” In: *Value Dichotomy and Other Essays*. Cambridge, Mass.; London: Harvard University Press.

SEARLE, J.R. (1969). *Speech Acts*. Cambridge: Cambridge University Press, 1972.

\_\_\_\_\_ (1999). *Mind, Language and Society*. London: Weidenfeld & Nicolson.

TIERCELIN, C. (1985). «Logique, psychologie et métaphysique: les fondements du pragmatisme selon C.S. Peirce.» *Zeitschrift für allgemeine Wissenschaftstheorie*, v. XVI, n. 2, p. 229-50[1985].

\_\_\_\_\_ (1993). *La pensée-signé : Études sur C.S. Peirce*. Nîmes: Éditions Jacqueline Chambon.

TUZET, G. (2003). L’abduzione percettiva. *Aquinas*, v. XLVI, n. 2/3, p. 307-27[2003].

\_\_\_\_\_ (2004). Abduction in Legal Reasoning. *Semiotiche*, v. 2, p. 79-90[2004].

\_\_\_\_\_ (2005). “Legal Abduction.” *Cognitio*, São Paulo, v. 6, n. 2, p. 265-84[ jul./dez 2005].