"Your Silence Speaks Volumes": Silent Implicature and its Political Significance

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Abstract

This thesis is an exploration of the linguistic and political implications of *conversational silences*, where "conversational silence" describes an instance of remaining literally silent in an exchange, and where this act of remaining silent is understood as an active conversational contribution. In a first step, I draw on the Gricean account of conversational implicature, arguing that we can *conversationally implicate with silences*, by discussing and identifying an altered version of the Gricean account which is able to accommodate cases of remaining silent. I further think about ways to grasp various "levels" of (silent) implicature to assess more complex cases, where misunderstandings and other complexities underpin an exchange, by drawing on Saul's notions of utterer- and audience-implicature. Using these tools, I then analyse the role and features of silence in relation to several political phenomena: I think about ways in which silence can be used to maintain *deniability* about what was implicated, and how this feature can be used in both deliberate and planned, as well as inadvertent and spontaneous, ways. I discuss the issue of silence and *assent* by rejecting Goldberg's interpretation of silence which holds that, absent defeating conditions, audiences are entitled to expect no silent rejections. I extend this discussion by thinking about silence and *dissent*, specifically referring to Tanesini and Lackey, whose approaches to silence (and dissent) I contrast with my own account of silent conversational implicature. Finally, I analyse the relationship between conversational silence and *silencing*, by arguing that even the silences that we intend to communicate with can be distorted, misinterpreted, ignored, and silenced. I end by summarizing the central arguments of the thesis, and give an outlook on further questions for research.

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Introduction

> Silence remains, inescapably, a form of speech
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> – Susan Sontag (1969)

I recall one of the first times I explicitly thought about silence as communicative. I was about 12 years old, walking home from school in my village, and saw that, on a very visible hill, somebody had installed some giant letters that read "Stummer Schrei"[1] – "silent scream". This might seem very odd, but a little context can explain: My village is called "Stumm", and a group of people had started a culture festival called "Stummer Schrei." The letters were an advertisement, and an effective one at that: You could see this hill from very far away, and the letters lit up during the night. I had, of course, known about this project for a while, but I remember this moment specifically because it had taken me until then to realise *that this was a play on words*. Until this moment, the only thing that name meant to me was "this festival is called *Schrei* and its in *Stumm*, so it's the *Stummer Schrei*", but it had never occurred to me that it could also mean "*screaming silently*". So I was wondering, what does it *mean* to scream silently? If the point of screaming is to draw attention to yourself, does that mean you could use your silence to draw attention to yourself? How so? Can we *all* do that? Did they call the festival that because they were trying to do something *other* than the traditional events we held in the village? Was *that* the silent scream? While I was puzzled, I remember thinking something that might seem quite obvious now: Silence, it seems, is not "just" silence.

This is, surely, one of the premises of this work: In this thesis, I investigate the ways in which we can communicate things *by remaining silent* and how such silences have political relevance. I argue that *conversational silence*, as I call instances of *not saying anything at all with the goal of communicating something*, can be an active conversational contribution, one that is able to influence, shape, and guide our conversations. To make sense of *how* we can communicate with silence, I make use of the Gricean (1989) framework of conversational implicature by working out a nuanced account of *silent conversational implicature*. However, what will take centre stage in this discussion is not just an account of *how* we can communicate with silence from a philosophy of language perspective, but also an attempt to understand conversational silence as a thoroughly political phenomenon: Silence is an *active* conversational tool, and, much like our explicit speech, not a neutral one.

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[1] See Stummer Schrei (2021): https://www.stummerschrei.at/

As countless feminist and political philosophers of language have shown us, not everybody is able to use speech in the same ways, and, I believe, silence is no exception. Over the course of this work, I hope to show that silence can *do* all kinds of things – it can communicate assent, dissent, disapproval, approval, and many more things. At the same time, we need to realise that silence as a conversational practice leaves room for multiple usages: It can be used in sneaky ways, e.g. to use the ambiguity of silence to maintain deniability about what we communicate with it; it can be a failure to live up to certain political and moral obligations we have; it can also be used as a safety strategy to protect oneself. It can be innocently misunderstood, wilfully misconstrued, wrongfully reinterpreted or ignored, and some people will have an easier time having their silence "heard" than others. Of course, as we will see, there are also more and less "simple" usages of silence, where its communicative content is straightforward and immediately clear to participants in a conversation. And while those cases are helpful for finding our bearing as theorists, and clarifying theoretical insights, they are not the ones that I am primarily interested in, and they are definitely not the entire story. Silence is not *one* thing – it's usually multifaceted, at times messy, and often complicated. This thesis is an attempt to make sense of this.

While my work is strongly influenced by analytic traditions of philosophy of language more generally, I am most indebted to the work of feminist philosophers of language, as well as the rising field of social and political philosophy of language. This is not only because the few discussions of conversational silences we *do* find in philosophy mostly originated within feminist and political writings, but also because feminist philosophy of language has provided me with ways to think about speech, the absence of speech, and our broader linguistic practices long before I started working on silence specifically.

So what discussions of silence *do* we have to draw on? It should be noted that a certain kind of silence, *enforced* silence, has received extensive consideration – within this literature on *silencing*, some influential works include Rae Langton (1993), Jenifer Hornsby and Rae Langton (1998), Ishani Maitra (2012), Kristie Dotson (2011), Miranda Fricker (2007). However, few of these accounts consider the pragmatic impact or conversational scope of silence in and of itself – which is understandable, given their focus: When somebody is silenced, it is hard to see how they would be able to *make* their silence conversationally meaningful at all – the very point of their being silenced is that non-communicative silence is a *desired* outcome on the part of the oppressor. Moreover, many accounts of silencing think about ways in which marginalised people can be silenced, *even if* they are still using their words, by having their speech distorted, misinterpreted, or misconstrued, which, again, typically takes on a different focus. Silence itself does get mentioned, however, in discussions surrounding subordinating speech and our duty to object. It's often argued in the context of injustice that silence can be a failure to speak up, and can therefore authorise, side with,

or license injustice (see Maitra 2012; Goldberg 2020; Lackey 2018a; 2018b), and can even be a harmful act in itself (see Ayala and Vasilyeva 2016). Some accounts aim to provide a theory of *how* we communicate with silence, both generally speaking and in connection to political phenomena (see Tanesini 2018; Goldberg 2020). Moreover, on this question of *how* we communicate with silence, further work can be found in linguistics and social anthropology, e.g. Tannen and Saville-Troike (1985), Ephratt (2012; 2017), Kurzon (2011), Jensen (1973); Goffman (1981), and Jaworski (1997). Some of these accounts will come up again later on. Finally, there are some discussions concerning silence and freedom of expression (most notably Pettit 2002 and Langton 2007).

To me, the fact that most analysis of conversational silences in philosophy has taken place under the umbrella of political and feminist philosophy of language already highlights that it is a conversational tool that should not be theorised without taking into consideration the broad political impact and traction it can have. My thesis aims to contribute to these discussions by **a.)** recognising how multifaceted silence is, **b.)** developing new and flexible tools that allow us to explain *how* we communicate with silences, and **c.)** specifically identifying and analysing various political domains in which conversational silences have impact. But, beyond that, I also hope to contribute to discussions of language use more broadly: Silence is an aspect of our communication that has often been overlooked. I think that establishing conversational silence as something that is worth considering allows us to grasp a dimension of our linguistic practices that easily goes amiss.

Another thing that I want to mention from the outset, is that practices of silence will, of course, be dependent on cultural contexts and backgrounds. Conversational silences can have different nuances and meanings in different cultures[2] – and the ways in which we calculate silent implicatures will be influenced by that. Given this, the analysis of conversational silences that I'm presenting is largely influenced by my own cultural background of practices of silence and speech (in the United Kingdom and Austria). This will be reflected in some interpretations of my examples, or even the examples themselves, and I don't doubt that there will be cultural, social, and political contexts that allow for different calculations of those silences. However, I believe (and hope), that the tools I develop in this thesis are applicable more broadly than in just my localised perspective.

Now, to briefly summarise the structure of this thesis: The first two chapters are mostly (though not exclusively) dedicated to developing the relevant tools we need to analyse silence, while chapters three to six pick out different ways in which silence appears and is relevant in our day-to-

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[2] Empirically informed discussions on this can be found, for example, in Ikuko Nakane's (2006) piece on *Silence and politeness in intercultural communication in university seminars.*

day encounters, and provide an analysis of the political dimensions of these silences. In more detail, this discussion will look as follows:

Chapter 1 has three main aims: *First*, to provide a definition of conversational silence, *second* to introduce Grice's framework of conversational implicature by taking a close look at his original text, and *third*, to show how we can implicate with conversational silence. As a first step, I define conversational silence as an instance where (i) somebody doesn't utter anything *explicitly*, i.e., remains silent, and (ii) they remain silent *in order to* bring something across. Their silence functions as an *active conversational contribution*. Next, I reconstruct Grice's (1989) account of conversational implicature, as developed in *Logic and Conversation*. I focus on some features of conversational implicature, including the Cooperative Principle and conversational maxims, to then turn to an analysis of how we can conversationally implicate *with silence* specifically. While this is especially important for any further inquiry about conversational silence in politically charged contexts, this first step focusses on a discussion of *how* and *that* we can implicate with silence, by referring to some more or less "straightforward" examples. By laying this groundwork, we can address more complicated and politically loaded cases in the following chapters.

In *Chapter 2*, I reconsider the suitability of a "straightforward" concept of silent implicature when our goal is to illuminate conversational silences that occur in less-than-ideal communicative circumstances. I tackle this issue by motivating the idea that (silent) implicature should be "disentangled". By this I mean that it is useful, especially when exploring complex and politically charged situations, to have analytical tools that help us pick apart different "levels" of implicature, allowing us to differentiate between what somebody *intended* to implicate and what was *taken up* as implicated, and to understand how these aspects can come apart. In order to achieve this, I turn to Jennifer Saul's (2002) *Speaker Meaning, What is Said, and What is Implicated*, following her in extending Grice's taxonomy of implicature, centrally by introducing the notions of utterer-implicature (what was intended as the implicature) and audience-implicature (what was understood as the implicature), and by stressing that implicature should be understood as a *normative* notion. I apply this extended taxonomy to silence in the following step, where I highlight the political usefulness of this disentangled taxonomy.

Based on these insights, *Chapter 3* assesses the issue of silence and deniability. Given that, in cases of silent implicature, *nothing is said*, silence seems to be a particularly attractive tool to use in ways that allow us to avoid conversational accountability and liability, should we find ourselves in a somewhat "risky" conversational situation. This chapter has as one of its goals a discussion of some often neglected aspects of deniability (and how they relate to conversational silence in particular), including the following: (1) the role of *implausible* deniability, and how even denials that

seem very implausible can hold up, (2) the unplanned use of the deniability features of conversational contributions in "risky" situations vs. analogous cases where denial *is* the intention all along, (3) how we can *counter* denials in productive ways, and (4), cases where people remain silent to make use of its deniability features in order to *protect* themselves in the context of injustice, rather than mislead in order to avoid accountability. To address this, I first set the (theoretical) stage for a more applied discussion of deniability by asking about the nature of denials and deniability, and how the concept of deniability can be applied to silent implicature. I then turn to think about *plausible and implausible deniability*, and differentiate between *inadvertent and deliberate deniability* to highlight how effective denials can be, despite being entirely unplanned. Next, I move my focus on to a discussion of deniability and risk mitigation, specifically on how silence can be used to avoid conversational accountability. I apply these discussions to some specific cases of silent implicature in order to show the political relevance of this issue for various different contexts. Finally, I discuss in more detail (deniable) silent conversational contributions in the context of injustice. Specifically we'll look at cases where somebody remains silent in the context of injustice in order to *maintain deniability over their agreement to the very injustice* taking place, and contrast this with situations where somebody remains silent *to maintain deniability in order to protect themselves* due to being a direct or indirect target of the very injustice in question.

Chapter 4 functions as a first step in a two-part discussion of silence, assent, and dissent, by focussing on the issue of silence and assent specifically. The account I concentrate on in this chapter is "No-Silent-Rejection" (NSR), introduced in Sanford Goldberg's (2020) book "Conversational Pressure: Normativity in Speech Exchanges". Goldberg argues, in short, that absent defeating conditions (such as oppression, or simply being preoccupied) we have an *entitlement* to assume that somebody who remains silent in a conversation *does not reject* what has been said. He defends his account against several counter-arguments, one of which he calls the "disaggregation view", which argues that silence cannot be explained via a universal claim about the nature of conversational silence. Instead, the disaggregation proponent argues that we should allow for different, case-by-case, explanations of what a given silence means. Part of what I do in this chapter is defend a form of the disaggregation view by arguing that conversational silence is much more multifaceted than Goldberg allows. I first introduce Goldberg's "assent interpretation of silence", then think about the possibility of "disaggregating silence", to go on and assess some counter-examples to Goldberg's model, as well as highlighting the benefits of understanding conversational silence via the framework of silent implicature.

Chapter 5 continues this discussion by focussing on silence and *dissent*. In the first part of the chapter, I introduce an account by Jennifer Lackey (2018a), who draws our attention to the need to understand silent dissent (and assent) in non-idealised ways, starting from considerations

regarding our duty to object. I relate her arguments to Goldberg, pointing out how she disagrees with him, and think further about what we should take from this discussion in order to fully capture some key issues surrounding silence and dissent. However, While Lackey's contribution is very valuable, she doesn't attempt to theorise about *how* we communicate with silence. So, the second part of this chapter is devoted to a more detailed discussion of Alessandra Tanesini's (2018) *Eloquent Silence: Silence and Dissent.* In her discussion, Tanesini departs from Goldberg and presents an alternative interpretation of silences (drawing on discussions of illocutions, speaker meaning, and adjacency pairs). Among other things, she establishes how "eloquent" silences can constitute dissent. I contrast my account of silent conversational implicature with her approach, and, while I believe that Tanesini puts forward a persuasive response to Goldberg, I think that there are instances of conversational silence that the account of silent implicature is better suited to make sense of.

Finally, *Chapter 6* focusses on some ways in which not everybody has the same access to use silence in a communicative way. I argue that *silence can be silenced* insofar as somebody is *prevented from communicating* with it. Just as we would describe somebody as silenced whose speech is discredited, not heard, or not taken to be informative, we can describe somebody whose *silence* is never even considered to be communicative, or is structurally distorted in some ways, as being *prevented from communicating* with silence. I first give a broad overview of some central issues when it comes to silencing and discuss how these relate to communicating with silence specifically. Next, I analyse three ways in which silence can be silenced: (a) Somebody might *intend* to implicate something with their silence, but *nothing* ends up audience-implicated (the silence is taken to be non-communicative); (b) somebody might *intend* to implicate something with their silence but *something else* ends up audience-implicated and (c), somebody *might not intend* to implicate something with their silence but something *still* ends up audience-implicated. For each case, I discuss a corresponding example, indicate the levels of utterer- and audience-implicature involved, and relate the cases and discussion to a theory of silencing: For category (a) I turn to Kristie Dotson's (2011) account of testimonial quieting, for (b) I consider the kind of cases analysed by Quill Kukla (2014), and for (c) I consider Goldberg's (2020; 2016) discussion of the "double harm of silencing".

1. How to Implicate with Conversational Silence

The idea that we can communicate more with an utterance than we explicitly *say* has been widely discussed in terms of the Gricean (1989) notion of *conversational implicature*. For example, imagine you're sitting sit in a café with your friend, who hasn't touched his half-eaten piece of chocolate cake for several minutes, but is instead telling me about his favourite area of philosophy. If you interrupt him with the comment "You have so much time to tell me about philosophy, and so little time to eat your cake" we might want to say that you *communicate* something that goes *beyond* the mere content of your utterance. For example, you might be trying to bring across that you would like a bit of the cake, that if *he* isn't going to continue eating it, you would like to do so (or even that you find it rude that he hasn't offered you a bite yet). Similarly, speakers sometimes communicate something well beyond the actual contents of their utterances, or something *additional* to what is said explicitly, e.g., when I say to my partner "You are the gin to my tonic". But what speakers communicate is also very context dependent: I could make the same utterance about a co-worker who I'm not getting along with and bring across the exact opposite meaning.

These examples, as will become clear in the following, involve a few different kinds of conversational *implicature*. So far, we can say, roughly speaking, that somebody conversationally implicates if they say one thing, but bring across something else.

But what happens when we say nothing at all, and something still gets communicated? What about those times we *remain silent* and want to communicate something *in doing so*? Take the following variation on one of the examples mentioned above:

> **(1)** I sit in a café with my friend Thomas, who has a half-eaten piece of chocolate cake in front of him. Thomas hasn't taken a bite in several minutes, instead talking to me about his love for phenomenology. At some point he says "And this is the first issue with Merleau-Ponty's understanding of intersubjectivity" and then stops talking, clearly expecting me to give him some kind of indication of my uptake. I, however, don't respond, but remain silent. Thomas, who knows that I absolutely live for chocolate cake (but also that I'm usually interested in his takes on Merleau-Ponty), realises that he hasn't offered me a bite yet, so he asks "You want some cake?". I agree, and after having some I say "Yes, it's a fascinating discussion, go on!"

In this case, I have successfully communicated *with my silence* that I want a bite of Thomas' cake. But how did I do this? Is it simply a refusal to cooperate? Is it the context that tells Thomas what I mean? These possibilities will surely need to be taken into account. But I suggest that we can make sense of cases like this by considering the possibility of *conversationally implicating with silence*. This is what I will focus on in this chapter.

In **1.1.** I'll first identify what I mean by conversational silence. In **1.2.** I will reconstruct Grice's (1989) account of conversational implicature, as developed in *Logic and Conversation*. Here I will mostly focus on introducing various features of conversational implicature, including the Cooperative Principle and Conversational Maxims. In section **1.3.** I want to go into more detail about how we conversationally implicate with silence. While this is especially important for any further inquiry into conversational silence in politically charged contexts, for now I will focus on discussing *how* and *that* we can implicate with silence by referring to some more or less "straightforward" examples. From this foundation we can address more complicated and politically loaded cases in the chapters that follow. In **1.4.**, I will summarise and give an outlook on some further questions.

1.1.   What is Conversational Silence?

We encounter silences on a day-to-day basis: we are or remain silent when we are asleep, take a sip of our tea, a drag of our cigarette, or when we are reading. These silences might "say" something in a peripheral sense – e.g., when we are silent while reading we might communicate that we don't want to be disturbed or that we're concentrating. There are other instances of remaining silent, however, where we do want to bring some across directly with our silence, as part of a conversation: E.g., when you tell me a joke that I don't find funny, my remaining silent is a very distinctive way to bring across that I didn't enjoy the joke.

According to Jensen (1973, 249), silence can have "(a) a linkage function, (b) an affecting function, (c) a revelation function, (d) a judgmental function, and (e) an activating function," each in a negative and in a positive sense. E.g., silence can be the *breakage* of linkages in cases where we surround ourselves with a "wall of silence", communicating that we want to be left alone. Or silence can be judgmental, when it brings across assent, or, in other cases, dissent. The point here is that there is a very *broad* sense of communicative silence – silences can and do communicate all kinds of things. However, Jensen, alongside many others talking about silence (like Ephratt 2012 and, to some extent, Goldberg 2020 and Pettit 2002) doesn't clearly distinguish between somebody *literally* remaining silent and their silence in a more *figurative* sense (where they remain silent *about* something *while* they are talking). Let me explain what I mean by this: In the latter cases, silence or "remaining silent" refers to what was *omitted*, and not the act of *literally* remaining silent. For example, imagine a (white, male) vice chancellor giving a speech on the importance of a new diversity and inclusion policy, who provides various target examples while not saying a word about racial diversity. He has effectively *remained silent* about a crucial aspect such a policy *should*, in fact, include. Similarly, if the policy is discussed afterwards at a departmental lunch, but everybody remains silent about the vice-

chancellor's omissions, the fact that they don't raise this issue, too, *says* something.[3] So, the point is, that we can indeed say *a lot* with what we leave unsaid.[4] This figurative sense of remaining silent about something is different, however, from more direct and literal kinds of silence. For example: An acquaintance tells a joke playing on harmful stereotypes about trans people. I remain silent instead of laughing as a response. My silence, in this instance, can bring across my disagreement with the premise of the joke, and it could also reveal my views and commitments in some important ways.

As we will see in the course of this chapter, there are many more things silence can do. A theory attempting to analyse conversational silences needs to account for this, and provide us with the flexibility to understand how the various functions of silence become relevant in different contexts, and how broad its communicative potential is.

My discussion, will, however, be limited to literal, direct, *conversational* silences, rather than the kind of omissive silence outlined in the vice-chancellor example. While I don't deny that figurative silences and omissions are interesting and surely politically important, I will centre the question of how we can understand the ways in which somebody communicates via remaining silent in a conversational exchange, and take 'conversational silence' to mean that

 i. somebody doesn't utter anything *explicitly*, i.e., remains silent, and

 ii. they remain silent *in order* to bring something across. Their silence functions as an *active conversational contribution*.[5]

Let's look at a few examples to illustrate what I'm thinking of here:

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[3] This could, e.g., fall into Jensen's *revelational* category of silence in relevant ways. Somebody who never thought about diversity and inclusion issues before might not even *notice* that initiatives addressing racial inequality are being omitted – in which case, remaining silent about it *hides* the importance of this issue. To those who are more aware of equality-diversity issues, on the other hand, the vice-chancellor's omission will be very *revealing*, insofar as his either not even considering, or consciously leaving out, racial diversity issues tells us a lot about his position.

[4] An important discussion of such omissions can be found in Eric Swanson's (2016) paper *Omissive Implicature*.

[5] An important clarification to make here is that, using sign language does not count as a form of conversational silence under this definition. Sign language is a form of speech, even if the person signing does not say any words "out loud" when signing. But perhaps, for example, conversational silence could be employed *within* a sign language exchange by *stopping signing* to make a specific point – this, however, might need further linguistic investigation. See also Tanesini (2018, 111), who discusses this in her paper *Eloquent Silences: Silence and Dissent*. Her account will be discussed in more detail in *Chapter 5*.

(2) I am having lunch with my friend, but I got mad at him the day before for eating my cookie without asking. I've raised this with him, and we seemingly have figured it out, but secretly I am still holding a grudge. So during lunch he asks:

T: Are you still upset with me?

A: […]

T: Okay, I see you are. What else can I do to make it better?

(3) In a scene in the TV-show *Dear White People*, Samantha White and Troy Fairbanks, a young couple, visit Troy's father Walter Fairbanks in his office to tell him they are planning on taking a trip over their break. The following exchange happens:

Troy: So… We were thinking of taking a four-day weekend and heading up Toronto. See the sights. Do a little legal Canadian wine tasting.

Walter: […]

Troy looks resigned.

Samantha: Wait, what just happened? Are we still going?

Troy mumbles: We're not going.

(*Dear White People, Season 1, Episode 3,* 2017, min. 1:32-1:58)

(4) Maggie and Remi, who are a couple, just had a fight. Things calm down and Remi asks: Maggie, do you still love me?

Maggie: […]

Remi: I see. I will get my things and stay at a friend's house for the next couple of days.

Maggie doesn't object.

Again, there are different things going on in each of these examples – assent, dissent, and something else altogether. In each case, the silence, of course influenced by context, background knowledge, and so on, functions as an active conversational contribution. Moreover, the silences in **(2)** to **(4)** are different from those arising *just* throughout turn-taking, or because somebody is simply preoccupied in a conversation, without intending to bring something across with it (e.g. when they are *just* distracted, taking a drag on their cigarette or a sip of their coffee, etc.).[6]

As Jensen (1973, 249) points out, some facial expressions, body language, and other cultural factors are essential to understanding the meaning of specific instances of silences in a given communicative context. So, while the person remaining silent in the above examples should be imagined as simply remaining silent (I exclude more obvious conventionalised gestures, like nodding, shaking your head, or even rolling your eyes at someone), some unconsciously performed,

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[6] This isn't to say that you taking a drag of your cigarette can't be a communicative act in a conversation – it's just not the kind of conversational act I am interested in here when it comes to conversational silence.

and only unconsciously recognised, facial expressions and body language (like looking away for a short moment, or twitching your eyebrow just slightly) can contribute to what we understand silences to mean in particular circumstances.[7] This might lead some to wonder about the extent to which the category "conversational silence" as defined above even holds up if it's influenced by things *other than* remaining silent. I think, however, that simply because some things other than silence will influence how somebody remaining silent is understood, this doesn't mean that the category of silence collapses. While we surely shouldn't deny the relevance of facial expressions or body language, I think that *even if* certain small, unconscious and unconsciously recognised movements influence our understanding of what somebody wants to bring across, in the cases described above, the silence *itself* seems to be the prevalent conversational tool: What's essential is that *nothing is said explicitly*. After all, it's surely true that a blind person who cannot visually *see* a particular facial expression will still recognise the communicative relevance of conversational silences. Similarly, when you are on the phone, you're able to understand that your conversational partner remaining silent can mean something significant – even though you're not able to *see* their face.

Similar things can be said for our examples. Think about **(4)**: Even *if* Maggie's face looks somewhat sad when she remains silent to Remi's question, it seems to me that her message is predominantly conveyed by her silence. Just imagine them being on the phone – Remi would surely not take her silence as "Yes, I still love you", even if he couldn't see her sad face. Or in **(3)**, even *if* Walter was not looking straight at Troy and Sam, not moving his face at all and with a "stony" expression, but his eyebrow slightly twitched with annoyance, Troy would still likely assume that his dad was not amused about his Canadian wine-tasting plans. And in **(2)**, even *if* I don't just look at my friend, but silently keep eating my dish, he'll probably still assume that I am annoyed at him.

I'll discuss these examples in more detail later on. What this has showed, I hope, is that there are certain things that we *can* bring across by being silent, and how we can, roughly, *define* conversational silence. The account of silent conversational implicature I want to introduce in the rest of this chapter should, so I'd argue, further be able to both *capture* the various things we can do with silence, and *explain how* we communicate with silence.

In order to get there, I will now introduce the notion of conversational implicature, following Grice, and then lay out my account of silent conversational implicature.

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[7] Moreover, unlike what's often assumed, facial expressions are not universal. As research by Jack et al. (2012) suggests, there are important cultural differences in the perception of six central facial expressions (happiness, surprise, fear, disgust, anger and sadness). More on facial expressions can be found in Trip Glazer (2017; 2019b).

1.2.   What is Conversational Implicature? Grice's Way(s) with Words

As I already said above, Grice's examination of conversational implicature is concerned with how people communicate something different from what they say explicitly. A detailed conception of implicature is primarily developed in *Logic and Conversation* and *Further Notes on Logic and Conversation* (1989), but it should be noted that conversational implicature doesn't stand on its own. Rather, "implicature" is part of a broader framework of Grice's theory of *meaning*. This framework is well illustrated in the figure below by Klaus Petrus (2010, 8), which shows how we can divide up what a speaker U *means* by uttering x, along the following lines:
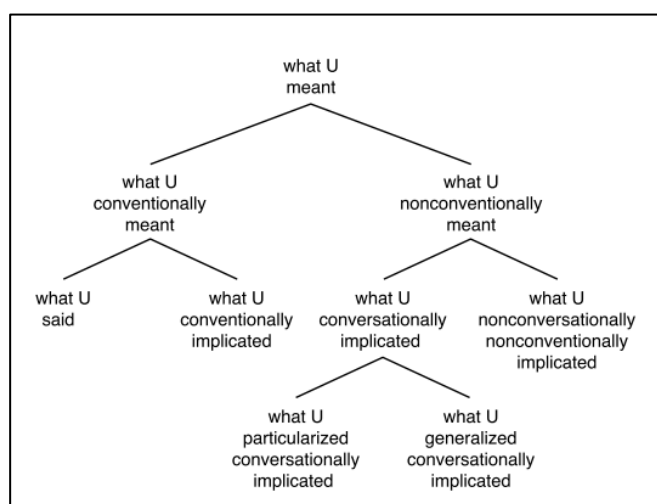
Figure 1: Implicatures and Meaning

As we can see, *conversational* implicature is a form of *non-conventional* meaning – and can be differentiated from *conventional* implicature and meaning.[8] Marina Sbisà (2006, 2223) points out that various aspects of Grice's theory have been widely taken up in pragmatics, philosophy of language, and linguistics in general – but my focus will lie on conversational implicature specifically, which I'll introduce in the following. I'll start by discussing the Cooperative Principle and Conversational Maxims, and then go on to characterise the definition of conversational implicature.

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[8] Conventional implicature is *part of the meaning* of a sentence or even a word itself (e.g. but, even, too, yet) (see Davis 2019, 4-5) – it relates to conventional features of an expression. E.g., in the utterance "She was poor but honest", the word *"but"* plays a special role, by implicating that there is some kind of tension between being poor and being honest. Conversational implicature is more dependent on the context and circumstances in which an utterance is made (see Borg, manuscript., 5). Both are, according to Grice, part of speaker meaning. However, the next chapter will complicate the view that conversational implicature relates to speaker meaning in the way that is commonly assumed, following Saul (2002).

The Cooperative Principle and Conversational Maxims

Grice is mainly concerned with the *common* and *ordinary nature* of language and our talk exchanges. Such every-day communication is, according to him, mostly a *cooperative* effort (see Grice 1989, 26). Somebody engaging in a conversation usually recognises "to some extent, a common purpose or set of purposes, or at least a mutually accepted direction" (ibid.), and cooperates with others along these lines. Now it might well be that this direction is fixed from the very start, and may be clear where everybody wants to go with this, or it might be quite loose in the beginning and only develop during a conversation (see ibid.). In short, the purpose of an exchange "may be fairly definite, or it may be so indefinite as to leave very considerable latitude to the participants (as in casual conversation)" (ibid.). What Grice calls the Cooperative Principle (CP) and conversational maxims are important in this regard – they constitute *default assumptions* people make and tend to follow in their exchanges.

Generally, we can consider the *Cooperative Principle* as a rule or guideline which helps us to work out how to behave in conversation. It goes as follows:

> "Make your conversational contribution such as is required, at the stage at which it occurs, by the accepted purpose or direction of the talk exchange in which you are engaged" (ibid).

To Grice, the Cooperative Principle shows how people should, roughly, conversationally interact with each other. While he does maintain that following the principle is, *in general*, a "rational" way to conduct conversations, in reality we'll very often encounter violations of the principle. What's important is that, according to Grice, all conversational parties assume that they are all following the Cooperative Principle at some level, in most circumstances.

The Cooperative Principle might appear to be a high bar. Clearly, we don't always "cooperate" in the sense that we talk without challenges, hostility or negative attitudes. However, often there's very little that needs to be done to fulfil the CP. Grice's point is that "[o]ur talk exchanges do not normally consist of a succession of disconnected remarks, and would not be rational if they did" (ibid.). Rather, we often cooperate to at least *some* degree, and "each participant recognizes in them, to some extent, a common purpose or set of purposes, or at least a mutually accepted direction" (ibid.). This doesn't mean that everybody agrees to a conversational topic from the start and has to stick with it, while at the same time trying to anticipate what kind of contribution the conversational partner will make in order to maintain a maximally cooperative exchange. While the purpose of a conversation *can* be fixed from the start (e.g. when we discuss a *particular* topic), or can evolve during a conversation (see ibid.), the Cooperative Principle emphasises that in various forms of conversations, "at each stage, some possible conversational moves would be excluded as

conversationally unsuitable" (ibid.). As Kenneth Taylor (2006, 335) points out, "the claim that the participants in a conversation have a set of 'common purposes'" shouldn't be taken too narrowly. The reasons why we engage in a particular conversational exchange might diverge strongly. It might even be that I try to persuade somebody of a particular point of view – the person I'm trying to persuade does not need to share my goal. But this doesn't mean that we don't, to some extent, mutually engage in moving the conversation along in various directions – we react to each other and refer to each other's points, even if we don't *agree* with each other (see ibid.).[9] To understand this in more detail, especially how people might move away from the Cooperative Principle on some levels, we need Grice's account of the *conversational maxims*.

Here, we talk about the four categories:[10] *Quantity, Quality, Relation* and *Manner* (see Grice 1989, 26). While I will discuss Grice's conception of these maxims in more detail when I come to the issue of silence further below, let me briefly sketch them here as well:

Quantity concerns the amount of information to be provided, and can be divided into two submaxims (see ibid.):

> **Quantity₁**: "Make your contribution as informative as is required (for the current purposes of the exchange)."

> **Quantity₂**: "Do not make your contribution more informative than is required" (ibid.).

Take another example:

(5) I'm in a restaurant with my friend Thomas, who forgot his glasses and can't read the menu board, so he asks me if I can tell him if the restaurants serves sweet potato chips.

In this scenario, Thomas doesn't want me to answer with an elaboration on where sweet potatoes grow or how they can be prepared. Most likely, he merely wants to know *if* the restaurant serves them or not. Additional information could be useful in the case I spot several *kinds* of sweet potato chips – spicy, regular, and so on – or, if sweet potato chips weren't available, that the regular variety were instead. We can see that depending on what Thomas asks me (and depending on what

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[9] Of course there is still the possibility for outright uncooperative conversation, where somebody completely shuts down any possibility of interacting productively. These situations are not governed by the Cooperative Principle any more. However, there are still situations where we might feel somebody is not being completely cooperative with us in some sense (e.g., they keep arguing against a point we're carefully laying out), where we could still describe the conversational partner as cooperative in a Gricean sense (as illustrated above).

[10] As he notes he is "echoing Kant" with them (see Grice 1989, 26).

I see on the board, and what I know about him), a certain amount, and kind, of information would be appropriate.

Next, there is the category of *Quality*. Quality has a supermaxim, namely to try and "make your contribution one that is true" (ibid., 27), and containing two more specific maxims:

> **Quality₁:** "Do not say what you believe to be false."

> **Quality₂:** "Do not say that for which you lack adequate evidence" (ibid.).

To stay with the chips example – it certainly wouldn't be very helpful if I didn't tell Thomas the truth, and told him there were no sweet potato chips when in fact they were on special offer. Similarly, if I forgot my glasses as well, and couldn't see anything without them, it wouldn't be appropriate to tell Thomas that I *could* see that the restaurant had sweet potato chips, when in fact I had no reliable evidence whatsoever. In both of these cases, I would fail to adhere to the maxim of Quality.

Relation consists of one single, rather short, maxim: "Be relevant" (ibid.). This maxim has caused a lot of discussions among theorists over the years, giving rise to fields like Relevance Theory, initially developed by Sperber and Wilson (1996), who reduce all of Grice's maxims to a principle of relevance, albeit a different one from Grice's.[11] In fact, Grice himself admits that although "the maxim itself is terse, its formulation conceals a number of problems that exercise me a good deal" (Grice 1989, 27), including "questions about what different kinds and focuses of relevance there may be, how these shift in the course of a talk exchange, how to allow for the fact that subjects of conversation are legitimately changed, and so on" (ibid.). I cannot discuss these issues here at length. I think, for now, it's more important to point out that, with respect to the maxim of Relevance, for Grice it's central that a conversational partner's contribution is expected to be "appropriate to the immediate needs at each stage of the transaction" (ibid., 28). For example: when I ask my roommate whether there is enough chocolate left for the cake I am baking, I do not expect to be told the history of how chocolate was invented, or how many bananas are left.

The last category, *Manner*, relates to *how* something is said, and not *what* is said (see ibid., 27). This includes the second supermaxim "Be perspicuous" (ibid), and four submaxims:

> **Manner₁**: Avoid obscurity of expression.

> **Manner₂**: Avoid ambiguity.

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[11] They understand relevance, according as discussed by Davis (2019, 38), in "a highly technical sense, roughly meaning *communicative efficiency*." For discussions of this, see Sbisà (2006, 2223); Davis (2019, 38-40).

Manner₃: Be brief (avoid unnecessary prolixity).

Manner₄: Be orderly (ibid.).

To give one example of these submaxims in action, I wouldn't be following Manner₁ if I said to my friend Thomas, who wants to eat sweet potato chips, "I can confirm your inquiry, that this establishment indeed seems to offer the sweet vegetable you are asking about in fried form, according to the writing on the board." This would a very obscure way to tell my friend that there are sweet potato chips available.

As we will see shortly, one way in which speakers can give rise to *conversational implicatures* is by violating one or more of the four conversational maxims.[12] Grice (1989, 28) claims that *Quantity*, *Quality*, *Manner* and *Relation* have a "special" connection to particular purposes of talk exchanges which can enable information and ideas that get exchanged to actually *be understood*.

As mentioned before, according to Grice, it's *reasonable* for us to following the maxims and the Conversational Principle in order to understand each other (see ibid., 29). It is *rational* to observe both the Principle and the maxims, if we agree with Grice that:

> "anyone who cares about the goals that are central to conversation/communication (such as giving and receiving information, influencing and being influenced by others) must be expected to have an interest, given suitable circumstances, in participation in talk exchanges that will be profitable only on the assumption that they are conducted in general accordance with the Cooperative Principle and the maxims" (ibid., 30).

Grice was very well aware of the fact that people tend to flout or exploit these maxims in one way or another: "A speaker may communicate either by obeying the maxims or by breaking them, as long as the hearer is able to recognise which strategy is being employed" (Kroeger 2018, 142). So, how are we to find out what people try to communicate with conversational implicatures?

Conversational Implicature

A conversational implicature can arise in various ways: Sometimes, they come up when the previously outlined default assumptions, such as the maxims or the Cooperative Principle, are straightforwardly *followed*, and other times they arise when these default assumptions are *exploited* in

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[12] Grice points out that we should distinguish these categories from other maxims, like social, moral, or aesthetic ones (e.g. politeness), which are often already conventional in themselves, but might still *give rise to* or *generate* non-conventional (conversational) maxims (see Grice 1989, 28). Although Grice doesn't seem to go into detail about this, we should note that these conventional maxims (e.g. social norms like politeness, etc.) are *also* part of what speakers engaging in a talk exchange are observing and committing themselves to, in order to make it a *successful* talk exchange.

some way (when they are violated, flouted, or made to clash with each other). As Emma Borg (2010, 269) puts it, "[c]onversational implicatures in general are those propositions which a hearer is required to assume in order to preserve her view of the speaker as a cooperative partner in communication." Let's take a closer look at how implicatures are generated.

Recall that Grice (1989) distinguishes between *what is said* (explicitly) and *what is implicated* as two levels or aspects of communicated meaning. This is especially important for now: In cases of implicature, somebody doesn't follow the cooperative principle or maxims *on the level of what is said explicitly*, but can be thought of as adhering to them once we take into account *the level of what is implicated*.

Think back to one of our initial examples, where I have an ongoing quarrel with my co-worker, and say of him "He is the Gin to my Tonic". Given that it's obvious to anybody who knows me that I don't get along with this co-worker, my audience will need to ask themselves, in Grice's words, how my saying this can be reconciled with the fact that I am, overall, observing the Cooperative Principle (see ibid., 30). This kind of situation, then, "is one that characteristically gives rise to a conversational implicature" (ibid.). Somebody trying to figure out what I'm communicating might rely (1) on the conventional meaning of the words I used and the references this may involve, (2) the Cooperative Principle and the conversational maxims, (3) the context of the conversation, (4) further items of background knowledge (see ibid., 31), and (5) "the fact (or supposed fact) that all relevant items falling under the previous headings are available to both participants and both participants know or assume this to be the case" (ibid.).

For now, let's focus on cases where, according to Grice, "a maxim is being *exploited*" (ibid., 30). How can somebody exploit a maxim in order to *give rise* to implicatures? They can (following Grice (1989, 30)),

(1) violate a maxim in a certain way, for instance by straight-out not adhering to it (e.g. we might violate the maxim of Quality by lying);

(2) opt out from operating on the maxims and the principle in saying or indicating that they are unwilling to cooperate in the way the maxim requires, in saying, e.g., that they won't say any more about this subject and refraining from the conversation;

(3) be faced with a clash, in not succeeding to fulfil some maxim without violating another; e.g. you want to give all the information necessary (Quantity), but don't have enough proof or evidence for it (Quality); or,

(4) flout a maxim, that is, fail to fulfil it.

In these cases, we must, to some extent, be *assumed to be implicating something*. That is, my conversational partner should expect that I want to bring something across with what I am saying,

and be cooperative to the extent that they are willing to figure out what it is I want to bring across, *even if* I seemingly fail to adhere to the maxims or the Cooperative Principle on the level of what I say explicitly. In turn, speakers have a corresponding obligation, which Grice calls the condition of Calculability, according to which the presence of an implicature "must be capable of being worked out" (ibid., 31). *Calculability* means that the implicature generated by a particular utterance can, in principle, be worked out, and we could give a reconstruction of how it *might be calculated* by somebody. Of course, it isn't always the case that our implicatures *are* intuitively grasped by our audience – on the contrary, sometimes people won't understand us at all. The point is that, even if someone *wasn't* able to understand our communicative aims, we could still provide some sort of reasonable reconstruction of how our implicature could be calculated, so they would come to understand it, once they heard this reconstruction. In other words: "[U]nless the intuition is replaceable by an argument, the implicature (if present at all) will not count as a conversational implicature; it will be a conventional implicature" (ibid.).[13] As Kasmirli (2016, 36) points out, this means that "if an implicature could not be calculated in the way described, then it could only arise from the conventional meaning of the words used (assuming, that is, that it is not some other kind of nonconventional implicature, derivable from maxims of a different sort)."

In accordance with all this, Grice gives a detailed three-clause-definition of the notion of conversational implicature: Somebody,

> "who, by (in, when) saying (or making as if to say) that *p* has implicated that *q*, may be said to have conversationally implicated that *q*, provided that
>
> (1) he is to be presumed to be observing the conversational maxims, or at least the Cooperative Principle;
>
> (2) the supposition that he is aware that, or thinks that, *q* is required in order to make his saying or making as if to say *p* (or doing so in *those* terms) consistent with this presumption; and
>
> (3) the speaker thinks (and would expect the hearer to think that the speaker thinks) that it is within the competence of the hearer to work out, or grasp intuitively, that the supposition mentioned in (2) is required" (Grice 1989, 30-31).

We could paraphrase Grice's idea in the following way: all conversational participants know of each other that the Cooperative Principle *is assumed*. In cases of conversational implicature, if our

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[13] Again, as mentioned in Footnote 8 already, "Grice contrasted a conversational implicature with a *conventional* implicature, by which he meant one that is part of the meaning of the sentence used" (Davis 2019, 4). Conventional implicatures are part of the *conventional* meaning of a word or word construction (see Kroeger 2018, 148), not context-dependent, and don't contribute to "the truth conditions of a sentence, and for this reason have sometimes been regarded as involving pragmatic rather than semantic content" (ibid.).

utterance would be taken *literally* (e.g., if only the level of what was said explicitly were taken into account), we would *fail* to fulfil the conversational maxims and the cooperative principle. But our audience can still make sense of what we are trying to communicate if they assume that I am fulfilling these conditions when they take into account the level of what is *implicated* (e.g., what goes beyond what I say explicitly). In taking implicature into account, I *can be thought of as* fulfilling maxims and the Principle. Again, it's worth noting that an implicature can also be generated by straightforwardly *following* the maxims and CP, e.g., in a case where A says "I am out of petrol", to which B responds "There is a garage around the corner" (see ibid., 32). The relation between the two statements seems fairly obvious, so, according to Grice, it doesn't seem like a maxim is violated here. However, "B would be infringing the maxim "Be relevant" unless he thinks, or thinks it possible, that the garage is open, and has petrol to sell; so he implicates that the garage is, or at least may be open, etc." (ibid.).

In general, what we need to keep in mind is that *calculating* a conversational implicature means to calculate what has to be pre-supposed in order *preserve* the assumption that the Cooperative Principle is being observed (see ibid., 39). And, "since there may be various possible specific explanations, a list of which may be open, the conversational implicatum in such cases will be disjunction of such specific explanations; and if the list of these is open, the implicatum will have just the kind of indeterminacy that many actual implicata do in fact seem to possess" (ibid., 40). The 'implicatum' here is the content that "needs to be attributed to a speaker, in order to secure one or another of the following results; (a) that a violation on his part of a conversational maxim is in the circumstances justifiable, at least in his eyes, or (b) that what appears to be a violation by him of a conversational maxim is only a seeming, not a real, violation; the spirit, though perhaps not the letter, of the maxim is respected" (ibid., 370). Let's look at another example:

> **(6)** It is a very rainy day, and I'm a person who can't stand bad weather (just like many other people). I say to Olivia, "Great weather today, isn't it?".

Now, Olivia knows that I hate rain, and we both know that in fact many people don't like rainy and bad weather. In order to make sense of my utterance, Olivia will first assume that I am observing the conversational maxims – if not on the level of what is said, then at least on the level of what is implicated. She realises that I am speaking ironically and am trying to implicate the opposite of what I uttered explicitly, given her background knowledge that I, like many others, don't like rain, and that it is indeed raining that day. This, obviously, wouldn't make any sense if it was widely known how much I actually *love* rain. So, somebody calculating the implicature needs to assume that, like many others, I think rain is not too nice. Further, I, the speaker, know that Olivia knows that a particular implicature is needed in order to make sense of my utterance – and I know that Olivia knows and realises that *I* know that. What's more, I have not stated anything

else that would indicate anything about me changing my mind when it comes to my feelings towards rainy weather. Given all of this, I have successfully implicated that I think it is terrible weather on this day, even though on the level of "what is said" I uttered the exact opposite.

Generally we can distinguish between *particularized* and *generalized* implicature. An implicature is *particularized* where it is "carried by saying that *p* on a particular occasion in virtue of special features of the context, cases in which there is no room for the idea that an implicature of this sort is normally carried by saying that *p*" (Grice 1989, 37). The intended inference is *particular* to that context. This is to say that what makes an implicature particularized is that its meaning wouldn't be understandable outside of a particular context, set of background information, or mode of expression. For example, think back to one of our earlier cases: Without B's background knowledge about my dislike for my co-worker, somebody might not understand my saying "He's the Gin to my Tonic" as an expression of "I really don't like that guy". A *generalized implicature*, on the other hand, refers to how the use of a certain set or form of words in an utterance x will *usually* carry a certain implicature or type of implicature – it's usually more or less possible to infer what I want to express without knowing more about the context (see ibid.). An example given by Grice (1989, 37) is the utterance

> **(7)** "I am meeting a woman."

If I say this to B, it will be *generally* understood that this woman isn't my mother, aunt, or my sister.

While Grice's own discussion of this distinction is scarce, Levinson (2000, 16-17) further provided a useful way to illustrate the distinction between particularized and generalized implicature with the following:

> "a. An implicature i from utterance U is *particularized* iff U implicates i only by virtue of specific contextual assumptions that would not invariably or even normally obtain
>
> b. An implicature i is *generalized* iff U implicates i unless there are unusual specific contextual assumptions that defeat it" (ibid., 16).

Kroeger (2018, 146) further points out that generalized and particularized conversational implicatures can be motivated by the same set of maxims, but that *generalized* implicature typically *doesn't* involve a maxim-violation (see ibid.).[14] "Rather, the implicature arises precisely because the hearer assumes that the speaker is obeying the maxims; if the implicated meaning were not true, then there would be a violation" (ibid.). Applied to example **(7)**, this means that I assume that B interprets my utterance about me meeting a woman in a cooperative way, i.e., B assumes that I

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[14] It should also be noted again that it's also possible to implicate something by following the maxim in cases of particularized implicatures. I'll illustrate this with an example of silence on p. 30-33.

refer to what is generally understood when somebody utters "I am meeting a woman". If, on the other hand, I am indeed meeting my sister, I am violating the maxim – there are some "unusual specific contextual assumptions that defeat it" (Levinson 2000, 16). E.g., it might be that I *want* B to think that I am meeting some woman that *isn't* my mother, sister, or aunt, and use the generalized conversational implicature to mislead B.[15]

Moving on from particularized and generalized implicatures, Grice takes implicatures to have two important properties: they are *cancellable* and *nondetachable*. Let's look at *cancellability* first.

"[A] putative conversational implicature *p* is explicitly cancellable *if*, to the form of words the utterance of which putatively implicatures that *p*, it is admissible to add *but not p*, or *I do not mean to imply that p*, and it is contextually cancellable if one can find situations in which the utterance of the form of words would simply not carry the implicature" (Grice 1989, 44). The example I just mentioned can illustrate this for generalized implicature: If I say "I'm meeting a woman" people will generally assume that it isn't my sister. I can cancel this by adding "and she's my sister". This works in a similar manner with particularized implicatures (see ibid.): E.g., if I say to my partner "You're wearing *those shoes*?!", when we are about to go to a party, she might assume that I'm implicating "This looks horrible". However, she simply hasn't looked out of the window since she got up from her afternoon nap, and not seen that it had started raining heavily. So, if I add "You'll be soaking wet before we're even at the bus", I've cancelled the implicature that I don't like her shoes. This means my implicature "is contextually cancellable if one can find situations in which the utterance of the form of words would simply not carry the implicature" (ibid.).

Next, *non-detachability* is the idea that, if we make an utterance with a particular conventional meaning, utterances with equivalent kinds of meaning will generate similar, or the same, implicatures. In Grice's words: "it will not be possible to find another way of saying the same thing, which simply lacks the implicature in question […]" (ibid., 39). What this means is that

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[15] Generalized implicature can easily be confused with *conventional* implicatures (see Grice 1989, 37) (see also Footnote 13 and 8). They also aren't context-dependent, and, according to Grice, don't contribute to "the truth conditions of a sentence, and for this reason have sometimes been regarded as involving pragmatic rather than semantic content" (Kroeger 2018, 148). How is this distinguishable from *generalized* implicatures? E.g., saying "X is meeting a woman tonight" (which would normally mean that the woman isn't X's sister) is generalized and not conventional because there *could* be instances, nonetheless, where a different implicature is generated – for instance, in adding "and that woman is X's long-lost sister" (see Grice 1989; Kasmirli 2016, 39).

"conversational implicatures are typically not *detachable* from the content of the utterance" (Kasmirli 2016, 41).[16]

Problems with the Gricean Framework

The theory of conversational implicature isn't without its problems. There have been numerous criticisms, extensions and adaptations of the Gricean framework (see Levinson 2000; Sperber and Wilson 1996; Davis 1998; Saul 2002; Carston 2002), but I won't go into a detailed discussion of all of these different approaches here. A few important points should be mentioned nonetheless: E.g., we might wonder if, according to Grice, we can *accidentally* generate an implicature, where our conversational partner assumes that we want to bring across something different to what we actually wanted to (e.g., they assume that we are referring to a different set of background assumptions). Similarly, we might wonder what the role of *speaker intention* is when it comes to implicature: When something else ends up being implicated for a particular audience, should we differentiate between the implicature we intended and the implicature that gets understood?[17] What happens when we are not presumed cooperative, but still somehow end up implicating something (but maybe not what we intended to)?[18] Connected to this, there are discussions to be had about the extent to which the assumption of cooperation is *idealised* – see e.g., Beaver and Stanley (2018, 352) or Cappelen and Dever (2019, 2).

I will address some of these worries over the course of this dissertation. In particular, the next chapter will work on a broadening of the Gricean framework, following Saul (2002), and subsequent chapters will be concerned in some detail with implicatures arising in politically charged circumstances. What is worth mentioning for now, however, is that this dissertation is not primarily about *re-evaluating* implicature in general, but about *re-utilising* a particular (adjusted) framework *of* implicature to theorise about how we often communicate with conversational silences. As we will see in the following, in order to do that, we do need to make at least *some* changes to the Gricean conception and possibly broaden our assumptions about what implicature can and cannot do. How to do this in relation to silence will the point of the next section.

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[16] Generating an implicature via Manner is an exception here, because this refers to *how* something is said (see Grice, 1989, 39; Kasmirli 2016, 41).

[17] I'll discuss this more specifically with Saul's (2002) account of utterer- and audience-implicature.

[18] A lot of problems along these lines are discussed by Maria Kasmirli (2016, 52-66).

1.3. Silence(s) and Conversational Implicature

In the following, I want to begin by discussing an account by Ephratt (2012) on silence and implicature. Ephratt's paper is perhaps the only place where silence is discussed in relation to *implicature* specifically, and so may seem to offer a natural starting point to the investigation in this chapter. However, as we will see, Ephratt and I are largely interested in two different phenomena that we could call 'silence'. Distinguishing these two phenomena will limit the insights we can draw from Ephratt when it comes to my notion of 'silence', but this distinction is important in understanding the focus of my project. With this in mind, I will look at Grice's individual conversational maxims in a second step, and present examples where silence violates (or, in some cases, follows) each given maxim in some way. For now, these examples should be as straightforward as possible, laying the groundwork for more politically relevant and controversial examples. I am going to restrict myself to cases where it is clear to all participants in the talk exchange, that a.), *something* is communicated with silence, b.) it is *calculable* what is communicated with silence and c.) it is the *conversational silence* that is used to implicate something.

Ephratt on Silence and Implicature: Motivating the Project

I mentioned earlier that my definition of conversational silence refers to cases of "literally" remaining silent, which should be distinguished from cases where somebody is "silent by omission" (e.g., they "remain silent" on a particular issue; this is discussed, e.g., in Swanson 2016). This distinction will be important for the following, where I want to introduce a contribution to the discussion of implicature and silence (or not-saying) by Michal Ephratt (2012): In her paper, *"We try harder" - Silence and Grice's cooperative principle, maxims and implicatures*, Ephratt "raises the question about the status of verbal silence (silence as a means of communication alongside speech) within Grice's framework" (Ephratt 2012, 63).

This project sounds, overall, quite similar to the one I've set out to undertake. Most importantly, we are both interested in silence and implicature, and how the two phenomena relate to each other. However, on closer investigation, Ephratt and I are to a large extent investigating a different *phenomenon* of silence, as Ephratt's main focus is what I've dubbed *omissive silence*. And while she does present *some* examples of conversational silence in her paper, I believe that their specificness as a linguistic phenomenon remains underexplored. With this in mind, I'll now motivate my specific project by pointing out how **a.)** Ephratt is largely interested in a different kind of silence than I am, and, while she does introduce some cases that would count as *conversational silences*, **b.)** a failure to redefine or adjust Grice's account means she cannot adequately make sense of *conversational silences*, and leaves under-explored the *specificity* of different kinds of silences.

So, what is Ephratt's account? According to her, Grice, as well as others who follow him, have so-far equated silence with the *flouting* of maxims (see ibid.). Thus, as Ephratt (2012, 63) points out, it is her aim

> "to investigate whether silence is a case of the addresser's failure to satisfy the cooperative principle and is resolved as meaningful by implicatures, or whether such cases comply with the cooperative principle. As we shall see, verbal silence, just like speech, may sometimes serve the purposes of communication and interaction, thereby complying with the cooperative principle, and sometimes counter them."

Ephratt takes up Grice's account of implicature, thinking about silence *within* that existing account. Consider a central example of her paper: In a 1960 ad campaign, the car rental service Avis set out to overtake the US' first ranked service, Hertz. The ad-campaign centrally involved the slogan "Avis. We try harder", deriving from a statement made by Avis's president Robert C. Townsend when interviewed, as reported by *Time* magazine: "Were Avis's cars newer than Hertz's? asked the admen. No. More rental locations? No. Lower rates? Nope. Wasn't there some difference between the two? 'Well', said Townsend, thinking for a moment, 'We try harder.'" (ibid., 68). Ephratt writes that this shows how it's the "choice of the speaker to convey by silence what is expected using speech" (ibid., 69). First, Hertz doesn't *need* to be mentioned explicitly in the ad, because they were the only relevant competitor at the time. So, by remaining silent about Hertz – by omitting any mention of them – it "has vanished as a contestant, and Avis has taken over" (ibid.). According to Ephratt, it is a mix of the calculated wording, certain grammatical and lexical choices, the speech, and verbal silence that communicate precisely this – that Avis is better than Hertz (see ibid.).

So, what is there to say about this approach? First, let's consider Ephratt's point that Grice and Griceans have so-far *equated* silence with the flouting of maxims (ibid.). This seems puzzling, given that Grice only provides one single example involving silence, where somebody expresses appalled silence at a tea-party in response to the comment "Mrs. X is an old bag" (see Grice 1989, 35). But even there his interest lies in what *is said* after the silence, and not the silence itself (as Ephratt (2012, 66) acknowledges and discusses). So, given that this is the only example of conversational silence to be found in *Logic and Conversation*, it is my impression that implicature via *conversational silence* in the defined sense has been largely *unrecognised* by Grice and scholars following up on him. Ephratt's statement makes more sense, however, once we consider that she seems to be (largely, though not exclusively) interested in what I've dubbed *omissive silence*. Indeed, in some ways, a lot of philosophical work engaging with conversational implicature *has* referred to *this* kind of silence that happens via omission: Implicature is interesting *precisely* because things remain unsaid, because we might use it to hint at something which we omit in what we say explicitly. Considering that Ephratt is to a large extent referring to the category of omissive silence, she is right that flouting

the maxims has been of most (though not exclusive[19]) interest to Grice and Griceans (see ibid., 63). It's her aim to describe this kind of omissive silence as not only a violation of Gricean maxims but as communicating by *following* the maxims and Principle. And it seems to me that these silences *can* be grasped with Grice's definition. The literal, conversational kind of silence I am interested in, however, cannot be captured this way.

As we saw in Ephratt's Avis-example, we are analysing a *statement*, an *utterance*, and how the things that *remain unsaid* or are omitted *within this statement* communicate something. Silence, in this sense, is not literal, it is not direct, it is part of the *explicit* statement itself. As Ephratt puts it: "Verbal silence belongs in the utterance produced – deliberately – by the speaker" (ibid). Surely, in "Avis. We try harder", crucial things remain *unsaid*, and a calculation of what it implicates needs to take into account context, background information, and knowledge, but it is not silence in the *straightforward* sense that is involved here. But, as I also said before, Ephratt *does* include cases of *conversational silence* in her analysis. However, in her discussion, Ephratt draws no real distinction between different forms of silence. That is, she discusses both omissive and conversational forms of silence without noting how *different* these are from our usual implicature cases or cases of omissive silence.[20]

Let's take a look at one of her cases of what I would call conversational silence. Ephratt (2012, 65-66) discusses Grice's (1989, 35) already mentioned "Mrs. X is an old bag" case, uttered by A at a "genteel tea party". This utterance receives the reaction of "appalled silence", until B says "Nice weather today, isn't it." (or, in Ephratt (2012, 65), *The weather has been quite delightful this summer, hasn't it?*). Next, Ephratt identifies two elements to the response to A's comment – the silence, and the weather-reference. She rightly points out that Grice doesn't refer to them separately, as his interest lies in the weather-comment. Importantly though, Ephratt identifies the weather-reference as *empty speech*: "Whereas speech is the most profound, meaningful, typical verbal means of communication […] empty speech is an atypical, semiotic convergence thereof" (Ephratt 2012, 66). Her point is that "[t]he meaning conveyed by empty speech is not the words uttered, but its emptiness" (ibid.). As she points out, to say that the second element in B's response counts as empty speech "is to say, as Grice points out, that by changing the topic to a typical non-subject (the weather), B is indicating his refusal to take on A's topic, or even to respond or relate to it." (ibid.). And this, then, means, according to Ephratt, that the elements of B's turn, the weather reference and the silence, "are identical in their function, and so reinforce each other. B's conversational strategy – uttering

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[19] As I mentioned, there are examples in Grice referring to implicating by following the maxims (see Grice 1989, 32).

[20] E.g. on pages 66-67; 72-74; 76-77, Ephratt (2012) discusses examples of silence in my sense.

signifiers with nothing signified – functions exactly like his appalled silence." (ibid.). But, and importantly, this does not mean that any of these responses are uncooperative per se:

> "With regard to the maxim of relevance, "Be relevant", it is beyond doubt that B's first move (the appalled silence) is most relevant because it states in the most accurate (and iconic) way the message B wishes to convey. Content wise, the two elements of his turn say the same thing: the second element (empty speech) is indeed relevant to what B (but not A) wishes to convey about A's remark" (ibid.).

Both of B's elements are, according to Ephratt, cooperative because they both aim to repair the situation, and bring A back to the original aim of their genteel tea party. It signals that A is the one being uncooperative, and B (and possibly other tea party attendees) are ready to go back to a cooperative conversation.

Now, there seem to be at least two ways in which we can interpret Ephratt's claim that, in terms of content, the elements of B's turn are the same: The first one is a claim about the *explicit* level, namely that both elements of B's turn "say" nothing. The other one is a claim about what is implicated: Both elements of B's turn *implicate* and *communicate* the same thing. I think both of these interpretations are incorrect.

Let's start with the first one. I think it would be wrong for Ephratt to claim that, in this case, the literal silence and the weather reference both say nothing – at least, we would have to qualify that they "say nothing" in a very different sense. In the case of the weather reference an utterance *is* made – maybe it qualifies as empty speech, but *something is said*. In the case of the silence *nothing is said*. This seems especially important, since she is working with a Gricean account of implicature, an account in which the notion of *saying* is very important. To reduce an utterance and an instance of conversational silence to the same kind of act in terms of *saying* seems to mix two very different linguistic acts.

But what if the point is that, while the literal silence and the empty speech are somewhat different, they implicate the same thing? According to this interpretation, the implicature of both the silence and the weather reference could be something to the effect of "let's go back to the conversation we had before, let's pretend this never happened" etc. However, I also don't think that this interpretation of the silence itself (vs. the weather-reference) seems right. I agree with Ephratt that the silence itself, here, does indeed communicate something. I also think that it relates to the maxim of relevance. But I don't think that the silence communicates "let's go back to the conversation." It seems much more likely to me that the *silence*, the direct and immediate response to the inappropriate remark, is an expression of "I can't believe you just said this; this is such an

inappropriate thing to say; I will not agree with this or just laugh it off". The *weather* reference, however, *does* seem to be an attempt to try and repair the conversation and bring it back on track.

So far for Ephratt's and my diverging interpretation of the silent implicature in this particular case. But of course, it is, in theory, possible that a particular silence communicates or implicates the same thing we could implicate by saying something explicitly. But, I think, even *if* we agree with Ephratt that both the silence and the weather reference communicate or implicate the same thing, this analysis seems incomplete.

As we heard before, Grice's definition of implicature centrally involves the concept of *saying*; as such, his analysis does not leave room for cases where we *don't say anything* but still bring something across. So, within Grice's definition of implicature, there is not really space for implicature generated by remaining *conversationally* silent. And Ephratt's account doesn't reflect this. Rather, I think her discussion fails to distinguish conversational and omissive silences when discussing them within the realm of implicature altogether, which obscures the specific features of either one of these ways of remaining silent (and how we can implicate with them). More crucially, overlooking this specificity leads to an, I would say, incomplete analysis of the (few) cases that *do* involve literal silence in Ephratt's discussion. The discussion of the relation example above does not take into account the specific and complex features of the literal silence that arises. And while Ephratt distinguishes the silence and the weather-reference in B's turn, in her analysis, they seem to collapse into the same act. And this, to my mind, is not a minor point. Conversational silence, as defined before, can *do* things, but I believe it needs to be understood in different ways than explicit speech, even if our explicit utterances involve implicature. To the extent to which "classical" implicature is calculated by referring to *what is said* vs. *what is implicated*, what we'd need, at least, is some kind of reinterpretation of Grice's account of implicature in order to make sense of literal, conversational silences, since in these cases *nothing is said at all*. Ephratt does not provide such an analysis in relation to the discussed, it seems to me. Of course, Ephratt talks about more than just this mentioned example. But the mixing of various forms of silences remains throughout the paper (see the discussion of the Avis-example from before), and she does not provide a reinterpretation of implicature that can fit silence.

This means, in sum, I am interested in cases of *literal, conversational silences* only, and, in virtue of this, I am interested in working out a more detailed theoretical framework that allows us to understand conversational silence *specifically*, and in its special relationship to implicature. So, in the following, I will try to undertake this project: I will discuss cases of conversational silence in reference to Grice's maxims, presenting novel interpretations of these cases, and redefine Grice's notion so we are able to explain these cases as *instances of implicature*.

Given what we have just discussed, the account I will present in the following will not strictly follow every aspect of a Gricean framework of implicature. After all, Grice didn't really consider silence to be a relevant feature of his account, which makes it necessary to make some adaptations and changes to the framework we would use to apply implicature to explicit speech. I do think, however, that his approach can lend itself well to theorising about silence, and I hope I can illustrate this more in the following pages: I will go through Grice's maxims in the order he gives them and apply them to conversational silence – first I will consider Quantity, then Quality, Relation, and then Manner. In **a.)** to **d.)** I will first provide the Gricean account of violating the given maxim and then try to come up with an example of the violation of this maxim (which involves a conversational silence). This will show how silence can give rise to conversational implicature and how an audience might come to calculate a silent implicature.

a.) Silent flouting and infringing of Quantity

According to Grice, **Quantity₁** (a contribution should be *as* informative as required) can be "flouted". Extreme examples of this are plain tautologies – Grice gives the examples "Women are Women" or "War is war". For him, these remarks are completely uninformative on the level of *what is said* explicitly. As such, they *always* infringe the Quantity-maxim in some way. But they can still be informative on the level of what is *implicated*. For this to be the case, a hearer needs to be able to 'get' this implicature, and it must be possible, in principle, to explain how or why it made sense to use it. If an implicature isn't calculable in this way, however, the informative content of the tautology is more or less empty. In such a case, the implicature fails.

Moreover, we often encounter a violation of **Quantity₂** (a contribution shouldn't be *more* informative than required). An infringement of this maxim occurs, according to Grice, "on the assumption that the existence of such a maxim should be admitted" (ibid.). What does this mean? Remember the first variation of example **(5)** from before, where Thomas wants to know whether there are sweet potato chips on the menu. Imagine I give the information he asked for, but a whole bunch of other information about sweet potatoes – how they can be prepared, where they come from, etc. Thomas might doubt that my answer to his original question is actually true because, in Grice's words, my response is "undesigned" (ibid., 34) – it's not the kind of response that Thomas's question invites. If, on the other hand, my friend thinks of my response as "designed" (ibid.),

maybe because he is very curious about sweet potato fun-facts, it would be odd of him to convey that the requested information I gave was controversial.

So, how does this work with silence? Very basically, when we violate the Quantity maxim, we mess with the amount of content or information given. While it is probably very straightforward to see that silence violates the maxim of Quantity *in general* – since there is no information given explicitly but only implicated in omitting a statement – it is more difficult to understand what is happening in more detailed examples. Specifically, I suggest that silence *can* violate Quantity$_1$ while it is tricker to see how it would violate Quantity$_2$.

Recall that Quantity$_2$ says that my contribution shouldn't be *more* informative than required. It is not clear how silence could function in this way, while it seems that silence *can* be *as* informative as required, at least on the level of what is implicated (Quantity$_1$) – if no information is required, silence might be ideal. As such, a conversational silence can *violate* the Quantity maxim in a very straightforward sense: It can fail to provide the quantity of information that is required in a talk exchange, and in this respect will (at least most of the time) violate Grice's maxim of Quantity *on the level of what is said*. But these silences can still be as informative as needed on the level of what is implicated.

Let's discuss this by looking at another example. Consider example **(2)** again:

> **(2)** I'm in a restaurant with my friend Thomas. The day before, he ate the last cookie of mine without asking first, and I am still holding a grudge, which Thomas suspects.
> Thomas asks: Are you still upset with me?
> A: […]

Now*, how is the maxim flouted?* Here, silence violates Quantity because the answer I give doesn't contain the required information with which one ought to respond to the question. If Quantity requires us to give *as much* information as needed (and not more information than needed), my response here doesn't live up to that requirement on the level of what is said. It thereby flouts/infringes the maxim of Quantity.

How is the implicature calculated? There are various things Thomas can draw on in calculating an implicature, including contextual and background knowledge, time of utterance, what is (or isn't) said, and so forth. Similar things go for silence. So, how can the silence be reconciled, so that the Cooperative Principle is observed overall (see Grice 1989, 30)? Because Thomas knows that I am not to joke with when it comes to cookies, he comes to calculate the implicature conveyed by the conversational silence as follows:

> "A giving me less information than I need in regard to my question, in fact not giving me any
> information whatsoever, must mean something like 'You should totally know that I am still

upset' or something like that. This is the only way I can make sense of A's not-saying-anything

in this case – and I also know that A generally likes to clear things up before moving on."

If Thomas reasons this way, my silent violation of Quantity succeeds in implicating annoyance about something else – I'm succeeding in communicating something with conversational silence. One could say that this is very arbitrary, because we are confronted with a high degree of context dependence. But Grice is the first to admit that for somebody to work out a (particularized) conversational implicature, they usually do have a lot of background and context-dependent information.

It's also important to note that I am not simply *opting out* from my interaction with Thomas, exactly because I want him to pick up on something *from* my silent contribution, something that subsequently enters into the conversation.[21] While it's true that we could, theoretically, communicate something in simply opting out and stopping their interaction, this is not what's going on here: We can see that my silent contribution isn't opting out in the sense of *ending* the conversation or *exiting* from it, because the conversation can, and probably will, continue on the basis of what was silently implicated. This could look as follows:

(2*) T: Are you still upset with me?

A: […]

T: Okay, I see that you *are* still mad at me. I'm sorry! What else can I do?

A: I don't know! You know how I am. Buy me a cake and we're even.

T: And you'll stop holding a grudge then?

A: Yeah, I promise.

The conversation progresses on the basis of what Thomas takes *from* my silence. The conversational silence wasn't intended as opting out, but rather works to implicate something as a contribution *to* the conversation.

While I think that most of the relevant cases throughout my discussions will involve implicating via *violating* some maxim (while Quality is somewhat of a special case, as we'll see shortly), it should be noted that silence can also *follow* Quantity: Consider the following scene from the movie *All the President's Men* (1976) – a film about the Watergate scandal, based on the eponymous book written by the main investigators of the case, Carl Bernstein and Bob Woodward, journalists of *The Washington Post*. The following is a conversation between Bernstein and an unnamed lawyer, who

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[21] Opting out, in the sense of "stopping the cooperation" surely *can* communicate something in certain situations – and silence can also have this function at times. This is, however, not what is happening in this particular example. A discussion on how silence can cooperatively announce the end of an cooperation can be found in Tanesini (2018), which I'll discuss in more detail in *Chapter 5*.

Bernstein identified as an informant for an important part of their story, but who's legally prohibited from saying anything detailed about his inquiry:[22]

> **(8)** Lawyer: "… I won't say anything about Haldeman … not ever …"
> Bernstein: "Alright, and we won't want you to do that, we know it's against the law for you to say anything [about Haldeman and the Grand Jury]. If there's some way to warn us to hold on the story we'd appreciate it"
> Lawyer: "I'd really like to help you but I can't"
> Bernstein: "Look, I'm gonna count to ten, alright, if there's any reason we should hold on the story hang up the phone before I get to ten, if the story's alright you'll just be on the phone till after I get to ten, alright?"
> Lawyer: "Hang up, right?" […] [Bernstein counts to 10]
> Lawyer: "You've got it straight then? Everything OK?"
> Bernstein: "Everything's fine."
> (see *All the President's Men* min. 1:59:08-2:00:10).

As we can see here, the lawyer remains silent, following a somewhat pre-defined script where it was agreed upon what remaining silent would mean – and following this would thereby implicate agreement that the story was good to go by providing the correct amount of information.[23] This, then, would be implicating by following the maxim of *Quantity*.

b.) Silent flouting of Quality?

Let's move on to the "flouting" of **Quality₁** (don't say what you believe to be false). Paradigmatic examples of this are *irony* or *metaphor* (see Grice 1989, 34). Remember the co-worker example from before. When I say about my co-worker I don't get along with that he is "such a pleasant guy to be around" (even though it is perfectly clear to my audience that the two of us don't like each other), they all understand that I actually *implicated* the contrary of what I said explicitly. Hence, it is clear to the audience that somebody who uses irony or metaphor in this way "must be trying to get across some other proposition than the one he purports to be putting forward. This must be some obviously related proposition" (ibid.), being, in most cases, the contradictory. For **Quality₂** (don't say something you don't have adequate evidence for) Grice (1989, 34) gives a case where somebody says about X's wife:

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[22] Many thanks to Jennifer Saul for pointing me to this example.

[23] Not much later in the film we'll find out that the lawyer actually *misunderstood* this coding of silence and thereby intended to implicate something different from what ended up being implicated. These are interesting complexities I will consider in more detail in the next chapter.

(9) "She is probably deceiving him this evening" (ibid.).

If it is clear that the utterer doesn't have adequate reason or evidence to support this (ibid.), the audience has to assume that the utterer is "getting at some related proposition" (ibid., 35) for which he in fact *does* have evidence, in order to preserve the assumption that he is still observing the Cooperative Principle and maxims on the level of what is implicated (see ibid.).

Now, it seems like it is difficult to come up with examples where conversational silence *flouts* Quality. Can *saying nothing* be a way of saying something false?

Now, can say nothing be a way of saying something false? Let's reconsider the scene from *All the President's Men* that I mentioned above. The following exchange takes place:

(8) Lawyer: "… I won't say anything about Haldeman … not ever …"
Bernstein: "Alright, and we won't want you to do that, we know it's against the law for you to say anything [about Haldeman and the Grand Jury]. If there's some way to warn us to hold on the story we'd appreciate it"
Lawyer: "I'd really like to help you but I can't"
Bernstein: "Look, I'm gonna count to ten, alright, if there's any reason we should hold on the story hang up the phone before I get to ten, if the story's alright you'll just be on the phone till after I get to ten, alright?"
Lawyer: "Hang up, right?" […] [Bernstein counts to 10]
Lawyer: "You've got it straight then? Everything OK?"
Bernstein: "Everything's fine."
(see *All the President's Men* min. 1:59:08-2:00:10).

Now, as we have discussed before, the silence here is coded as meaning something specific. So, what if the lawyer was trying to deceive Bernstein? The lawyer *knows* that the silence is supposed to mean "go with the story", while hanging up and ending the call would mean "don't go with the story". And say he knows that the story is *not* good to go, but wants to deceive the reporter: So he stays on the phone, implicating, with his silence, something he knows to be false. It is notable, however, that in cases of Quality it seems like we need some kind of specific coding of the silence, a *pre-defined* meaning, for the maxim to be violated. This is different from other cases, where contextual knowledge, background information, etc. can be enough to calculate the implicature.

Because of this coded nature of the silence in cases of Quality, it is also worth noting that we might often get implicatures via *following* Quality. Consider this case:

(10) Two people are getting married. As part of the ceremony, the priest says: "If anyone can show just cause why this couple cannot lawfully be joined together in matrimony, let them speak now or forever hold their peace.
Everybody remains silent.

Here, too, the silence is specifically coded. Everybody knows that by remaining silent they agree to the matrimony. They communicate that they *don't believe it to be false* (to speak in terms of Quality₁) that this couple should be married – and thereby follow Quality with their silence.

However, I think that Quality remains something of a special case: With other maxims, it doesn't seem like an explicit coding of silence is necessary in order to make sense of a related implicature, which is something we appear to need here.

c.) Silently violating Relation

A candidate for a (silent) violation of the **Relation** maxim (be relevant) is the following:

> **(11)** A group of co-workers have a meeting, and Berty is facilitating the discussion. They are going back and forth about who will solve some computational problem. During that exchange, Danny says something like "Women just aren't good at maths". Berty only responds with (conversational) silence and moves on to the next point in discussion.
> D: "Women just aren't good at maths"
> B: […]

How is Relation violated here? Grice himself gives an answer to this when discussing a different example: "B has blatantly refused to make what he says relevant to A's preceding remark. He thereby implicates that A's remark should not be discussed and, perhaps more specifically, that A has committed a social gaffe" (Grice 1989, 35).[24] This seems to make sense in relation to silence as well: If B says nothing to D's comment, B refuses to make the comment on women and maths relevant in the following conversation.

As already mentioned before, this is also the only time where Grice mentions silence in the way I'm interested in here. In his example, A says something socially unacceptable at a party, and B refuses to take A's comment into account by saying "the weather is nice today", after a moment of "shocked silence". But note that Grice stresses that B has violated the maxim of relevance in the exchange because *what B subsequently said was completely irrelevant in relation to A's remark*. Here we see

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[24] In my example, the context is that B doesn't believe in such sexist assumptions about women's relation to maths. It would be something else entirely if B would be a known sexist himself. In this case, the silent response could be communicating that B supports A's statement but doesn't want to go into more detail about it. Similarly, if nobody but A knew about B's sexist opinions, all of the other co-workers might interpret the silence-response as showing that A's remark is inappropriate or wrong, while A might understand B's *actual* agreement with his utterance. Examples like these will be of greater importance later on, but already here we can see the potentially powerful use of conversational silence. Different groups of people might take completely different things to be implicated, depending on their background knowledge of the speaker and the circumstances.

again what I tried to stress before, that Grice considers the implicature and violation of maxims to be associated with the *comment that follows*, but not the *silence itself*. What is important for Grice isn't the (collective) reaction of the party-group with silence. It is the fact that the subject of the weather stands in no relation to what B said. So, while Grice does mention silence here, it's not the silence that carries the implicature, and violates the maxim, it is what B said after the moment of silence. In contrast, I would say that, *already at the point where people react with silence*, the maxim is violated and an implicature is communicated via silence.

Now, one might worry that the silence-response of the audience is somewhat *uncooperative*. But there are other ways of interpreting this scenario. Ephratt (2012), who, as we know, also discusses Grice's 'shocked silence' example, understands A, who's making the inappropriate remark, as not sharing the aim of a genteel tea party, and so interprets *A* as being uncooperative, while she takes it that B *is* cooperative, both in their silence (in unambiguously communicating that what A said isn't great), and by uttering something entirely unrelated to change the subject (see Ephratt 2012, 66). And as Tanesini (2018, 118) stresses when talking about this example, "at times, pointed silence is the clearest, most coherent, and helpful way, of communicating to a speaker that some remark of his is beyond the pale." The point here is that silence *itself* brings something across here. And I believe that this is well explained by understanding the silence in this case as violating the conversational maxim of Relation *at the level of explicit conversational contributions*, while adhering to the maxim *on the level of what is implicated*. Bringing something across, in this case, is (partly) done via *exploiting* Relation on the level of what is communicated explicitly – by remaining silent – but this isn't the same as being generally uncooperative, since the audience in this case is also required to take into account the level of what is implicated, as is generally the case when implicating by exploiting a maxim. When the audience takes this into consideration, they *can* think of the person remaining silent as cooperative.[25]

So, returning to case **(11)**, how might Danny *calculate* the implicature carried by Paco's silence?

> Paco's silence and what follows don't take up my utterance – nobody laughs or nods or anything.
> If I said something acceptable, they would all react to this in some way, and this can only mean
> that what I said was unacceptable in this circle. Paco thereby communicates to me, and all the
> others, that what I said isn't acceptable and isn't worthy of any further discussion.

Similar things can be said for Grice's tea-party example (see Grice 1989, 35). Everybody considers the specific remark to be socially unacceptable and reacts with silence to it. Then, they happily

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[25] I grant that there are very interesting discussions to be had about Grice's notion of cooperation, and clearly there has been a lot of discussion on the maxim of Relation, particularly by Relevance theorists. I cannot go into these detailed discussions here, but will continue to assume a more traditional Gricean picture.

move on to some other topic. The "moving on to some other topic" certainly does communicate something as well, but so does the immediate reaction of silence.

d.) Silently flouting Manner

Grice further comes up with several examples of flouting the supermaxim **Manner** (be perspicuous). Speakers can do this by using obscurity to flout **Manner$_1$** (see Grice 1989, 36), deliberate ambiguity to flout **Manner$_2$** (see ibid., 35), a failure to be brief or succinct to flout **Manner$_3$**, or a failure to be "orderly" to flout **Manner$_4$** (see ibid., 37). Let me explain these in a bit more detail.

Manner$_1$ (avoid obscurity of expression) might be flouted if I deliberately obscure something so a third party cannot understand what I am saying. Grice gives an example where a child is present and matters that are considered inappropriate for her are discussed. If I'm successful in implicating in this way, my conversational partner would already *expect* me to be *deliberately obscure*, and therefore understand what I aim to implicate with my obscured utterance (see ibid., 36-37). When it comes to the flouting **Manner$_2$** (avoid ambiguity), it is important that the ambiguity is explicitly *deliberate* in a way "the speaker intends or expects to be recognized by his hearer" (ibid., 35). This means, the hearer is not only *supposed* to understand that the ambiguity is pointing to something or other, they are also thought *to be able to understand* what message stands behind the deliberate ambiguity. Further, I can violate **Manner$_3$** (be brief; avoid unnecessary prolixity) and **Manner$_4$** (be orderly) in failing to be brief or succinct – e.g., by explaining something in overly long and complicated terms. So, how does silence come into play here?

To start with, note that Manner$_1$ and Manner$_2$ are something of a tricky case for conversational silence. According to Grice, you obscure or make ambiguous *what you say* by *how you say it*, and in cases of conversational silence, of course, *nothing is said*. At the same time, it seems that remaining silent can be quite ambiguous and obscure, and you might make use of that obscurity deliberately. Contrast the two following cases:

> **(12)** Lara is visiting her friend Cari, bringing her 4 year old, quite curious, daughter with her. They are having tea and gossip about some old school friends. Lara wants to tell Cari that somebody they know has hooked up with somebody else they know, but she also knows that her daughter, who's drawing a picture at the same table, will immediately ask "what's sex?", and Lara is not ready to have that conversation with her. So she says: And then, Marcus and Gale had, you know, S-E-X!

> **(12*)** Lara is visiting her friend Cari, bringing her 4 year old, quite curious, daughter with her. They are having tea and gossip about some old school friends. Lara wants to tell Cari that somebody they know has hooked up with somebody else they know, but she also knows that her daughter, who's drawing a

picture at the same table, will immediately ask "what's sex?", and Lara is not ready to have that conversation with her.

So she says: "And then, Marcus and Gale had, you know, […]!"

Cari: What? What did they do?

Lara: […]

Cari: Oooh. I see!

The first case would count as a violation of **Manner₁**. And we might want to say that the same holds for the case involving silence: Lara is obscuring what she is bringing across deliberately, in such a way that Cari can still grasp it when taking into account the level of what is implicated (while this stays obscure, or not even noticeable, to her 4-year-old). However, this also shows how the various maxims interact with each other. There is a way to think about this example that might make us wonder whether it's really Quantity that is doing some work here by Lara not saying some relevant information. Interestingly, however, there seem to be some cases where it's quite clear that Manner₃ and Manner₄ seem to be exploited. Let's look at these now.

Of course, one might wonder how *silence* can be a failure to be brief, succinct, or orderly (Manner₃ and Manner₄) – after all, to remain silent could be considered to be the very definition of being brief. However, on a second look, it isn't necessarily the case that silence is brief or succinct at all – in fact, it's often *especially* the long, uncomfortable silences that stand out to us. In that sense, silence can be exactly the opposite of brief. In the following, I will discuss violations of Manner₃ and Manner₄ in this sense.

Let's move on to an interesting example of Manner₃ and/or Manner₄: In her paper *The Silence Address* (2017), Michal Ephratt presents a qualitative linguistic analysis of a speech given by Israeli Prime Minister Benjamin Netanyahu in the UN General Assembly in 2015, in which he talked about the nuclear deal made by the United States with Iran:

> **(13)** In speaking of "what he perceived as the Iranian regime's threat to Israel and the world" (Ephratt 2017, 200), Netanyahu's aim was to justify Israel's refusal to embrace this nuclear deal (see ibid.). What was remarkable about his speech, especially in the context of my considerations, was the 44 seconds in which Netanyahu pauses in the middle of his 45-minute long speech (see ibid.). These 44 seconds of silence were widely interpreted and were talked about on social media and the news. More concretely, they came up in the following way, when Netanyahu says (as quoted by Ephratt): "Iran promises to destroy my country. And the response from this body and from nearly every one of the governments represented here has been nothing. Utter silence! Defeating silence." He then paused for 44 seconds and added: "Perhaps now you can understand why Israel is not joining you in celebrating this deal" (see Ephratt 2017, 201).

As Ephratt (2017) points out in her article, this speech soon became known as "the Silence Address", with media heavily focussing on the meaning and significance of Netanyahu's silence.

For one, I think that it is quite clear that Netanyahu wanted to communicate something with this silence, especially since after the 44 seconds of silence he said "*now* you will understand", clearly relating *now* to the silence. But *how and why are Manner₃ (be brief) and Manner₄ (be orderly) flouted here*?

The nature of this silence is quite atypical, among other things due to its length, which relates to the *manner* in which something is brought across (it certainly *isn't* common to include a very long pause of silence in our conversations, especially not during a 45-minute-long speech). As such, the silence is neither brief (it is overly long, uncomfortable) nor succinct (again, it's lengthy and somewhat expansive in the way it is presented) – after all, even when we use conversational silences to communicate something, they are often not as long as 44 seconds, but more brief or "to the point." His silence, as such, does not accord "to the order" we would expect in a setting like the one in which his speech is taking place. But: If we take into account the level of what is implicated, we're able to think of Netanyahu's silence as bringing something across that is central to the message he wants to manifest in his speech. His silence seems to not only communicate that he rejects the proposed deal (which is also made explicit on the level of what is said beforehand), but on the level of what was implicated – interpreters took him to communicate, e.g., that the silences of other governments mean that they not only don't care about, but also *allow*, the threats he alleges have been made.[26] In contrast, consider how much easier to ignore and overlook a very short silence would have been. By making the silence quite lengthy, and not succinct, brief, *or* in adherence to the commonly expected norms of his context, his conversational silence was able to draw more attention to itself, and actively make people think about what precisely it might mean.

Silent Conversational Implicature

It was the goal of the above addressed examples to show that there are cases where it seems like a maxim was exploited and something was implicated *via conversational silence*. We are now in a position to re-define our notion of conversational implicature (see Grice 1989, 30-31) to accommodate for cases of silence:

> Somebody who, by (in, when) saying (or making as if to say) that *p* or by **remaining conversationally silent**, may be said to have conversationally implicated *q*, provided that

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[26] In this sense, we might think that Netanyahu is mimicking the silence of the governments he is criticising. Even if that is what he meant to do (and it should be noted that Ephratt points out that this wasn't the only way his silence was interpreted), this silence seems to nonetheless communicate something that goes beyond "merely" mimicking others' silence – at the very least he is trying to communicate the discomfort of silence in a political setting that he considers relevant, exactly by using silence in the illustrated manner.

(1) they are to be *presumed* to be observing the conversational maxims, or at least the Cooperative principle;

(2) the supposition that they are aware that, or think that, *q* is required in order to make their saying, making as if to say *p* (or doing in *those* terms), **or their remaining conversationally silent**, consistent with this presumption; and

(3) **the person making the conversational contribution** thinks (and would expect the hearer to think that they think) that it is within the competence of the hearer to work out, or grasp intuitively, that the supposition mentioned in (2) is required.

The changes, or extensions, made here to the Gricean notion are minor. However, this slightly altered definition can now grasp what I call *silent conversational implicature*. While the traditional Gricean model can only analyse cases of "what is said", we are now in a position to analyse cases where *nothing is said*.[27] Over the course of the following chapters, this definition will be put to more use.

Of course, there are more details and distinctions that we need to take into account when we want to theorise silence in a (roughly) Gricean framework. As mentioned before: Insofar as there are criticisms and difficulties to be addressed within the commonly used framework of conversational implicature, we also need to address these issues if we want to theorise about silence using conversational implicature. While bearing in mind the usefulness of the straightforward cases presented in this chapter, it's nonetheless important to recognise that our communicative goals aren't always reached, and our conversations – and implicatures – aren't always successful. For example, we should investigate how speaker intentions and audience uptake can come apart. What happens if our audience doesn't presume us to be cooperative, and (wilfully) misinterprets our (silent) implicature? In which ways might it be politically relevant that somebody might be able to successfully implicate with silence while others might not?

Some of these questions will be addressed in the next chapter, where I will specifically devote myself to "disentangling" different levels of implicature. But before I go on to some of these questions, let me briefly summarise this chapter.

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[27] Note that cases of silent implicature, are also *cancellable*. Just reconsider the example from *All the President's Men* from before. The lawyer implicates, by remaining silent, that the story the journalists presented him with is good to go. But imagine he realised in the last minute that he wasn't actually clear one how the silence was coded. So before they end the call he adds "Sorry, I just need to double check, hanging up means 'go with the story', right?" If that were the case, he would effectively have cancelled his silent implicature.

1.4. Conclusion and Looking Ahead

This chapter had three main aims: *First*, to provide a definition of conversational silence; second, to introduce Grice's framework of conversational implicature by taking a close look at his original text; and *third*, to show how we can implicate with conversational silence.

In **1.1.** I discussed how we can define conversational silence, and how my focus is different from the idea of silence as 'omissive'. Next, in **1.2.**, I reconstructed Grice's account of the Cooperative Principle and the role of the conversational maxims Quantity, Quality, Relation, and Manner, and characterised the notion of conversational implicature by highlighting the most important features of Grice's definition. Based on this terminological and reconstructive work, **1.3.** focussed on the question of how conversational silence can violate (or adhere to) the maxims, and how it is possible to implicate with silence. My main questions were *how (at least) one of the maxims is violated* by this use of silence, and *how the audience comes to calculate the communicated implicature.* Here, I tried to identify "straightforward" cases, without taking background-dynamics or power relations into account, as it was most important to stress that we *can* think of examples where the implicature is carried by silence, and not something else that is uttered in context.

While I think that I have succeeded in showing that we are indeed able to implicate with silence, there are still many questions open that need to be addressed. This includes questioning some of Grice's seemingly straightforward assumptions: Can we implicate something without intending to implicate it? Can we intend to implicate and communicate something, but the audience understands something else instead? In light of the previous characterisations, the next chapter will complicate the already provided cases, and discuss how we'd need to further extend the Gricean theory to account for more complex cases.

2. Disentangling Conversational Implicature

My main concern in the previous chapter was to work out how we can apply the Gricean account of conversational implicature to silence. However, the examples I've been working with so far have mostly been rather "ideal" cases of (silent) implicature. This means that I've taken for granted that background assumptions and context are clear, nobody is trying to deceive anyone; I haven't considered potential social or political pressure on those who are trying to implicate with silence, nor have I talked about the beliefs and assumptions on the side of the audience. Further, I've been concerned with examples where the audience does actually successfully calculate the intended implicature in the way it was intended. However important and helpful these straightforward cases are, there are a few other things we need to consider.

One important point is that communication as we know it in our everyday life doesn't always go so smoothly. While we indeed *are* frequently able to understand each other, often we are not. People can be purposefully (or inadvertently) misleading, and misunderstandings happen all the time. So, *especially* if we want to analyse the complexities of our political reality, we should explicitly ask how a concept of silent implicature can illuminate scenarios that take place in less than ideal communicative circumstances.

I want to tackle this issue by motivating the idea that (silent) implicature should be "disentangled". By this I mean that it would be useful, especially when exploring complex and politically charged situations, to have some analytical tools to pick apart different "levels" of implicature, allowing us to differentiate between what somebody *intended* to implicate, what was *taken up* as implicated, and to understand how these aspects can come apart. I'll start in section **2.1.** by discussing Saul's (2002) account in *Speaker Meaning, What is Said, and What is Implicated.* I'll go into more detail with this in **2.2.**, where I follow Saul in extending the taxonomy of implicature, and apply this to silent implicature specifically. I first motivate the disentangling project with an example that shows how being able to grasp several "levels" of implicature can be a useful analytical tool, and then proceed with introducing the concepts of utterer-implicature, audience-implicature, utterer&audience-implicature, in order to then go into more detail about *implicature as a normative notion* in **2.3.**, where I also discuss the role of context. **2.4.** applies this to some more complex examples, discussing the political usefulness of the "disentangled" taxonomy. I conclude in **2.5.**, and mention some central questions and themes for subsequent chapters.

2.1. Conversational Implicature and Speaker Meaning

The notion of speaker meaning has so-far not found prominent mention in this dissertation. It is a quite common view in philosophy of language that conversational implicature is a *version* of speaker meaning, e.g. as we've seen in the graph by Klaus Petrus (2010, 8) that I provided in the previous chapter, according to which to conversationally implicate is to *mean* a particular thing. If, however, it turns out that we can mean things which we neither say nor implicate, and implicate things we neither said nor meant, it seems that there is more to the taxonomy of implicature and speaker meaning than commonly assumed, and, as Saul (2002) argues, speaker meaning might not divide exhaustively into "what is said" and "what is implicated". So, this sub-chapter will be partly devoted to exploring speaker meaning in more detail, and will serve the role of "disentangling" implicature following Saul (2002). It is this extended, disentangled, taxonomy that can be rewarding for an analysis of more complex cases when it comes to (silent) implicature. Let me begin by explaining all this in a bit more detail.

There are various ways of defining speaker meaning, and different authors put forward different definitions. However, as Saul (2002, 232) notes, most, if not all, of the re-worked definitions share the feature that speaker meaning as such "does not permit the actual state of mind of the audience to impose any conditions at all on what the speaker may mean" (ibid.). Saul's definition of speaker meaning (originally discussed in Grice's essay "Meaning" (1957/1989)), which I will adopt for the purposes of this chapter,[28] reads as follows:

> "By uttering x, U meant that p iff for some audience A
>
> (1) U uttered x intending A actively to believe the thought that p (or the thought that U believes that p)
> (2) U uttered x intending A to recognise that U intends A actively to believe the thought that p
> (3) U does not intend A to be deceived about U's intentions (1) and (2)." (Saul 2002, 231-232).

Applied to an example, this would look as follows:

> **(14)** Ursula says to her sister Phoebe "I want apple cake for my birthday". She says this because her birthday is coming up and she wants to remind everybody of her favourite kind of cake. This means (1) she says this because she wants Phoebe to actively believe that she, Ursula, wants apple cake – she hence has the intention to form a certain effect or belief in Phoebe, namely the belief that Ursula wants apple cake for her birthday. But this is not all. Ursula also intends Phoebe (2) to recognise that Ursula intends for her, Phoebe, to form this believe about Ursula's desire for apple cake. It's not just that Ursula wants to tell Phoebe, she also intends her to recognise the intention that she wants her to recognise her wish for apple cake. And (3), Ursula doesn't want her to be deceived about these intentions. She doesn't want Phoebe

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[28] Saul takes this notion from Neale's (1992) discussion of speaker-meaning and conversational implicature, which I don't have the space to reconstruct here.

to think that she actually doesn't want apple cake, or that she intends her to not believe that she likes and wants apple cake. If all this is true, then Ursula really *means I want apple cake for my birthday* with her utterance.

To say, then, that according to the definition of speaker meaning the state of mind of the audience does not impact what a speaker means, would mean the following: Even if Phoebe mistakenly takes Ursula's utterance "I want apple cake for my birthday" to be ironic or untrue, and Phoebe therefore thinks Ursula's utterance means something different (maybe "You know I hate apple cake, it would be ridiculous if you got me some for my birthday"), what Ursula *actually* means remains the same. This holds *even if* Phoebe understands Ursula's utterance to mean something different.

Now, of course, I am working with conversational silences here, rather than with explicit utterances. We should therefore, if only for reasons of completeness, introduce a notion of speaker meaning that can accommodate silence, much like we did in the previous chapter with the definition of implicature. I will, however, not belabour this point as extensively as I did with conversational implicature. I hope that the following characterisation (drawing on Saul's (2002) understanding of speaker meaning) suffices:

> By uttering x or remaining silent, U meant that p iff, for some audience A,
>
> **(1)** U uttered x or remained silent intending A actively to believe the thought that p (or the thought that U believes that p)
>
> **(2)** U uttered x or remained silent intending A to recognise that U intends A actively to believe the thought that p
>
> **(3)** U does not intend A to be deceived about U's intentions (1) and (2).

We can provide a parallel example to the one illustrated above:

> **(15)** Imagine Phoebe saying to her sister "I'll get you some apple cake for your birthday." Ursula remains silent as a response – because she really doesn't like apple cake, and is under the impression that Phoebe should absolutely know this.
> Ursula remained silent, then, (1) intending Phoebe actively to believe that Ursula is not amused with the information that she'll have to eat apple cake for her birthday. (2), Ursula intends Phoebe to recognise that she intends for her to actively believe that she, Ursula, doesn't want apple cake for her birthday and, moreover, doesn't like apple cake at all. Finally, (3) Ursula doesn't remain silent because she wants to mislead Phoebe. E.g., she doesn't want Phoebe to think that she'd be excited about apple cake, and the absence of any positive reaction – remaining silent – should be enough, in that context, for Phoebe, to realise this. Maybe she'll find it odd that Ursula didn't say anything, and remember Ursula's cake preferences.

Again, even if Phoebe was to misunderstand Ursula's silence (e.g., because she thought Ursula just didn't hear her, or was indifferent about her cake announcement), the *speaker meaning* of Ursula's silence would be determined by *her own* intentions, not Phoebe's misunderstanding of them.

Now, remember the notion of (silent) conversational implicature we have been concerned with before. For matters of clarity, I will restate it:

> Somebody who, by (in, when) saying (or making as if to say) that *p* or by **remaining conversationally silent** has implicated that *q*, may be said to have conversationally implicated *q*, provided that
>
> (1) they are to be *presumed* to be observing the conversational maxims, or at least the Cooperative Principle;
>
> (2) the supposition that they are aware that, or think that, *q* is required in order to make their saying, making as if to say *p* (or doing in *those* terms), **or their remaining conversationally silent** consistent with this presumption; and
>
> (3) **the person making the conversational contribution** thinks (and would expect the hearer to think that they think) that it is within the competence of the hearer to work out, or grasp intuitively, that the supposition mentioned in (2) is required.

In what sense are both of these definitions – of conversational implicature *and* speaker meaning – relevant here?

As has become clear above, speaker meaning is, primarily, about *intentions*. Ursula *intends* her silence to mean "I don't want apple cake for my birthday", so that is the speaker meaning of her utterance. Conversational implicature, on the other hand, *does* include the audience. While intentions do play a role here as well, an important part of the definition is that people are able to implicate if they are *to be presumed to be* observing the maxims or CP, and think that *their audience will be able, in principle, to understand* what they're trying to bring across. At the same time, however, if your audience is not able to *calculate* what you are trying to bring across, your ability to implicate is stifled. If Ursula, by remaining silent in a given situation, wants to implicate that she doesn't want apple cake for her birthday, but never told Phoebe that she doesn't like apple cake, she cannot assume that it is within Phoebe's competence to work out that her silence communicates this.[29] And since Ursula's audience was not in a position to work out the implicature, we might be hesitant to say that she actually conversationally implicated this thought.

The point is that we should recognise, as Saul (2002, 229) argues, that speaker meaning and implicature are cast in different terms by Grice. It is because conversational implicature is so commonly thought of as a version of speaker meaning, and assumed to divide neatly into what is

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[29] I think that there might be certain norms at play that could allow her to calculate the implicature correctly anyway, as the failure to react with thanks to somebody asserting that they'll bake something for you might generally motivate Phoebe to inquire further. Even if so, though, the point stands: Based on the background information that is provided alone, it appears that Ursula cannot expect Phoebe to be able to grasp the implicature.

said and what is implicated, that, according to her, this point often remains unacknowledged. What she points out is that Grice characterised speaker meaning mainly in terms of intentions, while in his notion of conversational implicature the audience plays quite an important role. As Saul (2002, 241) stresses, it appears that Grice "wanted what is said not to be entirely subject of the whims of individual speakers. Instead, he defined 'saying' in terms of both speaker meaning and sentence meaning, and defined sentence meaning by generalising across speakers." What is said, then, is not totally under the control of any individual speaker. Similar things can be said for his definition of conversational implicature: "With conversational implicature, generalising across speakers would be inappropriate given the importance of context. Instead, he looked to the other participant in the conversation – the audience" (ibid.). Just intending to bring across p by saying q isn't enough for p to be *implicated*. Rather, an audience also needs to believe that a speaker believes that p in order to presume them as cooperative. This, then, gives at least some degree of control of what is implicated to the audience.

However, it is possible that our intentions to implicate something might get mistaken for an intention to communicate something else. In those cases, our audience might assume us to believe something else, and so it appears possible that we might end up implicating things that we don't *mean*, causing troubles for the assumption that speaker meaning divides exhaustively into what is said and what is implicated.

Less than ideal conversational circumstances, and politically charged situations especially, are often characterised by something going wrong. People misunderstand each other, say misleading things, try to maintain deniability over problematic statements. We sometimes think we are believed to be cooperative but are, in fact, not. Sometimes we have to engage with an audience we don't think are cooperative in the first place (maybe because we know that we wildly disagree with them on issues important to us). Other times, we know that we could be (perniciously) misinterpreted, and are more careful in what we say or don't say. All this is to say that conversations sometimes don't go as smoothly as we would like to imagine. But it is often difficult to grasp these situations. For example, while it can be very interesting to "diagnose" the failure of an implicature in a particular situation, what is also interesting is to look at how it failed, what went wrong, and especially what the different levels of communication that got misunderstood were. The picture becomes more complicated – and more interesting – if we are able to "disentangle" implicature and pick apart the different levels of what somebody intended to implicate, via what got taken up as implicated, and what could have (reasonably) been expected to be taken up. Drawing on Saul's (2002) discussion, I will distinguish between utterer- and audience-implicature in order to introduce some analytical tools that can help us pick apart certain conversational situations, in turn to be able to grasp to a fuller extent the conversational "levels" involved.

2.2. Extending the Taxonomy

In the following I will **a)** further motivate the disentangling project, **b.)** explain the notion of utterer implicature, **c.)** audience implicature and **d.)** utterer&audience-implicature. On this basis I will proceed to explain the normativity of conversational implicature in the following section.

Motivating the "Disentangling"-Project

I mentioned above that one reason why I think "disentangling" implicature is a project worth pursuing is because it allows us to account for implicature in less than ideal circumstances – circumstances where not everybody ends up on the same page, where intentions and uptake diverge, and, importantly, where power dynamics influence an interaction in relevant ways. Now this, on its own, leaves open plenty of questions. Why can't the understanding of silent implicature I worked out in the last chapter, one that remains quite close to the "original" Gricean definition of implicature, account for them? Why and how would certain political circumstances pose a problem?

Let's start by looking at cases where implicatures fail to such an extent that the audience doesn't grasp what the speaker intended to implicate: An example of this would be what Saul (2002) calls *near-saying*.[30] In this kind of case, somebody says something, but the audience doesn't understand it correctly because, for example, somebody utters a sentence in a grammatically wrong way, or uses a word incorrectly, so it comes to mean something else than originally intended. A speaker who does something like this *does not say what they mean*. Neither do they mean what they say, nor do they *implicate* it. Hence, whatever it is that they mean, it is neither said, nor implicated (see ibid., 236-237), and what they intended to implicate *failed*. We can see this in the following example:

> **(16)** In German (particularly in Austrian-German dialect), if you want to say that you are afraid of a test or exam, you can say "Ich bin aufgeregt" and mean "I am nervous, I am anxious, I am afraid". However, you can also say "Ich bin aufgeregt" when you are really looking forward to something, which can then be translated as "I am excited". Obviously, these two meanings are quite different, but if you say either in the correct context during a conversation it will be clear what you mean. When I had just moved to the UK, I was somehow ignorant of this difference until I had a conversation with a high-school student who was complaining about her upcoming maths exam. I wanted to show sympathy, so I said "I understand, I always got really excited before maths exams". The student was quite surprised how I

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[30] This also functions as an example of how speaker meaning cannot be divided exclusively into what is said and what is implicated.

could have taken her complaining as excitement, and seemed annoyed that I was, apparently, not paying attention to anything she was saying, or was even mocking her fear of the exam.

When I said "I always got really excited before maths exams", I *didn't say what I meant*. Neither did I *mean what I said*. What I meant (that I had a lot of sympathy because I was often very nervous before maths exams) was neither said, nor implicated (see ibid.). The student I was talking to, however, thought I meant what I had said, which was not really appropriate in relation to what she had just told me. For her, this was a sign of me not paying adequate attention, or maybe even mocking her fear. Hence, her annoyance.

In a way this case is quite clear-cut because I neither said nor implicated what I meant. But our cases aren't always as clear-cut as this. An interesting instance of "imperfect" communication (involving silence) comes up in the previously discussed scene from the movie *All the President's Men* (1976). I referred to an exchange between Bernstein and an unnamed lawyer, who Bernstein identified as an important informant. The lawyer, however, is legally prohibited from saying anything detailed about Bernstein's inquiry. The following conversation happens:

(8) Lawyer: "… I won't say anything about Haldeman … not ever …"
Bernstein: "Alright, and we won't want you to do that, we know it's against the law for you to say anything [about Haldeman and the Grand Jury]. If there's some way to warn us to hold on the story we'd appreciate it."
Lawyer: "I'd really like to help you but I can't"
Bernstein: "Look, I'm gonna count to ten, alright, if there's any reason we should hold on the story hang up the phone before I get to ten, if the story's alright you'll just be on the phone till after I get to ten, alright?"
Lawyer: "Hang up, right?" […] [Bernstein counts to 10]
Lawyer: "You've got it straight then? Everything OK?"
Bernstein: "Everything's fine."
(see *All the President's Men* min. 1:59:08-2:00:10).

As discussed in the last chapter, the lawyer remains silent, following a somewhat pre-defined script. For Bernstein, this implicated agreement that the story was good to go.[31] The lawyer's audience (Bernstein) acted accordingly. But in reality, things were more complicated than previously suggested, because the lawyer *misunderstood* the coding of the silence. What he *intended* to implicate was "don't go with this story", while what Bernstein *took* to be implicated was "go with the story".

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[31] In the last chapter, I used this example, among other things, to illustrate that we can implicate with silence by *following* a maxim. While maxim violations will, largely, be of more interest over the course of this thesis, this example also serves as a very instructive example of how implicature can go wrong and be misunderstood.

We can see that, in this case, what one person *intends* as the implicature, and what is actually *understood* as the implicature, come apart in important ways.

The discussion above – following Saul (2002, 228) in pointing out that things that we don't mean might end up implicated in some circumstances – seems to fit precisely what is happening in example **(8)**. From the lawyer's perspective, all conditions for implicature are fulfilled. He thinks he is to be presumed to be following the Cooperative Principle, that his audience thinks that x (his belief that they should run the story) is required in order to make his silence consistent with the presumption that he is cooperative, and he thinks that his audience is capable of working all this out. However, something else ended up being implicated, even though what he intended to implicate was *hold on the story*. His audience did not grasp this and understood something else instead. In fact, from their perspective, the calculation they made *also* made perfect sense. They assumed that in remaining silent the lawyer communicated something like *go with the story*, and that he himself believed that going with the story was the right thing, and that that is what they should take from his silence. So, how do we explain all these levels of implicature?

To answer this, what I mainly want to work with Saul's suggestion of a new, fixed, taxonomy of conversational implicature, and the categories she adds: utterer-implicature, audience-implicature, and utterer&audience-implicature. The notion of speaker meaning will go into the background a bit from here on. Instead, these different versions of implicating, how they may be applied to cases of silent implicature, and how conversational implicature should be understood as a *normative* notion, will be our main focus for the rest of this chapter.

Utterer Implicature

According to Saul's characterisation, the difference between utterer-implicatures and conversational implicatures lies in possible changes to clauses (1) and (2) of Grice's definition of implicature.

For utterer-implicature:

(1), the speaker doesn't *actually* need to be presumed to be cooperative. It is enough that they think that their audience assumes them to be cooperative. We can summarise this as (1*): "*The speaker thinks that* he is presumed to be following the conversational maxims, or at least the Cooperative Principle*" (Saul 2002, 235).

(2) needs to be changed so it doesn't require the audience to *actually* suppose that the speaker believes whatever they utterer-implicated. If a speaker *thinks* that the audience needs to suppose them believing what they utterer-implicate, this is enough (see ibid.). (2), then, becomes (2*): "*The*

speaker thinks that the supposition that he is aware that, or thinks that, *q* is required to make his saying or making as if to say *p* (or doing so in *those* terms) consistent with this presumption" (ibid., 235).

According to this, there can be things that are utterer-implicated, but not conversationally implicated (according the traditional Gricean understanding of conversational implicature) (see ibid.). "[A] speaker may implicate that Q by saying (or making as if to say) that P even if the supposition that the speaker thinks that Q is not in fact required to maintain the assumption that she is cooperative" (ibid., 237). Considering this in the context of silent implicature, a more detailed definition of silent utterer-implication could go as follows:

> By remaining silent, *P* may be said to have silently *utterer*-implicated that *q*, provided that
>
> (1*) *P thinks* that they are to be presumed to be observing the conversational maxims, or at least the Cooperative Principle
>
> (2*) *P thinks that* the supposition that *P* is aware that, or thinks that, *q* is required to make their *conversational silence* consistent with this presumption.
>
> (3) *P* thinks (and would expect the hearer to think that they think) that it is within the competence of the hearer to work out, or grasp intuitively, that the supposition mentioned in (2*) is required.

We have now laid out a concept of implicature that allows us to grasp its application at different levels. Applying this to the previous example **(8)**, we can say that the lawyer speaking to Bernstein has utterer-implicated that his audience should not publish the story, given that he thinks that he is to be presumed to be observing maxims and the Principle, thinks that his audience needs to assume that he is aware that *don't follow the story* is required to understand his silence as cooperative, and that he thinks that they are able to work this out.

This new understanding allows us to grasp the level of the person remaining silent in order to communicate, even if it so happens (as in our example) that the audience misunderstands something. But, as I already indicated before, it also seems important to be able to capture when an audience *does* understands something else – after all, what is utterer-implicated is not necessarily what the audience understands. Let's look at this next.

Audience Implicature

In the case of audience-implicatures, audiences have authority over what is audience-implicated. Just like before, audience-implicatures are just like regular conversational implicatures; the difference is that they describe the content an audience *takes* to be implicated (see ibid., 242).

Running parallel to our notion of utterer-implicatures, we need some changes to Grice's three-clause definition, but this time, we need to change (2) and (3).

Saul replaces (2) with (2A), "*The audience believes that* the supposition that he is aware that, or thinks that, *q* is required to make his saying or making as if to say *p* (or doing so in *those* terms) consistent with this presumption" (Saul 2002, 242).

Further, (3) is changed to (3A): "*The audience takes the speaker to think* that it is within the audience's competence to work out that the supposition mentioned in (2) is required" (ibid., 242).

Again, let's apply this to silence:

> By remaining silent, *P* may be said to have silently *audience*-implicated that *q*, provided that
>
> (1) *P* is to be presumed to be observing the conversational maxims, or at least the Cooperative Principle
>
> (2A), *The audience believes that* the supposition that *P* is aware that, or thinks that, *q* is required to make their *conversational silence* consistent with this presumption.
>
> (3A), *The audience takes P to think* that it is within the audience's competence to work out that the supposition mentioned in (2A) is required.

According to this, audiences might understand something to be implicated which wasn't meant by the speaker. Thinking back to our running example, this means that the lawyer's attempt to communicate that Bernstein and his team should *not* publish the story *remains* utterer-implicated. But that they *should* go ahead with the story is what ends up as the audience-implicature.

Utterer&Audience-Implicature

As we have seen so far, the notions Saul (2002) established in her paper are closely related to the way in which we normally understand conversational implicature. We can sum this up as follows:

> "A claim which is utterer-implicated will be, roughly, one which the speaker has tried to implicate, while one which is audience-implicated will be, roughly, one which the audience takes to be implicated. A claim which is both utterer-implicated and audience implicated, then, will be one which is successfully communicated: the speaker tried to implicate it, and the audience took it to be implicated" (ibid., 243).

For example, the exchange between the lawyer and Bernstein *could* have been successful. Had Bernstein double checked if the lawyer understood the coding of the silence or vice-versa, the silent implicature could have been successful. In that case, we would have had a situation where the utterer-implicature and audience-implicature of the silent message coincide. It would have been successfully communicated and successfully implicated.

Importantly, though, according to Saul's view, it is *not* the case that something is *only* then conversationally implicated, if it is utterer&audience-implicated. This means that the just described notion of utterer&audience-implicature is not a *necessary* condition for conversational implicature. Hence, something might end up being conversationally implicated even though the audience doesn't grasp it, *if* the speaker made all of the relevant information available for the audience. In those cases, all things considered, they *should have* and *could have* worked out the intended implicature. This means that "some claims which are conversationally implicated fail to be audience-implicated" (Saul 2002, 243). Let me say a bit more about this in the following.

2.3. Conversational Implicature as a Normative Notion

Following on from what we just said, conversational implicature can be characterised as a notion which *requires* audiences to *assume* something about the speaker's beliefs so that they can make sense of the speakers' utterances.[32] This, then, can be understood in the following way: *Because* audiences are required to make assumptions like this, there can be claims an audience *should* arrive at, all things considered, even if they don't happen to do so. And this would mean that, if the speaker made the information available to their audience, but the audience *nevertheless* doesn't get it, the intended content *still* counts as conversationally implicated (see Saul 2010, 180). In turn, it can happen that somebody did not make enough information available for their audience to calculate the implicature – in this case they cannot be said to have conversationally implicated, even though they did utterer-implicate. This is what makes conversational implicature a *normative* notion.

This realisation allows us to be sensitive to different situations, levels of background knowledge, and contexts: It could happen that, while some audience A1 might be able to calculate an implicature because they have enough background knowledge to allow them to understand the message, some other audience A2 might not be able to with the more limited information that was made available to them. In such cases, the person making the conversational contribution has not conversationally implicated for A2.[33] But, importantly, this situation is also compatible with A1 failing to understand the implicature, even though they should, all things considered, be able to

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[32] Note that this interpretation we've arrived at now departs from Grice – not least in the sense that it requires us to give up on the idea that conversational implicature is a kind of speaker meaning in the sense it's commonly presented.

[33] This kind of structure might remind us of overt (intentional) *dogwhistles* (see Saul 2018): In cases of dogwhistles, somebody makes a conversational contribution knowing that a certain subset of their audience will grasp something "more" than another part of the audience. While I cannot go into much detail about this here, and also won't develop an account of "silent dogwhistles", I will briefly refer to dogwhistles as an example again later on.

grasp it. In this case, something has been conversationally implicated (for A1), even though it didn't end up audience-implicated.

To discuss this in more detail, I want to talk more about the "requirements" put on audiences when somebody (silently) implicates, and what it means to "make information available" to an audience, specifically focussing on silent implicature. Here I will mostly focus on the role of *context*.

On the "Requirements" Put on Audiences when Implicating

In the previous section I mentioned that audience- and utterer-implicature can come apart in important ways. Understanding conversational implicature as a normative notion, however, allows us to realise that there are situations where *something was conversationally implicated*, despite a mismatch between audience- and utterer-implicature. So, how can we say that something is conversationally implicated, even if it's not audience-implicated?

Let me briefly re-state an already familiar example:

> **(14*)** Ursula says "I love apple cake" to Phoebe when they talk about Ursula's upcoming birthday. Ursula intends to implicate *I wish for apple cake for my birthday*. (This is the utterer-implicature). Phoebe, however, is a really bad listener, and her memory about the cake preferences of her friends has serious gaps. Hence, Phoebe formed the false belief that Ursula doesn't like apple cake. So, she takes the information her friend puts out there to be implicating something else, maybe "How ridiculous would it be if you got me apple cake, since you know that I don't like apples", or something like that — this ends up being the audience-implicature.

Remember that what counts as audience-implicated is somewhat determined by the audience. An audience-implicature is the content an audience *takes* to be implicated (see Saul 2002, 242) – in this case, that Ursula doesn't want apple cake. But would it make sense to say that utterer- and audience-implicature simply don't match up here? Would it make sense to say that here *nothing* is *conversationally* implicated? Following Saul (2002, 244), I want to argue that Ursula, in the context of the kind of imperfect communication we've seen in our example, can still be thought of as conversationally implicating that she wants apple cake, even though Phoebe ends up understanding something else entirely.

We can draw this conclusion because, according to the information Ursula put out there in the context in which she was talking to Phoebe about her upcoming birthday, Phoebe *should have* worked out that she was wishing for apple cake. Per our notion of conversational implicature, Phoebe is *required to assume* certain things that Ursula might be thinking, so she can understand her as cooperative. Phoebe assumes the wrong things – in this case, maybe because she's being a bit thoughtless. But all things considered, she should have, and could have, arrived at the correct

understanding. Ursula *did*, in fact, make all the relevant information available in what she said. So Phoebe *can* be expected to correctly understand what Ursula is bringing across.

So, in short, because Phoebe *should have* assumed that Ursula was serious about the apple cake to understand her as cooperative, we can still hold that Ursula conversationally implicated that she wants apple cake (because all the necessary information was readily available), even though she didn't audience implicate it. While Phoebe did assume *something* that allowed her to understand Ursula as cooperative, it just happened to be the wrong thing.

Understanding conversational implicature as a normative notion allows us to consider Ursula's communicative intentions in combination with the information she actually made available. And once we consider that there are things that the audience *should have* worked out, we can see that the notion of conversational implicature is more normative than utterer&audience-implicature alone (see ibid., 244).

So, let's briefly re-cap:

(1) Something can be utterer-implicated and conversationally implicated but fail to be audience-implicated.

(2) Something can be utterer-implicated and fail to be either audience-implicated *or* conversationally implicated. In such a case, the utterer probably didn't provide enough information for the audience to work it out. They cannot be expected to be able to work this out according to the information they have. Hence, it is only utterer-implicated.

The point in **(2)** is that we can utterer-implicate something but still not be doing enough: In other words, despite having utterer-implicated, you might not have done enough to make this intention clear to others. Maybe others *cannot* be expected to understand what you are trying to implicate, based only on the contribution you provided. In such a case, if an audience wasn't able to work out your implicature, even though they tried, you neither audience- nor conversationally implicated successfully.

(1) is slightly different. When an audience fails to assume that you think something you want to implicate, you fail to successfully *audience-implicate* what you intended to bring across. Sometimes, however, you might have provided enough information for them to work out the conversational implicature, and yet they don't grasp it. Consider the following discussion, provided in Saul (2002, 244), about a reference letter written for an unpromising philosophy student, Wesley:

> I know that Wesley is applying for a philosophy job, and I write a letter designed to communicate my low opinion of Wesley. I write (truthfully), 'Wesley's main virtues as a philosopher are punctuality, an attractive choice of fonts, and an encyclopaedic knowledge of illegal pharmaceuticals.' The audience, though certainly capable of working out from this that I think

> Wesley is a poor philosopher, reads too quickly, and takes away from the letter only the information that Wesley has encyclopaedic knowledge. They hire him, become disappointed, and complain to me. Saying that I utterer-implicated that Wesley is a poor philosopher is not much of a defense: I could have utterer-implicated that Wesley was Elvis if I was crazy enough to suppose that attributing this belief to me was required to make sense of my utterance, and that the audience could work this out. That something has been utterer-implicated does not show that the speaker has done enough to make the information available. But I did not succeed in audience-implicating that Wesley is a poor philosopher, because my audience failed to realise that they needed to assume that I thought this. So I cannot defend myself by saying that I utterer&audience-implicated this claim. What I can do, however, is maintain that I conversationally implicated it: It *was* required in order to understand me as cooperative, and my audience *was* capable of working this out.

That Wesley is a bad philosopher didn't end up audience-implicated, but the relevant information was there, so it can count as *conversationally implicated* nonetheless. To say that we have conversationally implicated something does not guarantee that the audience actually understood us, but "that the speaker has fulfilled her communicative responsibilities with regard to what she wants to communicate beyond what she says. She may not have communicated her intended message, but she has *made it available*" (ibid., 244-245). As such, conversational implicature is a more normative notion that utterer&audience-implicature alone. Conversational implicature can be thought of as including the claim toward an audience that they *should have* worked something out, even if they didn't – an aspect that isn't included if we focus on utterer&audience-implicature alone. Let's call this the *Normativity of Conversational Implicature*:

> *When calculating a conversational implicature, an audience A is* required *to make certain assumptions about speaker S's beliefs, in order to make sense of S's utterance p. If S has made all of the appropriate information available, there are contents A* should *arrive at in their calculation of the implicature.*

Note that to speak of *normativity* here doesn't mean that any assumptions that an audience is *required* to make in order to understand an implicature are *morally required* or politically correct. The particular *normativity* of conversational implicature relates only to what we are required to assume *in order to make sense of an utterance* – it relates to our interlocutors beliefs specifically. Those beliefs we are required to take into account might indeed be morally and politically outrageous. To make use of the example of dogwhistles again: When a politician says something about "welfare mothers in inner cities",[34] his audience is required to make certain assumptions about *who* he is talking about and what he thinks about them – black mothers who are, allegedly, misusing state funding in poor neighbourhoods. All of these stereotypes are racist, sexist and classist, to say the least. But if you

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[34] Cases like this are discussed in Saul (2018, 367), Stanley and Beaver (2018, 521) and Santana (2021, 2), just to name a few.

want to analyse what this politician says and call him out for it, you are required to make certain assumptions about his beliefs in order to calculate what he's bringing across *beyond* what is said explicitly. Your normative and moral assessment of the content you are required to assume relates to a different kind of normativity than what we are talking about when it comes to calculating an implicature.

What we do need to discuss further is how all of this might work with silent implicature. So far, we know that certain information needs to be available for the audience to figure out a conversational implicature, and this is partly due to the utterance/saying/expression itself, combined with various other features of the speaker, the overall situation, etc. But how can somebody have made enough information available, despite saying literally nothing, for their audience to be in a position to understand their (silent) implicature?

"Making Information Available" for Silent Implicatures

How can somebody who remains silent make what they want to implicate *available* for their audience? I think that we can give an answer by referring to the relevance of *context*. Somebody who is silently implicating has actually conversationally implicated if they've *chosen* a situation in which they can be confident that the necessary information is available to their audience, even if they didn't "explicitly" make available any particular information in their contribution.

Context, of course, does also play a role in *explicitly* spoken implicatures. E.g., in saying "You are the gin to my tonic", I will sometimes implicate that I really like the person I'm saying this to, while other times, when I say it sarcastically to somebody who is obviously really annoying, it will be clear that I'm implicating that I don't really like spending time with them. One and the same utterance could implicate two completely different things. Which one of the two it is, however, seems to be somewhat constrained by context-, background-knowledge, and *what* I actually express. I cannot implicate "The Shining is Stanley Kubrick's best movie" in saying "You're the gin to my tonic", unless we've agreed on a very specific, and admittedly odd, script which we both are able to understand.

As we already discussed in *Chapter 1*, to calculate an implicature (silent or regular), we usually need additional knowledge – among other things, background information, context, and so on. It is already clear that what we will heavily draw on to calculate a silent implicature are the circumstances and occasion in which somebody remains silent. So, what I think is crucial for the current discussion about *making information available to an audience* in the case of silence is the *context* in which

somebody is silently implicating. So, our next question should be: what exactly do we mean by *context*? And in what sense does it play a special role?

To explain this a bit more, I'll make use of Elizabeth Fricker's (2012) article *Stating and Insinuating*, in which she is concerned with inexplicit or implicit messaging.[35] I'll particularly focus on her understanding of the role of context in "less-than-explicit messaging".

Let's start with her definition of context:

> "'Context' here includes both the actual setting of communication – time, place and other key parameters – and also other relevant mutual background knowledge of speaker and hearer, in light of which, […], the speaker adjusts the voicing of her message. Call the participants' representation of these matters the *knowledge-context* of communication" (E. Fricker 2012, 65-66, all emphasis hers).

As Fricker outlines, it's the same skills we use to interpret explicitly stated messages that "allow much communication of intended messages successfully to occur, where the message is not explicitly stated by conventionally apt linguistic means, but is only implied or hinted at" (ibid., 66). Of great importance in these cases are so-called *Utterance Clues (UC)*: "The speaker must put enough clues into her utterance regarding the identity of her intended message, to enable her intended audience to figure out what it is" (ibid., 67). UC is able to cover both explicit and non-explicit communication of messages (see ibid., 68). The non-explicit messages she has in mind are, in fact, implicatures. Let's think about what her account has to offer regarding silent implicature.

Fricker holds that the person who is communicating needs to choose her words "in light of her representation of what her intended audience already knows" (ibid.). For explicitly spoken messaging, this includes speaking in a language the audience knows and is able to understand, and choosing those words in light of what the speaker knows the audience already knows, or what they can legitimately be expected to infer from context (see ibid.). "The more speaker and recipient know of each other, and the more extensive their shared knowledge-context, the sparser the clues in the utterance itself, and its surrounding linguistic context, can be, *salva* success in communication of the intended message" (ibid., 69). When applied to silence, similar things hold. It means that somebody who wants their silent implicature to be understood *needs to choose a situation where they can*

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[35] One of the central points of Fricker's paper, which I will not discuss in more detail here, are her arguments concerning the nature of testimony. Roughly, she starts from outlining the "K-norm" as the governing principle of assertoric tellings (one should assert that P only if they know that P) (see E. Fricker 2012, 62) and concludes that statements that are merely insinuated (that is, not explicitly stated, which includes conversational implicatures) aren't acts of testifying, which makes it so difficult to pin people down on things they have "merely" insinuated (see ibid., 91).

be as confident as possible that enough knowledge and context information is available to their audience so they will be ready to understand the silence correctly.

Fricker (2010, 70-72) distinguishes between two types of "less-than-fully-explicit communication": *Inexplicit Primary Messages* and *Implicit Secondary Messages or Implicatures.* In cases of *Inexplicit Primary Messages*, "there is a primary and, as it were, official message intended by the speaker to be communicated, but this message is not fully explicitly stated […] so that this message has to be recovered by the audience using knowledge-context" (ibid., 70).[36] The kind I will focus on here, "*Implicit Secondary Messages* or *Implicatures,* as we shall label them all, is the range of cases where the speaker makes an explicit linguistic statement, an assertion of a primary message; but in addition intends to convey an unstated implication(s) of this" (ibid., 72).[37] Let us situate silent conversational implicatures within this second group. When somebody silently implicates, audiences have to, just as in the cases Fricker describes, "recover it by deploying knowledge-context" (ibid., 73). Her description of the "recovering" of the message in cases of *Implicit Secondary Messaging* reminds one of the calculation of implicatures:

> "How can an utterance lacking any specific clues work to get across a message? It must surely work like this: the recipient thinks something like 'Why is she (the utterer) doing that (odd and otherwise pointless) action? I know, she must be trying to get across some message or other to me.' Then she casts around to see what that is likely to be *in their present situation*" (ibid., 79).

So how do people figure out such a message? Again, what it seems they are taking into account, when calculating the implicature is *context*. As Fricker argues, a particular message "can be recovered only by deployment of non-linguistic knowledge-context" (ibid., 83). Say we have a conversational contribution that "lacks any conventional symbolic features to constrain the intended message"

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[36] An example would be somebody saying "Mark is finally coming to see granny" to their friend. It doesn't say explicitly which Mark they're talking about, or who's granny they're talking about, but the friend's background knowledge about Mark, and him having not made the last two visits to her care home, enables the friend to understand this not quite, but almost, explicit statement.

[37] Other than *Implicit Secondary Messages, Inexplicit Primary messages* function as testimony, according to Fricker. This is because, as she argues, these messages are *fixed*, while secondary implicit messages aren't fixed in the same sense. I don't think that this distinction can be held up in all cases. But even beyond that, I'm having trouble distinguishing the two kinds of cases Fricker talks about. To me, it seems that *regular* conversational implicatures can also fall into the range of the first group (even if silent conversational implicatures can't). One possiblee way to understand this would be to distinguish between two kinds of implicatures, some of which fall into the first and some of which fall into the second group: The first ones are speech acts invoking implicatures that depart only to a small extent from what has been said, while the second ones depart from what has been said in a much greater way. However, I might just be drawing on a more inclusive understanding of implicature here than Fricker does, and it's clear that this question would need much more detailed investigation than I can provide here.

(ibid., 71). Let's say, for now, that this contribution is an attempt to implicate via silence. According to Fricker, in cases "[w]here speaker and hearer have a rich base of non-linguistic knowledge-context in common, this can suffice to enable the identification by the hearer of an aptly intended message, without the help of any expressions with conventional semantic properties" (ibid., 71-72). Indeed, such "entirely non-conventionally mediated acts of agential meaning are entirely possible, and indeed quite often occur, especially between people who know each other, and each other's circumstances, in depth" (ibid., 72).

Now, in cases where somebody implicates something by remaining silent, it is the context and background knowledge that will make it clear that some particular thing is the intended implicature. In these examples, somebody is choosing the circumstances of their silent implicature in such a way that the different possibilities of what could be implicated are limited – ideally, these are circumstances where the relevant information *is* available for the audience. This would mean that somebody can be said to have silently conversationally implicated, within our more normative picture of conversational implicature, if they have chosen a situation in which the relevant context information is available to the audience, so they *should* be able to figure the conversational implicature being brought forward through silence. So, again, when it comes to silent conversational implicature, the equivalent of "having made all the necessary information available to the audience" is *choosing a situation where one can be sure that all the necessary information available to the audience from context knowledge, or background information.* In such a situation somebody can be said to have silently conversationally implicated even if they didn't succeed in audience implicating. Let's look at another example where this comes up:

> **(17)** In the show *Shameless* (US-version), Fiona, the oldest sister of a dysfunctional, working class family living on the South-side of Chicago, aspires to become an entrepreneur, and gets a loan to buy a laundromat, using as collateral the house her family lives in (and fought hard to keep over the years). She tells her family about it, and especially her brother Lip responds with hostility, telling her that she is making a mistake, which leads to a fight between them.
> Later on, the following conversation takes place between them:
> Lip: "Heading home?"
> Fiona: "Patsies." [the restaurant where she's working].
> Lip: "Well, it's not too late."
> Fiona: [looks at him]
> Lip: "You can still back out of that loan."
> Fiona: [remains silent, looking at Lip.]
> Lip: [sighs and walks off]
> (*Shameless (US), Season 7, Episode 6,* 2016, 56:34-57:08)

Fiona's first silence is in response to Lip saying something that does not align perfectly with his question about her heading home. Her initial silent response doesn't seem to stem from general

confusion about what he's talking about, although this first silence could be meant to implicate something like "What do you mean? Not too late for what?". Lip clarifies what he means, possibly to make absolutely sure that his sister understood what he meant. Fiona's second silence, then, seems more clear. While this one is longer, her body language and facial expression don't change. Yet she seems to be successful in communicating – we might want to calculate the implicature as "I don't *want* to back out of that loan, and I won't." Indeed, it seems like Lip understands this perfectly. After responding with a moment of silence himself (which could possibly be understood as "You're making a mistake, but I can't reason with you"), he walks off, visibly frustrated. He is able to calculate Fiona's implicature, by referring to the background information shared between them. They both are well aware of their diverging opinions and fight, and understand each other's implicatures correctly, while somebody just observing this scene without any of that knowledge will have troubles making out exactly what is going on here (even though they might understand that *something* is going on). So, given the overall question of this sub-chapter, what is it that Lip is *required* to assume in order to understand Fiona in this exchange?

Let's imagine for now that Lip didn't understand Fiona correctly. Imagine he'd respond to her second silence with "I'm glad that you seem to be seeing things more clear now", or that he'd walk off in silence, while thinking that she's now in agreement with him. If that were to happen, I'd say that Fiona silently conversationally implicated something that didn't end up audience-implicated. All the relevant contextual information was indeed available to Lip. Keeping the normativity of conversational implicature in mind, Lip *should* have figured out, all things considered, that Fiona didn't suddenly change her mind. The context and all of Lip's knowledge about it would have provided him with enough information to grasp what his sister wanted to bring across. Of course, sometimes these conditions will not be satisfied. Sometimes, somebody will choose a context to silently implicate where it doesn't seem so intuitive to understand the silent implicature, where there isn't enough contextual information available to their audience. In those cases, the intended message is merely utterer-implicated.

In sum, the just presented framework allows us to say that, provided the right conditions are fulfilled, an audience *should have been* able to calculate the implicature correctly. In cases where the audience doesn't make the inference, but should have been able to (given the information derived from context), the silent interlocutor can still be said to have conversationally implicated, even if they didn't audience implicate. In other instances, e.g. when somebody who remains silent overestimates the extent to which the contextual information is available or clear to their audience, they have merely silently utterer-implicated.

I now want to apply this to some more examples. Specifically, I want to further explore the complexities of some politically charged circumstances. I think that the framework introduced so far can help us account for more complicated situations, both by drawing attention to various levels of (silent) implicature, and by accounting for contextual shifts.

2.4.   Applying the Taxonomy

So far, we've learned that an utterer-implicature is the implicature the utterer *intends* and *means*, regardless of whether the audience actually understands this implicature or not. Audience-implicatures, on the other hand, are those that the audience *actually* takes up. They can match with those the utterer intended and meant, but they do not need to. This is exactly what can happen in cases of miscommunication: U might utterer-implicate and mean x for A, but A takes y to be the implicature instead of x. Moreover, we've heard that cases where utterer- and audience-implicatures match up *can* be cases of conversational implicature but they sometimes are not. Sometimes, something can be conversationally implicated even though somebody failed to audience-implicate it. Conversational implicature can be understood as a normative notion, in the sense that it includes a claim about what the audience *should have* worked out. What the audience *should have* worked out (and what we can reasonably expect them to work out) is the conversational implicature, which *can* be different from what the audience did actually understand.

I mentioned in the beginning that the extended taxonomy of implicature will be especially helpful for more complex cases of "less than ideal", imperfect and politically charged, conversation. But how so? What characterises these interactions, and how can the disentangled taxonomy of implicature help?

For one, our extended taxonomy provides us with the analytical tools to differentiate various "levels" of an interaction. One important point about our reality is that conversations – and implicatures – don't just take place in settings where there's one speaker and one hearer. Often there is a broader audience involved, and members of these audiences can differ from each other. For one, they can differ in their background knowledge and presuppositions. Some things that are very clear to some, in a context, might be very unclear to others. Different parts of the same overall audience might not have access to the same background knowledge – this makes it so that some conversational things that are going on are not equally transparent to everybody (see more on this in Beaver and Stanley (2018, 532)). Applied to implicature: Sometimes, the amount of information available to an audience in the particular context in which we implicate seems to not be enough for

some audience A2, while it is enough for another audience A1.[38] And this has further implications: If the same amount of information suffices for some, while it doesn't suffice for others, this means that something could be conversationally implicated for certain audiences, but not for others. All of this is also possible when there's no successful audience-implicature (that is, the interlocutor has only conversationally implicated, and not audience-implicated). This means, for some audiences, that nothing ends up audience-implicated, but the intended message can still be conversationally implicated because they should have and could have figured it out. For some other audiences, the very same context will not suffice, so they *could not* have figured out the actual conversational implicature. Ergo, the interlocutor hasn't conversationally implicated for them, even though they have for another audience, and even though neither audience arrived at the intended audience-implicature.

Dogwhistles are an illustrative example of this kind of situation. Saul (2018) describes (overt, intentional) dogwhistles, following Kimberly Witten (2008, 2), as a "speech act designed, with intent, to allow two plausible interpretations, with one interpretation being a private, coded message targeted for a subset of the general audience, and concealed in such a way that this general audience is unaware of the existence of the second, coded interpretation" (ibid.). A popular example is George W. Bush's statement that "there's power, wonder-working power, in the goodness and idealism and faith of the American people" (quoted in Saul 2018, 362). This statement happened in a particular context: Bush needed the votes of fundamentalist Christians – but also of those who did not particularly agree with them, and might find it suspicious if they heard explicit appeals to fundamentalists. The words "wonder-working power", then, function as a dogwhistle to fundamentalists, to whom this "is a favoured phrase that refers specifically to the power of Christ." (ibid., 362). Everybody else, though, who isn't versed in the kind of language fundamentalists use, will not make any particular association nor derive any sense of belonging. What this kind of dogwhistle does, then, can be understood along two lines: **a.)** a (fundamentalist) Christian audience might read his statement as one that is explicitly yielding a Christian message – that there is the "power of Christ" among the American people. Or, **b.)**, they might understand that Bush tries to communicate to them something along the lines of "I am one of you." What dogwhistles can show us is that one and the same statement can be performed to deliberately communicate different things to two subsets of an audience. While I'm not presenting an account

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[38] In the next chapter, I will discuss how people can use silence to be deliberately ambiguous. Sometimes, a situation like that might arise in a context where somebody wants to express politically problematic things without taking too much risk. E.g., they might be choosing a way to express something potentially controversial in a certain way so they have a high degree of deniability.

of silent dogwhistles here, what I nonetheless want to put forward in the following is that similar things can be done with silence, and that the extended taxonomy of implicature can help us grasp what is going on in these cases. To do that, I now want to reconsider an example from the previous chapter:

> **(11)** A group of co-workers have a meeting, and Berty is facilitating the discussion. They are going back and forth about who will solve some computational problem. During that exchange, Danny says something like "Women just aren't good at maths". Berty only responds with (conversational) silence and moves on to the next point in discussion.
> D: "Women just aren't good at maths"
> B: […]

This initially quite straightforward example can be used to analyse the complexities of (silent) implicature, and highlight how our extended taxonomy can help us explain them. I will focus on four selected variations on this situation.

Who Can Do What in Which Circumstances with Silent Implicature?

For *Options i-iii*, we'll imagine Berty as somebody who has access to a fair bit of privilege – he's a white, heterosexual man, and liked by people around him (or at least those in equal positions as him). As is often the case for people who inhabit a fair deal of power, he can count on being read quite charitably by his audience, but also knows that, in case he implicates the "wrong" thing, this will not cost him his job or further employment opportunities. This doesn't mean that people in power or leading positions aren't often seen with resentment or read uncharitably, but in this context, among people who are on fairly similar employment-levels and inhabit comparable levels of prestige or status, we'll assume he's read in a broadly charitable light, being known as a guy who's fun and liked. Moreover, we can further assume that Berty does not suffer from identity-based prejudices or stereotypes. This status gives him some freedom and flexibility with his implicature, because it correlates with the level of charitability he is afforded. Later chapters will deal explicitly with what happens when somebody who lacks such power attempts, or fails, to silently implicate in much more detail – for now, we'll only look at one example of what happens when such beneficial status is absent. In contrast, in *Option iv* we'll imagine Berty as a new intern who is appointed to lead his first discussion round with clients under the supervision of a senior staff member. He's one of the only people of colour in an overwhelmingly white firm and faced

with an audience that is prejudiced against him. Let's discuss what different things can be said about these various version of the example.[39]

> *Option i.*　　Berty intends to communicate disagreement with Danny to everybody in the audience, including Danny.[40]
>
> *Option ii.*　　Berty intends to communicate agreement to Danny, and disagreement to the rest of the audience.
>
> *Option iii.*　　Berty intends to communicate agreement to the entire audience (including Danny), but only Danny ends up understanding it as such.
>
> *Option iv.*　　*in new context*: Berty intends to communicate disagreement with Danny to everybody in the audience, including Danny.

Let's start with *Option i* (Berty intends to communicate disagreement with Danny to everybody in the audience, including Danny): I previously argued that this is an example of a (silent) violation of Grice's Relation maxim (be relevant). To quote Grice directly: "B has blatantly refused to make what he says relevant to A's preceding remark. He thereby implicates that A's [in our example, D's] remark should not be discussed and, perhaps more specifically, that A has committed a social gaffe" (Grice 1989, 35). This seems to make sense in relation to silence as well: If Berty says nothing to Danny's comment, Berty refuses to make the comment about women and maths relevant in the following conversation. In the previous chapter, I discussed an interpretation of Berty's silence along these lines: Danny understands Berty's silence as a refusal to take up his comment, thereby disagreeing with what he asserted.

In this case, Berty's intended utterer-, audience-, and conversational implicature are clear: it's disagreement with the sexist comment. Everybody understands this. Hence, Berty successfully utterer-, audience-, and conversationally implicated for all of the others, including Danny, what he intended to communicate, namely that he disagrees with Danny's remark.

However, this could go quite differently as well. As a matter of fact, it doesn't seem unreasonable to interpret Berty's silence as *agreement* with the statement, rather than disagreement with it. This is what I want to discuss with *Option ii* (where Berty intends to communicate agreement to Danny, and disagreement to the rest of the audience).

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[39] Of course, these are not the only versions we could bring forward here. Surely, there are other ways this example could be modelled. However, I have to restrict myself here to only a few examples, in the hope that they will capture some essential aspects of the issues I have in mind. Note that some of these issues will be discussed in more detail, and substituted with more examples, over the course of the following chapters.

[40] This is the "simple" version I have already discussed in the previous chapter.

So, let's just add some new context to Berty's and Danny's personalities. Imagine they have been friends for a while and both share the same sexist views. Berty, however, is broadly aware that some of these views are better not said out loud in business contexts, at the very least not because he can't know where new potential business partners stand on these issues. Danny has less of a filter in those regards, and is worse at detecting situations where comments that some other people might find problematic should be kept to himself. Returning to the example itself: Given that Danny knows that Berty, overall, shares his views on women and maths, this might change the calculation of the silent implicature in relevant ways. Danny might think:

> "I know that Berty agrees with me on this, but he doesn't pick up on what I said and doesn't make it relevant in the following. This must be one of those situations where I shouldn't have said anything; maybe Berty thinks that those people will have some kind of problem with me saying that."

Danny might conclude that Berty remains silent to communicate to him that this is "one of those situations", but not that he disagrees with Danny on the general statement that he made. This pans out quite differently to the version of the example we discussed before, where the conclusion was that Berty's silence communicated disagreement with the sexist utterance. But what about the rest of the audience? Let's assume that the rest of the audience is charitable vis-à-vis Berty. They think that Berty is a reasonable guy who would disagree with such a sexist statement, and think that his silence should be understood as a dismissal of Danny's comment.

How can our broader taxonomy of conversational implicature help here? First, let's consider Berty's communicative intentions. He has at least two intentions: implicating *for Danny* that he agrees but cannot pick up on it now without incriminating himself, and implicating for all the others that he actually disagrees, to save face. His silence doesn't have *one* fixed meaning or *one* fixed intention, but (at least) two. The same conversational contribution can therefore be designed in such a way that different things can be implicated for different parts of the audience. For Danny, the implicature is something like *I agree, and you know I agree, but let's not talk about it now*. For the others it's *I don't agree with this comment*.

Remember our definition of silent audience-implicature:

> By remaining silent, *P* may be said to have silently *audience* implicated that *q*, provided that,
>
> (1) *P* is to be presumed to be observing the conversational maxims, or at least the Cooperative Principle
>
> (2A), *The audience believes that* the supposition that *P* is aware that, or thinks that, *q* is required to make their *conversational silence* consistent with this presumption.
>
> (3A), *The audience takes P to think* that it is within the audience's competence to work out that the supposition mentioned in (2A) is required.

If Danny believes that the supposition *I agree with you but we don't talk about this in this setting* is required to make sense of Berty's silence, and thinks that Berty thinks that he, Danny, is able to work this out from him remaining silent, then Berty successfully audience implicated for Danny. If all the others take up what Berty intended for them to take up – that he disagrees with this statement and doesn't think it worthy of discussion, only silent dismissal – Berty also successfully audience implicated for them.

One thing that can be said at this point is that Berty exploits a conversational situation in a way that allows him to maintain deniability over the risky content he's trying to communicate (i.e., the sexist statement). We will hear much more about these kinds of scenarios in *Chapter 3*. What has become clear so far is what Berty ends up with as audience-implicature in these examples. But what is the *conversational implicature*?

In the just-described example, I would argue that there are *two* conversational implicatures. The conversational implicature for Danny is *I agree, and you know I agree, but let's not talk about it now.* The conversational implicature for everyone else is a dismissal of Danny's comment. This has to do with the fact that Berty knows about the diverging contexts, and knows how to use them. Berty *knows* that, for Danny, he has chosen to remain silent in a situation where enough information was available to him to calculate the implicature correctly. And he knows that this context only offered enough information to the others for them to calculate another implicature – the charitable reading which takes him to disagree with Danny's sexist comment. That is what he intends them to calculate, and he chooses a situation where this is what they can reasonably be expected to calculate. In other words, they are required to assume that Berty thinks that sexist statements like that are wrong, and interpret his silence in this light in order to understand him as cooperative. In that sense, he successfully audience- and conversationally implicates this particular message for them with his silence if they come to calculate his silent implicature this way. On the other hand, if the rest of the audience knew that Berty was, in fact, quite sexist himself, they would probably read Berty's silence in a different way. But as long as they don't, Berty can make use of the fact that, in this situation, they are required to assume that he disagrees with Danny in order to understand him as cooperative.

It does, moreover, seem implausible to suggest that there is only *one* conversational implicature in this case. How would we decide which it would be, given that Berty *wants* to create two different implicatures for two subsets of his audience? It's his intention to require different parts of his audience to assume different things in order to understand him as cooperative. And given the way that conversational implicature interacts with the kind of information and context that is available to audiences, as well as with the intentions of the person making the contribution, it would seem

implausible to say that the "real" implicature is what Berty actually thinks about women and maths. In our example, it seems that the audience could not really have worked out, based on the information they have, that Berty actually agrees with Danny. What's relevant to conversational implicature here is what Berty *requires them to assume*, and whether there's enough information available for an audience to calculate it. In our example, there are two different requirements for two different audiences to understand Berty as cooperative, and two different conversational implicatures. However, *even if* Berty's audience suspected that Berty was doing something slightly off with his silence, this would not change the *conversational implicature* on our normative reading of it. Even if disagreement with Danny *remains* utterer-implicated, in order to calculate the implicature, Danny requires his audience to assume certain things that were available to them, which (so he thinks) would lead them to calculate something different. So, if they realise that he is implicating something for Danny that diverges from what he wants them to assume, something Berty didn't *intend* ends up audience-implicated (for this part of the audience). But the conversational implicature would, I think, remain the same.

Now, we might think of this audience, who just accepts that silence in the face of a comment like that means dissent, as very gullible. When somebody is silent this way, should we really believe that they disagree with something that is clearly a harmful statement? Shouldn't we expect a more explicit disagreement with a sexist statement in order to believe that somebody dissents from it, exactly *because* silence could be misleading in this way?

In the next chapter I will discuss the dangers of silence and plausible deniability in more detail, and I will discuss issues surrounding silence, assent, and dissent in *Chapter 4* and *5*. But it's already worth noting the following: While I do think that silent dissent is possible in certain circumstances – after all, getting no reaction at all to something we say can quite unambiguously communicate to us that our audience is not in agreement – we do need to remember that the graver the injustice, the more we need *explicit* dissent. Just because we can sometimes dissent with silence, this doesn't mean we always can, or always should.

Next, let's think about *Option iii* (Berty intends to communicate agreement to the entire audience (including Danny), but only Danny ends up understanding it as such). Berty's silence could be simple agreement. Sometimes, when somebody says something we agree with, we don't feel like it's necessary to say explicitly that we agree with them. Say Berty and Danny don't think that anybody *would* disagree with that in this context, because they take women being bad at maths to be some kind of objective and uncontroversial truth. Berty isn't worried about his potential business partners disagreeing with him. In this case, Berty's silence isn't communicating dissent to the listeners, and "I agree, but let's not discuss this now" to Danny, as in *Option ii*. It's designed to

simply communicate "I agree", and Berty doesn't want to discuss this or pick up on it because, in Berty's view, there is nothing to discuss or pick up on. In this case, Berty and Danny don't *know* that their audience disagrees. However, the audience thinks the exact opposite to Berty – they think that nobody *would* agree with it.[41] What more is there to be said about this case?

Here, Berty intends his implicature to have one fixed meaning: *I agree, women are generally bad at maths*. He successfully audience-implicates this for Danny, but not for the rest of the audience. For them, he failed to audience-implicate what he meant with his silence, but merely utterer-implicated it, while all of this was perfectly successful with Danny. So, what is it that he conversationally implicates? With regard to Danny he conversationally implicates *I agree, women are generally bad at maths*, but what about the others?

According to the normativity of conversational implicature, audiences are *required* to assume certain things in order to understand what is going on. As a matter of fact, Berty's audience doesn't pick up on the message that he *intends* to silently implicate, but the question we have to ask is whether or not there was enough information available so that they should have calculated the implicature correctly. If there was, then Berty can be said to have conversationally implicated that he agrees with Danny, even though he didn't audience-implicate that for the broader audience. If there wasn't, he didn't succeed in conversationally implicating for this part of the audience at all. Something different from the conversational implicature ended up audience-implicated, and what he intended to bring across only remained utterer-implicated.

Unfortunately, there isn't one single answer to which one of these it is. The outcome in this example will depend on further details of what the audience knows, doesn't know, and can be expected to assume. While I think that we'll need to make this kind of decision on a case-to-case basis, the extended taxonomy of conversational implicature can give us the instruments to understand what is going on once we have those details.

So, while the examples I have considered so far have taken into account a great deal of complications that I did not look at in the first chapter, they are still 'easy' in some ways, given that Berty doesn't have to care too much about how his implicatures are calculated, and given that he

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[41] At this point, one might want to raise the problem of *indeterminacy* for silent implicatures. If determinacy is an essential condition for calculating implicatures, how do we handle the just discussed cases? For one, it is hard *in general* to find contexts where this is totally satisfied (see Davis 2019, 27). But, moreover, it's not just silent implicatures that have this problem – similar things can be said for "classical" implicatures as well. For example, if instead of silence, Berty's response was "Yeah, right!", the audience might instantly think that this can only be sarcasm or irony, especially if Berty doesn't pick up on it any further – even while Danny doesn't think that.

knows that. He is able to employ quite a bit of flexibility in terms of implicature. He is able to successfully (conversationally, audience-) implicate different things for different audiences. As we heard before, it seems that this, to a large extent, turns on the particular status Berty inhabits in the context in which the conversation is taking place. Again, while it's surely right that people in senior and leading positions are at times seen in resentful and uncharitable ways (if we have a vindictive boss we dislike, we might be quite uncharitable with the things he says, for example), Berty is not seen this way by his audience: They have equal status, he doesn't suffer from other kinds of identity-based prejudice (the kind marginalised people often see themselves confronted with), and they assume that he is a reasonable guy who isn't outright sexist like that.

Option iv (Berty intends to communicate disagreement with Danny to everybody in the audience, including Danny) will, yet again, complicate this further. As we said before, in this context we imagine Berty not as a leading employee in the firm, but a new intern, one of the only people of colour in the firm, who's being supervised while leading his first discussion round. He needs this job, and knows that the people he is working for are bigoted. He disagrees with most of their sentiments, and has spoken up in similar contexts before, to the extent to which it was possible for him. Now, however, he decides to communicate his disagreement by remaining silent. Given his position and the overall situation, he is hesitant to make this a bigger discussion topic in the current context, and assumes that it would be more professional to just dismiss it silently. But now imagine that his audience is prejudiced *against him*. They don't think that all women are bad at maths, but they *do* assume that he simply *must* be sexist. In contrast to our earlier versions of this scenario, where the audience just assume Berty to be "on their side", they now have a heightened suspicion against him. So, in contrast to what we saw happening before, the audience assumes the silence to actually mean assent. What does this mean?

Just as before, the audience is taking certain things into account to calculate the (silent) implicature. What ends up as the audience-implicature is that Berty agrees with the sexist statement. They think that agreement with the sexist statement is required to make Berty's silence consistent with this presumption, and they take Berty to think that they will work out this supposition, although he himself doesn't actually presuppose this at all. However, agreement with Danny's utterance *is not Berty's intended conversational implicature*, even though the others *think* it is. So, while Berty's utterer-implicature is disagreement, what ends up as the audience-implicature is agreement. As we've heard before, audiences have a certain "authority" over what ends up *audience-implicated*. So, if a given audience is biased against you, this will influence the way in which they understand you. Depending on who the audience (or authority) is, what ends up audience-implicated can have varying implications for the person who is silently implicating but lacks certain status that would be desirable in the given circumstances. What, however, is the *conversational implicature* in this case?

As we know by now, talking about conversational implicature as a normative notion means that there are certain things an audience *should* arrive at when calculating an implicature, even if they end up understanding something different. However, it is important that the necessary information *is* actually out there. Just as before, we need to ask whether there's actually enough information out there for the office people to calculate Berty's implicature correctly. If not, we can't say that *I disagree* (or something like that) is actually conversationally implicated – in which case he only utterer-implicated it. This will depend on some external features: Does the audience know that Berty has spoken up against these kinds of comments before? Do they know (or care) about his precarious position in the firm? If they do, their interpretation of Berty's silence as agreement with the sexist comment would seem to be particularly misguided and prejudiced. If they don't, we might not be able to say that Berty *conversationally* implicated, even though it seems clear that he did utterer-implicate dissent.

Note moreover, that it wouldn't be inherently a problem if there is *no* conversational implicature – but only audience- and utterer-implicatures – in a particular case. It just means that there was not enough information for an audience to grasp what the conversational implicature was. This, of course, doesn't mean that an audience who is inherently suspicious of a young intern of colour, but uncritical towards a long-standing, privileged employee, isn't wrong in their assessment. It just means that in this context, no conversational implicature could be calculated, because something in the circumstances didn't allow for that information to come through. For analytical purposes, though, the notions of utterer- and audience-implicature can tell us enough to assess the various layers of communication involved, and what ended up coming across for the audience, even if we cannot say that the person implicating did successfully conversationally implicate.

Why the Extended Taxonomy is (Politically) Useful

I now want to summarise why the extended taxonomy of silent conversational implicature is politically useful.

For one, we saw that the adoption of utterer- and audience-implicature allows us to understand communication in a more fine-grained way. Remember the different ways in which Berty's silence could have been calculated by both Danny and the rest of the audience. As explained, our extended taxonomy can explain how somebody could implicate different things for different audiences, or how someone might fail to implicate something for some audiences but not for others. Next, these cases also made apparent the *normativity* of implicature: there are some things which audiences are *required* to assume so they can make sense of a certain statement. In *Option ii*, this requirement, as well as Berty's knowledge that his audience's understanding of him will not make them think that

he agrees with a sexist utterance like Danny's, makes it possible for Berty to implicate disagreement *for them*. Since his implicating with silence, and their wanting to understand this implicature, *requires* them to fill in the blanks with the things they assume about Berty's views, he can implicate something different for them than for Danny. He is, so to say, not only exploiting the conversational maxims and Cooperative Principle, but also the normativity of conversational implicature and the assumptions standing behind it in some way. In *Option iv* this panned out quite differently. While previously the audience made some charitable assumptions about Berty (which he took advantage of), in *Option iv* the opposite is true – their assumptions are full of prejudice, influencing what they think they are required to assume in order to make sense of Berty's silence. Further, *Option iii* showed that an audience might just assume that Berty will have similar opinions to them, which could lead them to read his silence accordingly, even if he doesn't even care whether they think he is as sexist or not.

Along these lines, we have also seen how the notion of audience-implicature has particular political relevance: Since audiences have a certain kind of "authority" over what counts as audience-implicated, audiences that are not benevolent towards the person implicating might use their power to bring about bad consequences for the person whose implicature got misinterpreted (whether deliberately or not). While this, of course, doesn't always have to be the case, even when there are unequal power dynamics present, working with our notion of disentangled implicature can show a way to understand what is happening when an implicature gets misinterpreted that way.

Finally, I want to point out again that what happens to be conversationally implicated isn't necessarily the morally or politically *right* thing. Similarly, the assumptions of both audiences and speakers (and how either might exploit these assumptions in various ways), aren't necessarily politically correct. What we are required to calculate is only "normatively" required within the realm of conversational implicature. What is required within a larger political context is a different, but important, discussion.

2.5.   Conclusion

I had two central aims in this chapter: to disentangle our Gricean notion of conversational implicature, and to apply this new taxonomy to some cases of silent conversational implicature. Specifically, I wanted to focus on cases that *can* be presented in a fairly straightforward way (like the ones we saw in *Chapter 1*), but can also become very complex and require a great deal of nuance.

To undergo this "disentangling" project, I've worked with Saul's (2002) paper, in which she presents a way of extending the taxonomy of implicature in discussing how the Gricean characterisation of speaker meaning cannot sufficiently divide into what is said, on the one hand,

and what is implicated, on the other. Drawing on this, I introduced the notions of *utterer-implicature*, *audience-implicature*, *utterer&audience-implicature*, and further highlighted *conversational implicature as a normative notion*. Finally, I applied our extended taxonomy to examples of implicating with silence, using different contexts to show the variety of things that can be implicated, while using the extended taxonomy to analyse these cases. I concluded with some (incomplete) thoughts on the political usefulness of "disentangled" implicature.

Of course, there are further questions that should be asked in this regard. More needs to be said, for instance, about the role of plausible (or implausible) deniability in these contexts. To what extent can Berty in *Options i-iii* rely on maintaining plausible deniability, which isn't afforded to Berty in *Option iv*? To what extent is the way in which Berty in *Option iv* is structurally misinterpreted actually a form of silencing? And, along different lines, we might want to ask whether silent dissent is, or should be, an option in situations like the illustrated ones? These questions, among others, will receive more attention in the following chapters. I'll begin the next one with the question of *silence and deniability*.

3. About Silence, Denials, and Deniability

In the previous chapter, I have, among other things, tried to highlight the political relevance of implicating with conversational silence by "disentangling" Grice's original characterisation following Saul (2002). In this chapter, I want to further explore some aspects of silent implicature and its use in less-than-ideal circumstances by looking at how silence can be (mis)-used to *maintain deniability*.

We know issues around deniability well from the political sphere: Many politicians are well-versed in the art of communicating things in less than explicit ways, often using conversational implicature, affording them varying degrees of (plausible) deniability.[42] Conversational silence is especially interesting in this context. As we've already seen in the previous chapter, messages conveyed through silence are not always straightforward. We might misunderstand what somebody wants to bring across, or something might lead us to misinterpret a message. This isn't to say that silence is *always* misleading, or *always* used in misleading ways. The point is that it *can* be unclear – e.g., unclear from the outside of a situation, or unclear when the conversational participants aren't familiar with each other's habits, manners, social, and/or cultural customs. But, given that *nothing is said* in cases of silent implicature, silence seems a particularly attractive device to use in ways that allow us to avoid conversational accountability and liability, should we find ourselves in a somewhat "risky" conversational situation. This chapter aims to explore these issues further. Moreover, it's my goal to discuss some aspects that often get neglected in our contemporary discussions about deniability, including the following points:

1. the role of *implausible* deniability, and how even denials that seem very implausible can hold up,

2. cases where people make use of the deniability features of their conversational contribution despite this *not* being their intention or plan all along vs. cases where denial *is* the intention all along,

3. how we can *counter* denials in productive ways,

4. and considering cases where people remain silent to make use of its deniability features in order to *protect* themselves in the context of injustice, rather than mislead in order to avoid accountability.

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[42] E.g., implicatures are often used as a way to mislead without having to lie (e.g. see Saul 2012, 76). See more discussions on the lying-misleading distinction in Saul (2012).

To this end, the first section of this chapter, **3.1.**, will set the (theoretical) stage for more applied discussions of deniability by asking about the nature of denials, deniability, and how they can be applied to silent implicature. In **3.2.**, I'll think about *plausible and implausible deniability*, and differentiate between *inadvertent* and *deliberate deniability*. This will cover points 1 and 2 from above. The following section, **3.3.**, will focus on a discussion of deniability and risk mitigation, specifically discussing how silence can be used to avoid conversational accountability. Specifically, I'll apply these discussions to some cases of silent implicature, to show the political relevance of this issue for various different contexts. Here, I will address point 3 about countering denials. Finally, in **3.4.**, I will discuss in more detail (deniable) silent conversational contributions in the context of injustice. That is, we'll look at cases where somebody remains silent in the context of injustice in order to maintain deniability over their agreement to the very injustice taking place, and contrast this with situations where somebody remains silent to maintain deniability in order to protect themselves due to being a direct or indirect target of the very injustice in question. This will address point 4 from the above list.

3.1.   Making Deniable Conversational Contributions

Denials and deniability are two closely related aspects that repeatedly come up in our conversational practices. A *denial* can be characterised as a claim that negates something, a statement that something isn't true, didn't happen as suggested, or doesn't exist. There are some forms of denials many of us often make use of in our day-to-day practice (which are often quite innocent): We might deny that we left the refrigerator door open, or that we ate the last cookie. Or we might deny that something we communicated was *meant* in a particular way: E.g., my friend might say that they didn't *mean* to suggest that my shoes are ugly by saying "You're wearing *those*?". Or they might claim that they didn't *mean* that my new haircut was bad by remaining silent when I asked them if they liked it. I might believe my friend, or I might not. But it seems right that I can't *prove* that they *meant* to communicate something about my fashion sense or hair. I don't have (full) access to their communicative intentions, and I might have misunderstood them. After all, my friend didn't say explicitly "You're wearing those ugly old sandals?" or "I actually liked your hair better the way it was before." Some aspects of what they said remain *implicit*. It's this latter kind of denial I will be talking about in this chapter.

Various scholars have given these situations different names: Some have classed cases of slightly veiled statements as *insinuations* (recently, Elisabeth Camp (2018), but also Elizabeth Fricker (2012)). Others have talked about it as *innuendo*, *ad baculum arguments*, *indirect* or *inexplicit speech*, or used several of these notions in combination (e.g. see Walton 1996, or Capone, Kiefer and Lo Piparo (ed.)

(2016).[43] In most of these discussions, implicature plays a role, even if the authors in question give the phenomenon itself a different name. Camp (2018, 46), for example, defines insinuations as having, at their core, "implicature with deniability." Douglas Walton (1996, 55) describes as a "method of evading the burden of proof" (among other things) to "have your respondent draw an unstated presumptive conclusion by Gricean implicature." He points out how, in ordinary cases of implicature, "the conclusion of the inference has not been stated explicitly by the proponent" (ibid., 55), who, if questioned later, "has left open a route for plausible deniability." (ibid.). Elisabeth Fricker (2012, 86) also talks about implicatures (or "implicit secondary messages") as a type of non-explicit messaging "where the speaker makes an explicit linguistic statement, an assertion of a primary message; but in addition intends to convey an unstated implication(s) of this" (ibid.), allowing for a certain level of deniability. In the following, I'll use the notion *(silent) deniable conversational contributions* to describe these phenomena.

So, if implicatures in general are (often) deniable to a high degree, silent implicatures seem to be *particularly* deniable. This is mostly because in cases of silent conversational implicatures *nothing is said* (which, I believe, will often mean that the possibilities to deny are even greater than with explicit statements), but it is also due to their strong context dependence and so forth. Of course, we might not use implicature only *in order* to employ deniability. Just because we implicate something, doesn't mean we intend to deny whatever we originally intended to implicate. The point is rather that *when* we want to be able to deny something, we might make use of implicature *because* it has these deniability features. The point is, as Adam Hodges (2017, 2) puts it, that (plausible) deniability "thrives" amidst conversational implicature.

Let's look at two initial examples where somebody is making use of the deniability features of their conversational contributions:

> **(18)** My friend Zed and I are ready to go out. At one point they say to me: "Are you sure about those shoes?".

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[43] Discussions about the deniability of utterances and conversational contributions is also of interest in epistemology: E.g., Fricker (2012) asks in her article *Stating and Insinuating* whether insinuations (that is, implicatures with deniability), can be acts of testifying; likewise, Andrew Peet (2015) discusses in *Testimony, Pragmatics and Plausible Deniability* the issue of whether or not we are justified to form beliefs on the basis of deniable statements (which he applies to a much broader range of cases than just implicatures). Peet (2015, 29) argues specifically that the so-called "deniability problem" seems to apply to a much broader range of conversational contributions, such as general statements or assertions, which would mean that a very broad category of conversational contributions can be deniable. His, and other epistemologists, questions about this issue focus on how to deal with the so-called "deniability problem", that is, the problem of how and if we can acquire justified beliefs about statements that are deniable. I can't go into detail with these (admittedly, interesting and important) epistemological questions here.

I might interpret this as a slight towards my fashion sense, or a subtle hint that my outfit would be better with different shoes. Or I might get a bit upset with them; after all, I thought about this outfit all afternoon and think it works well. Say Zed notices my irritation, so they add: "No I don't mean *that*, just that it's going to rain later, and those sandals will not only get ruined, but you will be cold!"

This, indirectly, is a denial of the implicature I understood from the original question. They didn't mean that my shoes look bad, just that I might get cold wearing them in this weather! Notice, however, that Zed could have said the same thing whether or not they intended the original implication that I understood. *Even if* they thought, initially, that they just had to get me to notice how bad those shoes are, once they realised that I would get annoyed about this, they claimed that their question was intended to convey a completely different message.

(19) Samira comes home with a new haircut. She comes into the living room where her sister is watching TV, and asks: "What do you think about my new haircut?"

Her sister looks at her and remains silent.

Samira, visibly upset, says "Oh god, no, is it really that bad!"

Her sister responds: "No no, I didn't mean *that*! I was just distracted by the TV."

Samira might believe her sister, or she might not. But her sister's response is a denial of the implicature she generated by remaining silent – namely that she thinks that Samira's haircut looks bad. Samira's sister's silence, in this case, affords her deniability: Say the sister first thought Samira wanted honest feedback, but upon realising Samira was just looking for an (if superficial) compliment, she can try to convince her sister that her silence didn't mean *that*.

Both of these cases can be read as straightforward implicatures, but, at the same time, both Samira's sister as well as Zed might try to *maintain deniability* about what they implicated, maybe to protect the other persons' feelings, maybe to avoid a discussion or a fight. And implicatures can be useful in such situations. Similar things happen, for example, in the case where somebody says "There's a garage around the corner" (a much-loved example of implicature, which most people would take to implicate "…and they have gas.") to somebody who's complaining about their empty gas-tank, because they want to mislead the person out of pure spite. Indeed, as Peet (2015, 31) shows, the person who says that there is a gas station around the corner could very well claim that "she never intended to communicate that the gas station was open or that it had gas" once she gets challenged. E.g., "[s]he can maintain that she was merely suggesting it is a place to try (she could maintain this even if she in fact knew that the gas station was shut or had no gas)" (ibid.). So, part of what happens when one does something deniable with their speech is leaving certain things "unsaid". You hint at something, you point at something, you imply something – but something you can *deny* if need be, should it turn out that whatever you implied produces some backlash. In cases of silence, like we saw in example **(19)**, this is equally the case: silence, as we can see, allows the person remaining silent interpretational leeway, leaving paths to denial open, and affording *deniability*.

Conversational contributions that can be effectively denied later are well suited for "conversationally risky" situations. I will say more about conversational risk and accountability later on. However, it's worth pointing out already that what *exactly* constitutes a conversationally risky situation will vary, of course. In general, it's a situation where we have to somehow navigate our conversational commitments. The notion of "risk", here, should be understood in a fairly flexible way: A situation can be risky in a light sense, e.g. a friend, who usually holds us to our promises, has invited us to a party we don't know we'll actually want to go to, so we might formulate our commitment to the invitation in implicit ways. Other cases can be trickier, e.g. when we have to be careful what we say because we're talking about the burden of long working hours to a vindictive boss. Yet in other cases, we might find a situation risky because we're discussing a sensitive topic and don't know if our acquaintance has a completely different opinion on something, and we don't want to risk an argument. It is not always easy to pin down what exactly makes a situation into a risky one: Is it the content we're talking about, the broader situation, or the people we're in a conversation with? Quite likely, it will often be a combination of all of these features. Just take the example of the party invitation: if we know that they don't really mind it if people just don't show up to a party without excusing themselves, we will be less inclined to manage our commitments when responding to their invite. In other cases, however, we will manage our speech – and silence – more carefully. Moreover, it should be noted that being able to maintain deniability can also be very useful in situations we don't recognise as risky, but turn out to be risky later (as we'll hear in more detail when I discuss deliberate and inadvertent deniability). For now, the bottom line is that (silent) conversational contributions that allow deniability can be very useful for navigating risks of various kinds. And for now I want to draw our attention to another feature of what happens in cases of denial: When we deny something we implicated, we effectively claim that we intended a different implicature than the one that got taken up. To grasp this, our previously worked-out notions of utterer- and audience-implicature can help us.

In cases of denials, where somebody invokes the deniability features of their implicatures (silent or not), they claim that their intended utterer- and conversational implicature is different from what was understood as the audience-implicature. They claim not only that they had different communicative intentions, but also that there was enough information available for the audience to calculate this implicature correctly. Consider example **(18)**: My friend's original intention was to criticise my choice in shoes, but they also didn't want to start a lengthy discussion with me. So they formed their criticism in an inexplicit way, allowing for deniability. When they claim that they never intended to criticise my shoes, they claim that what I understood as the audience-implicature is wrong, and that they utterer-implicated something entirely different. But more than that, they also point to information that *is* available, making it seem like I should have been able to calculate the

implicature correctly (e.g., the weather is going to turn very bad, your feet are going to get wet and cold, etc.).

As Camp (2018, 51) puts it, for a different interpretation of the implicature to be admissible, it must be somewhat *reasonable* to calculate the newly proposed message. The new interpretation must fit with certain commitments undertaken so far in the conversational context and there must be a set "of epistemically accessible presuppositions consistent with those commitments" (ibid.), making the whole exchange at least minimally cooperative (see ibid.). In other words, thresholds of deniability, what is and isn't plausibly deniable, will vary from case to case. Let's look at this next.

3.2. Features of Deniability: Plausible and Implausible, Deliberate and Inadvertent Denials

I now want to discuss some of the features of *denials and deniability of conversational contributions* in some more detail. Specifically, I want to focus on the pairs *plausible* and *implausible* deniability, and *deliberate* and *inadvertent* deniability. Regarding the first pair, I want to stress how the story we tell to deny something might not be very convincing, but our attempt to deny might stick nonetheless. Regarding the second pair, I want to discuss the "flexibility" of denials. While we usually consider cases where they are made in a somewhat calculated way, *deliberately*, conversational conflict often arises in unforeseen ways, and denials can play a big role there. I want to highlight how people often use denials not because they carefully planned their conversational moves, but because they can make use of the *inadvertent*, unplanned deniability features of their contributions.

Plausible and Implausible Deniability

Plausible deniability is a familiar notion that regularly comes up in public discourse, which is often used by politicians and public figures, but also in private lives. *Deniability*, though connected to the act of denial, is concerned with the nature of the very thing that one attempts to deny, the *possibility* of denial (and how *plausible* it actually is). Peet (2015, 31) defines the notion as follows:

> "Plausible deniability – An agent has plausible deniability about intending to communicate a proposition p with an utterance u of a sentence s if that agent is able to tell a story (with at least some degree of believability) about their attitudes and expectations at the time of utterance such that a reasonable agent with those attitudes and expectations could utter s with no intention to communicate p."

This means that you have deniability if your conversational contribution is designed in a way that allows you to deny what you've brought across (e.g., what you said or implicated). To think back to our example **(18)**: My friend does indeed have *plausible deniability* here in the right circumstances. Saying that their question related only to my inadequate footwear for the current weather situation *does* make sense. If, however, there was blissful sunshine outside and I knew the weather forecast predicted nothing but cloudless skies for the next 24 hours, their denial would be *implausible*. Surely, they could *try* to deny that they meant to communicate something critical about my fashion sense. But it would be quite a bit more implausible if they did. Similar things go for example **(19)**: It's at least not entirely implausible for Samira's sister to claim that she was just distracted by the TV when Samira asked her opinion about her hair.

So, in short, a conversational contribution is plausibly deniable if someone can *plausibly* claim, without giving too outlandish an explanation, that they didn't mean what was taken up. They might claim that what ended up audience-implicated wasn't what they intended to implicate: Their utterer-implicature and intended conversational implicature were something different; the audience just didn't get it. If a relatively reasonable explanation of a speaker's actual intentions can be provided, accountability is shifted.

It's worth noting that, in our everyday usage of the term, as Alexander Dinges and Julia Zakkou (2021, 6) point out, the notions of 'deniability' and '*plausible* deniability' often get used interchangeably. At the same time, it seems clear that deniability is not always plausible (see ibid.). This means that there will be cases where a speaker might make use of deniability (or be able to) where this doesn't appear particularly convincing. To differentiate between cases where denials seem plausible from those where they don't, I want to introduce the notion of *implausible deniability*, oriented around Peet's (2015, 31) definition:

> Implausible deniability – An agent's denial about intending to communicate a proposition *p* is
> *implausible* if the story that agent is able to tell about their attitudes and expectations at the time
> of the utterance does not have the degree of believability their interlocutors would expect to
> hear about the agent's communicative intentions.

In other words: Something might be *implausibly* deniable when the given explanation or justification about someone's communicative intentions seems outlandish, and when it's clear to everybody in the conversational context that a particular *other* thing was meant.

This, however, does not mean that implausible denials can't *stick*. When I talk about (plausible or implausible) denials "sticking", "working" "holding up" or "going through", I mean that they are either *believed* or at least *accepted*. We have a *believe* scenario in case **(19)** if Samira believes her sister's denial of the silent implicature that her hair looks bad. She might think that it seems right that her

sister was quite captured by the TV when she entered the room, and might not have immediately processed her question. But Samira also might only *accept* her sister's denial: In this case, she doesn't believe the denial – she doesn't think that her sister is genuine when she denies her silent implicature – but she lets it "go through", maybe for the sake of keeping the peace, or to avoid hearing hurtful things about her new haircut. From Samira's sister's perspective, the denial was able to "stick" and "hold up".

Now, we might consider this just considered denial fairly plausible. But denials can also "hold up" even when they sound entirely implausible and made up. We know too well that some politicians are genuinely *believed* when they come up with the most outlandish excuses to explain their problematic comments or tweets. But in those cases, too, the implicitness of your conversational contribution makes it deniable in a way that it is hard to prove otherwise. Since the interlocutor can *hold* their position of not having meant *x* against arising doubt, nobody is easily in a position to prove them otherwise about their alleged communicative intentions. This can allow them to maintain deniability, even if it's implausible.

Let's apply this to a quite politically charged example brought up in a similar form by Camp (2018, 42-43):

> **(20)** Betty produces the utterance "You know Obama's middle name is 'Hussein'. I'm just saying". This sentence has a proposition (Obama's middle name is 'Hussein'), and a certain illocutionary force (she intends to be recognised as asserting that Obama's middle name is 'Hussein'). However, additionally to this, Betty *also* intends to present some other proposition, something like *Obama is a Muslim*, or "Even though Obama claims it's not true, having the middle name 'Hussein' indicates that somebody is Muslim". This mode of communication is successful if Betty's audience recognises that it's her intention to get them to entertain the thought *Obama is a Muslim* by her saying "You know Obama's middle name is 'Hussein'". That is, she succeeds if her audience doesn't only recognise that Betty wants to inform them about Obama's middle name being 'Hussein', and that it could mean that he is a Muslim, but if they *entertain and believe* these messages. However, if her audience, Clare, doesn't agree with Betty, and detects the problematic aspect of her message, Betty is able to deny that she meant *Obama is a Muslim*, because the presuppositions she draws on remain merely implicit.

Given that many people aren't oblivious to the fact that 'Hussein' is a common name in Muslim communities, and given how dominant Islamophobic and racist views are in our society, anybody who actively tries to resist such racist narratives will find a statement like Betty's problematic (while, at the same time, people who agree with Betty, will understand her immediately).

First, let's consider what happens in this case of denial: If Clare wants to actively resist this message, and challenge Betty on it, she's possibly in a somewhat frustrating position because, as Camp (2018, 47) puts it, "a commitment they want to reject has been thrust into the conversation, but in a way that escapes easy response." Betty never actually *said* that she thinks Obama is a Muslim and that

this is a problem for some reason (while it seems clear that she's *implicating* something along these lines). Betty could say something like "I never said he was a Muslim, I just said that was his middle name, in case people didn't know. I just met someone the other day who thought his middle name was Michael, and I thought maybe that's something more people think." Whether this is true or not, it will be hard to *prove* that Betty *is* actually saying something untrue.[44] But not only this, now Clare is the one who has brought the topic of Obama's religious affiliation to the table, which was never *explicitly* done by Betty. If Clare now says "Look, you were clearly trying to say that Obama was Muslim in stating that his middle name was 'Hussein', and, given the current political climate we have, that seems to be a horrible move." Now Betty could say "You're the one who just said that people called 'Hussein' are often Muslims, not me. I never said that." What we can see here is a case in which "an explicit query or accusation about the speaker's insinuated message […] both disrupts the ordinary conversational flow and invites speaker denial of having meant this" (ibid., 47). So, even if Betty's denial seems very implausible to Clare, it might stick, and, as we just heard before, "deniability is possible even when it's not plausible" (ibid., 49).

It is again worth pointing out that the spectrum of how plausible and how implausible we consider a particular denial to be, or how much deniability we afford somebody, will vary. It's certainly true that the border between implausibility and plausibility in the context of language use is a very fine one. Some statement might seem entirely implausible to one audience, but quite plausibly believable to another. Even *within* audiences there might be differences. People enter conversations with different backgrounds, from different contexts, and with different levels of knowledge about the situation and conversational participants. At the same time, we might agree *overall* that in *some* situations the relevant denial would seem more implausible than in others. And it is worth pointing out this difference: Understanding deniability (in relation to silence or not) in public discourse should include a discussion of how even implausible statements can "go through" when designed in the right ways.

So far, I have addressed the first question raised in the beginning of this chapter – the role of *implausible* deniability, and how even denials that seem very implausible can hold up. In all of the

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[44] We should also note that Betty's behaviour is also manipulative towards Clare, and Betty might be motivated to make Clare doubt herself, her thoughts, perception, and so forth. In this case, Betty's behaviour might border on epistemic or manipulative *gaslighting*, to speak in Cynthia A. Stark's (2019) terms. More research would need to be done on the interactions between deniability and gaslighting, including its gendered and racialised aspects. This is not the space to pursue this discussion. More on gaslighting can be found in the just mentioned article by Cynthia A. Stark (2019), entitled *Gaslighting, Misogyny, and Psychological Oppression*, and in Angelique M. Davis' and Rose Ernst's (2019) article *Racial Gaslighting*.

examples that have come up so far, I've thought about denials and deniability in their more common forms – somebody makes a conversational contribution in a somewhat risky context, and structures their contribution in a way that affords them deniability in case they get challenged or called out. This, however, is not the only way in which denials work. To only focus on denials that are planned or intended does not seem to fully represent the way in which our conversations often go – unplanned, developing over the course of a conversation, depending on topics and other external factors. This means that, very often, people do not *plan* to maintain deniability, but the way in which they express themselves still *allows* for denials.

Deliberate and Inadvertent Deniability

While our conversations are often calculated in some respects – people know that we can say certain things to some people, but not to others – it would be impossible to plan many of our conversations in detail in advance. Sometimes a speaker might only realise after they see the shocked expression of their conversational partner that what was just said or implicated is out of line or harmful. And many people might *then* deny that they meant the particularly shocking thing, even though they never *planned* to be able to do that. These spontaneous, semi-strategic, moves of denial seem quite relevant, however.

Think back to example **(19)**, where Samira's sister remains silent when asked if she likes Samira's new haircut, and denies that her silence was meant to communicate dislike. This denial *might* be planned. The sister might not like the haircut but, while she doesn't want to lie, she also doesn't want to hurt Samira's feelings, and, on top of that, needs Samira to drive her to the cinema later on. But there is another way in which this denial might come up that is not planned at all: where the sister's silence is only meant to communicate straightforward dislike. She doesn't consider that Samira might get angry or hurt, but, when Samira reacts the way she does, a conversational risk arises that the sister hasn't considered at first. As such, Samira's sister might not have remained silent when asked about her sister's haircut with the *intention* to deny it later, but she still might make ready use of the deniability feature of her silence once it turned out to be a risky thing to say. Silence like this, then, allows interlocutors to shift conversational liability and radically reduce accountability, as any risky message will remain implicit. And, as it turns out, we can do this even if we didn't previously have the intention to be able to deny our message – we can just as well make use of the deniability features of our implicature when a situation becomes risky.[45]

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[45] The same, of course, is possible for non-silent conversational contributions.

This can obviously be very useful in politically charged communication, and I believe that an account discussing the political and linguistic role of denials and deniability should be able to capture this complexity. So, to account for this, I want to distinguish between *inadvertent* and *deliberate* deniability:[46]

a.) We can describe conversational contributions (both silent and spoken) that are either produced with the *intention* to be deniable as having *deliberate-deniability* (e.g., when the person making the contribution knows their content to be risky and wants to maintain deniability over what they bring across).

> *Deliberate Deniability*: A thinks that there is a risk that B would find *x* problematic. A nevertheless wants to bring across *x*. Hence, A designs their conversational contribution in a way so that they have deniability over *x*. If B reacts in a way that makes it clear that they find *x* highly problematic and conflict seems to arise, A could claim that they didn't actually mean *x*, but rather *y*, since their implicature was multifaceted along the lines of context, content, force etc., and perhaps claim that it was just a misunderstanding.

I call this *deliberate* deniability because the conversational contribution is made with the *intention* to be able to deny it later, if need be. In that sense, the deniability features of the contribution are deliberate. *Deliberate deniability* stands in contrast with the second kind of deniability that I'm interested in here: *inadvertent deniability*.

b.) We can describe conversational contributions that aren't intended to be deniable at the time when they are made as having *inadvertent-deniability* (e.g., where the content is risky in this context, but the person making the contribution doesn't realise this).

> *Inadvertent Deniability*: A conversationally implicates *x*, and their audience, B, finds *x* highly problematic. A didn't expect B to react this way; it's more or less a coincidence that A didn't state *x* more explicitly – their intention was to simply bring across their opinion about the subject, and they happened to do this via implicature. They didn't intend to insinuate something risky. In fact, at the time of speaking, they didn't even recognise *x* as risky at all. But now, because A happened to implicate and not state their opinion explicitly, they could deny that they actually

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[46] Note that the cases of denials and deniability I will discuss in this chapter mostly involve misleading or deception. Of course, in our day-to-day interactions, deniability can also be relevant when our *actual* communicative intentions get misunderstood in cases where we do not want to mislead or deceive: Say we communicated something in good faith, but our interlocutor misunderstands us as communicating something "risky". Both inadvertent and deliberate deniability can come in useful then (inadvertent deniability, because we didn't think that what we said would be misunderstood in the way it was; and deliberate deniability because we might have been aware that we were talking about something risky in general, but were careful not to say the problematic thing we genuinely did not mean or want to communicate).

meant *x*, and pretend what they meant was *y*. They might claim that B just misunderstood them, since their implicature is multifaced along the lines of content, context, force, and so on.

The core difference lies in the fact that, in the second example, deniability wasn't intended all along – it wasn't *deliberate*, but rather *inadvertent*. As mentioned above, most accounts discussing deniability only focus on what would fall into the category of deliberate deniability. But as we've seen, *inadvertent* deniability is still relevant and probably quite common (maybe even more common than deliberate deniability, but that would be a question for empirical research). Particularly when we conversationally implicate, we might just get away with it without having the *intention* to get away with it *at the time of making the contribution*, but could end up using *inadvertent deniability*, should our utterance be suitable. While it's true that in a case of inadvertent denial, B might well say to A "Wait, what are you getting at with this?", A never had the *intention* to "get at" anything, they just implicated something and *then* decided to take advantage of the deniability feature of their implicature.

Of course, both *deliberate* and *inadvertent* deniability are relevant when it comes to silent conversational contributions as well. To the extent that we can conversationally implicate with silence, we can maintain deniability over *what* we implicate with it.

Here's a more concrete example for *deliberate deniability* and silence:

> **(21)** B says something very sexist, and A agrees. However, there's a larger group present, and A doesn't know where they stand on the issue, and doesn't want to do anything conversationally risky. Hence, A remains silent, with the intention to implicate agreement with B's comment, but hoping that, should he get challenged by anyone, he could easily deny that he meant agreement. In fact, some other people do disagree with A, but B continues to remain silent. So, when C comes up to B saying "Why did you agree with this sexist thing?", A says "Oh no, I didn't agree, I was initially communicating shocked disagreement with my silence, and then agreeing with *you* guys!". C believes A. In that case, A's plan to *deliberately* maintain deniability with silence worked out.

And something similar could happen for *inadvertent deniability* with silence:

> **(22)** B says something very sexist, and A agrees. With his silence, he wants to communicate agreement with B. However, there's a larger group present, and they see B's statement for what it is – an offensive, sexist comment, and explicitly challenge B on it. When C addresses A afterwards, who remained silent throughout, about why he didn't say anything against B's comment, A can now make use of the deniability features of his silent contribution and say something like "No no, I was trying to bring across disagreement, like you guys!". C believes A. In this case, A has made use of *inadvertent deniability*.

As Camp (2018, 51-52) reminds us, we need to remember that standards of reasonableness differ from conversation to conversation. She holds, contrasting with Fricker (2012) and Lee and Pinker (2010), that standards of deniability aren't stable or universal (see Camp 2018, 51). Rather, some interpretation "might be grudgingly admissible in one context and not in another, depending on

which interpretive assumptions are epistemically accessible and reasonably relevant in that context" (ibid.). Denials of conversational contributions trade "on the gap between what is in fact mutually obvious to the speaker and hearer, on the one hand, and what both parties are prepared to *acknowledge* as mutually obvious, on the other" (ibid., 49). What is *exploited* is the fact that the conversational presuppositions that influence the person who is denying something are merely implicit and often very context-specific. All of this is relevant in the context of the examples we just discussed and is, in fact, what makes denials so politically relevant.

We have now covered the second question I raised in the beginning (regarding people making use of the deniability features of their conversational contribution despite this *not* being their intention or plan all along, vs. cases where denial *is* the intention all along). I now want to go on to apply these theoretical insights to some more cases of silent implicature specifically.

3.3. Deliberate/Inadvertent and Im-/Plausible Deniability Applied

As we saw just now, conversations don't happen in a vacuum, and all conversational participants involved bring different perspectives and dynamics, and hold different expectations towards their interlocutors. When it comes to denials, when one interlocutor makes use of inadvertent or deliberate deniability, participants' willingness to push "the bonds of reasonable interpretation" depends on how willing they are to bear certain "social costs" (Camp 2018, 52). This means that if somebody thinks that they will quite likely never, or rarely ever, speak to their interlocutor again, they could be more (or less) willing to challenge them, "while a speaker who is concerned to preserve the relationship, or their own reputation going forward, may be less inclined to invoke minimally credible reinterpretations" (ibid.). This, of course, doesn't mean that failing to challenge others is the *right* thing to do. But it is something that people might opt to do, and an explanation for why they are willing to *assist* people in keeping up their deniability. All of this goes for conversations involving silent contributions as well. If speaker knows there to be a high chance that they will need to rely on deniability in an exchange, a silent conversational contribution might be an especially safe way for them to go, since the degree of deniability that they carry is comparatively high. I will now go on to discuss some of these issues surrounding silent implicature, risk mitigation and conversational accountability.

Some Notes on the Role of Risk Mitigation

Before going on to some more examples, the already mentioned issue of risk mitigation merits some further remarks. As I said in the beginning of this chapter, it seems clear that people use

deniable conversational contributions for reasons related to *risk mitigation*. To quote Camp (2018, 45) again: when we make use of the deniability of our conversational contribution (whether or not we planned these deniability features), what's usually the case is that the "explicit, on-record content is unobjectionable, and their riskier conversational point or move is more implicit."

I have already remarked how it will vary what exactly constitutes a "risky" conversational situation, but it's worth pointing out just how much the "risk" involved can differ: E.g., as we know from Kristie Dotson's (2011) discussion of *testimonial smothering*, some people might decide to *remain silent*, to smother their own contribution, precisely because they are at risk in the relevant context. Their audience might be *testimonially incompetent* with respect to a certain domain of knowledge (see ibid., 245), which becomes clear "when they demonstrate the ability to find proffered testimony clearly comprehensible and defensibly intelligible" (ibid.). The dangers that could befall someone in such situations can range from not being believed or listened to, to physical harm or assault. A woman in an overwhelmingly male institution might refrain from speaking out about the faults of a particular policy because she knows she will not be taken seriously – the situation is risky for her. A person of colour might have to think about how safe it is for them to speak up when a man shouts "Terrorist!" at a Muslim woman in a subway car, because the man's racist rage might subsequently be unloaded onto them (see discussions on a similar example in Maitra 2012, 115). In other instances, we might have somebody who's casually racist but doesn't want to get into a discussion about their racism with an audience they don't know well. They are in a "risky" situation in the sense that they want to avoid being challenged about their beliefs and so give themselves a "way out" – they speak inexplicitly in order to be able to maintain deniability in case somebody *were* to challenge them.

It is not a surprise, then, that implicatures (both general and silent ones) are very attractive conversational tools that people might use if they *know* they're in a situation that might be risky along lines similar to those just illustrated. Deniable conversational contributions, like (silent) implicatures, allow for some of our commitments and conversational intentions to remain inexplicit, and leave it up to the audience to make calculations about what they're supposed to mean. They provide people with deniability, and can help them to avoid being held *conversationally accountable*. If *accountability*, in general, refers to a willingness to accept some level of responsibility for one's actions, and *to be held accountable* means to live up to that responsibility and provide certain reasons for one's way of acting, *conversational accountability* means to take responsibility for what one communicates or for what their communicative intentions are. Especially in the sort of cases where somebody who doesn't know if their racism will be acceptable in a particular circle communicates inexplicitly in order to maintain deniability, risk mitigation and avoidance of accountability go hand

in hand: To navigate the potential risk, they employ deniability to avoid being held accountable for the racist implications of their comments.

Risk mitigation, and (often) avoidance of accountability, apply to both cases of deliberate and inadvertent deniability. Somebody who uses deniability deliberately has already planned ahead, knowing they are in a potentially risky conversational setting where they might need to make use of deniability. Another person who didn't realise this, but has made an inadvertently deniable statement, *also* mitigates risk by spontaneously making use of the deniability features of their statement. With this in mind, let's consider some examples in the following. I'll discuss one (more or less) straightforward example of someone navigating a "risky" situation with silent deniability, and another one concerning the political, public sphere.

Example 1: A (More or Less) Straightforward Case

Let's start with the following example, where a father silently, but unambiguously, disapproves of his daughter's announcement to get married:

> **(23)** Ruth and Charly sit around the dinner table with Ruth's family, including her mother, father, and sisters. Ruth and Charly have been together for a while, but Helmut doesn't quite think Charly is the right fit for Ruth. However, this evening, Ruth and Charly make an announcement:
> Ruth [to the family]: We wanted to tell you something – we decided that we want to get married. We don't have a date or anything yet, but that's something we want to do.
> Helmut [along with the whole family] looks at Ruth and Charly for a very long and uncomfortable time, but doesn't say anything.
> After what feels like an eternity, he finishes the last bites on his table, gets up and walks away. The rest of the returns to the conversation from before Ruth made her announcement. Nobody speaks of the engagement ever again.

I will elaborate on the precise role of silence and disagreement in more detail in the following chapter. For now, there are various ways in which this could go: Ruth might think again about her choice in men. Or she might be entirely sure, and ignore her father's (silent) wishes. Let's assume that Ruth did not follow her father's "advice", and that she got married to Charly nonetheless. Charly turned out to be a great fit, and Helmut was absolutely wrong about him not being a good guy. Imagine that about 10 years later, shortly after Ruth's and Charly's tenth anniversary, she's having the following conversation with her parents:

> **(23*)** Ruth is speaking about where Charly and her had dinner for their anniversary. Her father, who grew quite fond of Charly over the last few years, says the following: "I always knew he was a good guy, does everything for his family, you surely picked well there."

Ruth, who loves a chance to tease her father, responds: "I know you like him now, but please, don't pretend you were okay with him from the start. You made it perfectly clear that time we announced we'd get married that you didn't like the idea of that."

Her father, who doesn't like to be proven wrong, responds: "What, I never said anything! I remember well. I was happy for you, I was speechless! Of course a father will be worried, but I never said anything bad!"

They keep talking about this, and while Ruth and everybody else knows that what Helmut is saying isn't true, he sticks with his denial: He never meant to communicate disapproval, his silence meant something else, and he claims how upset he is that they wouldn't believe him that he never had disapproving intentions.

This is a case of denying silent implicature by making use of inadvertent deniability: At the time, Helmut didn't silently implicate with the intention of denying his disapproval later – that only came to his mind now, when challenged on his past (silent) takes on Charly and Ruth's marriage plans. When he says that Ruth misunderstood his silent implicature, he claims that something he didn't intend ended up audience-implicated. He maintains that his utterer-implicature (and *actual* conversational implicature) was different, and that a reasonable calculation of his silence would mean arriving at something like "I was silent with joy!", and not "What a horrible idea, I'm shocked!".

This structure holds both in cases of deliberate deniability (Helmut knew all along that remaining silent might be risky, and implicated disagreement silently with the intention of being able to deny it, if need be) and in cases of inadvertent deniability (when Helmut only realised that silent dissent was risky once Ruth challenged him, and only then made use of the deniability features of his silent implicature). So, there is another question that arises: Is Helmut's denial plausible?

As we've heard before, the new interpretation Helmut presents must somehow fit with certain commitments undertaken so far in the conversational context (see Camp, 2018, 51). Perhaps begrudgingly, we do have to concede that remaining silent in the light of a marriage announcement could, *theoretically*, be a sign of "happiness beyond speech" or something like that. Say Helmut would have *actually* remained silent in happiness and reacted exactly the way he did – say he intended to implicate approval, happiness, or something like that. Without altering anything else about this situation, I would still argue that Ruth would have been *justified* in assuming that her dad was against this marriage, even if he *actually* was all for it. On the other hand, the denial would have had more plausibility had he come back to the table after 5 minutes with his deceased mother's engagement ring to give it to the couple, for example. Could Helmut point to this kind of reaction years later, when his daughter doubts him, his denial would have some more traction. But, again, even *if* he was against the marriage, and giving the couple the engagement ring was more of a gesture an admission of defeat, this would make his claims that he actually always was all for the

marriage easier to uphold years later. However, even a denial we consider implausible could stick under the right circumstances.

In some ways, Helmut's denial going through in this case depends very much on his audience's reaction. This is relevant if we want to think about *how* we can challenge denials (if we decide to challenge them), but also if we want to consider why people chose to communicate something in a way that is deniable in the first place. For one, there are different ways in which Ruth can react. She might not want to believe her father at all, and instead keep arguing with him over his denial until he folds. But if Ruth is a very naïve person, who wants to believe the best in people, she might just think to herself something like "Damn, I was wrong all this time." Helmut, who denies that he meant "This is not even worth discussing" with his silence in the past conversation, convinces her that she just misunderstood him. But what might be more plausible is that Ruth continues to think that Helmut communicated disapproval with his silence, but still lets his denial "go through" – she *accepts* it. While she isn't really convinced by the denial, in accepting it she allows the creation of a social situation in which her dad can now claim to never have had any problems with Charly, when they all know in fact that this isn't true.[47]

Now, these are only a few of the social complexities attached to both plausibly and implausibly deniable conversational contributions, deliberate and inadvertent. However, the situation we've just looked at is, all things considered, still a quite innocent one. Let's look at some other cases of communicative silence that we can think of as deniable that are more politically relevant.

Example 2: A Silent Rorschach Test

The following scene captures Canadian Prime Minister Justin Trudeau remaining silent for 21 seconds in an interview with journalist Tom Parry, when Parry asked about Trudeau's position on Donald Trump's response to Black Lives Matter protesters:

(24) Tom Parry: "You've been reluctant to comment on the words and actions of the US president, but we do have Donald Trump now calling for military action against protesters, we saw protesters tear gassed yesterday to make way for a presidential photo-op. I'd like to ask you what you think about that. And if you don't want to comment, what message do you think you're sending?"
Justin Trudeau: [remains silent for 21 seconds]
Justin Trudeau: We all watch in horror and consternation what is going on in the United States. It is a time to pull people together, but it is a time to listen, it is a time to learn what injustice is, continued,

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[47] Note that something like this can have profound impact in situations characterised by injustice. Allowing the denial of some very unjust statement could create a situation in which a person could have an easier time getting away with discriminating against people.

despite progress, over years and decades. But it is a time for us as Canadians to recognize that we too have our challenges. […]" (Guardian News, 2nd of June 2020, 0:00-01:07).

Political commentators, news outlets, analysts, and individuals found Trudeau's silence remarkable in several respects, but differed in their opinions on what this silence could signify: Is he stumped by the question, struggling for words? Is it simply an awkward silence? Is it a "smooth" silence, as Dorian Rolston (2020) asks, "insofar as we could all participate in needing to speak out against precisely that which leaves us at a loss of words"? Or did Trudeau remain silent in order to be able to deny a commitment or liability? As Evan Solomon points out in an interview with CTV news: Trudeau's "21 seconds of silence, says *a lot*, and it is now a kind of 'Silent Rorschach-test' of your political leanings" (CTV-News, 03.06. 2020, 0:32-1:17, emphasis mine), meaning that people read into it what they want it to be – giving the Canadian prime minister a certain degree of *plausible deniability* over his message. The point is that what exactly the precise message was is, to some extent, left open for interpretation. Trudeau *did* communicate *something* with his silence, but it also leaves interpretational leeway. As Solomon notes:

> "[…] People are just pouring into that silence what they want to interpret. One interpretation, it was carefully plotted, and the 20 seconds were Justin Trudeau's way of saying 'You know that I can't call Donald Trump out, our trading relationship is too important, I'm too worried about him reacting as he's done before, with anger, lashing out and hurting one of our industries […]. So I'm just gonna sit here and you can marinate in this and read into this what you want.' The other side of it is, he just didn't know what to say. […]" (ibid.).

This suggests that Trudeau might think that his tactical, silent response gives room for various interpretations: E.g., the silence could mean "I think Trump is acting in awful ways", it could mean "I will not get involved by commenting on these things", or "If protesters aren't peaceful, they shouldn't be surprised to be met with rigour." Such a way of communicating could be useful because charitably minded people might read into Trudeau's silence exactly the thing they would *want* it to mean (or wouldn't want it to mean, for that matter), pointing at something similar to what Solomon hints at with his expression of a "silent Rorschach-test". Of course, the deniability features of Trudeau's silence are relevant for those who would *criticise* him for whatever they take up, and allow him to deny that his silence was supposed to be *this* rather than *that* message.

So, Trudeau's conversational silence allows him to maintain deniability about what the *intended* audience-implicature was, and about what was utterer-implicated. And he might have created this situation deliberately, with the structure of his conversational contribution fitting with the structure of deliberate deniability outlined above (where in our case, depending on the audience, x might mean *I think Trump is acting in awful ways*, *I will not get involved by commenting on these things*, or *If protesters aren't peaceful, they shouldn't be surprised to be met with rigour*).

> *Deliberate Deniability*: A thinks that there is a risk that B would find *x* problematic. A nevertheless wants to bring across *x*. Hence, A designs their conversational contribution in a way so that they have deniability over *x*. If B reacts in a way that makes it clear that they find *x* highly problematic and conflict seems to arise, A could claim that they didn't actually mean *x*, but rather *y*, since their implicature was multifaceted along the lines of context, content, force etc., and perhaps claim that it was just a misunderstanding.

Imagine somebody of influence was to challenge Trudeau on why he isn't speaking out against Trump, because that's what they got from his silence. And imagine Trudeau is strongly invested in this person thinking he is against Trump's practices. What his silence allows now is the claim that his intended implicature was "With my silence I made it very clear that I disagree, as well as with what I did in fact say after my silence" – even *if* he intended to communicate agreement with Trump's practices at first. He could claim that, if this person picked up agreement with Trump from his silence, then, in this case, his intended audience-implicature merely remained utterer-implicated, and that some misunderstanding happened. On the other hand, if somebody was to say to him "You cannot criticise the president of the United States of the US!", he could easily claim "But I didn't! I didn't criticise him, I didn't say anything of the sort, nor did I intend to bring across something like that." And again, even *if*, at the time, Trudeau *really* didn't know how to answer CTV's question, he could later make use of the fact that his silence (even if he didn't intend to implicate anything specific with his silence, but was just stumped) was *inadvertently deniable*.

I believe that this example shows how deniability is something that is particularly desirable in politically charged contexts. Trudeau might have very good reasons to maintain deniability about his answer. Again, this doesn't mean that it's the *right* thing to do – I think it's clear that in such a situation explicit disagreement with Trump's treatment of protesters is what's morally required. But it's possible that Trudeau knew all along that he would want to answer a question like CTV's with something he can maintain deniability over, and it seems that a silent response was a very good fit to achieve exactly this avoidance of liability.

We can see that silent (deniable) implicature can be a political tool, used to avoid being held accountable, or being held to a specific message that could be politically risky. And, for this purpose, silence seems especially useful. Particularly when we look at the landscape of politics, the example with Trudeau is by far not the only one that can be found. E.g., Ruth Marcus (2020) has written about another striking case that came up recently, in her article *The deafening, devastating sound of John Kelly's silence*. The article is about John F. Kelly, the former White House chief of staff, remaining silent in light of allegations made by Jeffery Goldberg (editor in chief at *The Atlantic*) about Trump's "scornful comments about service members as "losers" and "suckers" – including Kelly's son, killed in the line of duty". Kelly refraining from any comment on the Goldberg story

should be read, according to Marcus, as nothing but tacit confirmation of the story (see Marcus 2020) – without, however, making this explicit. And indeed, it would be reasonable for Kelly to be tactical about his agreement to this particular story about Trump. As Marcus writes, it seems likely that he is communicating assent with his silence; however, he is also maintaining deniability about that. If Trump were to come after him about this after all, as with Trudeau, he would be able to deny whatever got taken up. Of course, Kelly's silence is different from Trudeau's in a way, since he is *refraining* from commenting on something that seems to directly affect him, which is different from cases where somebody addresses you and you remain silent in response in a more direct way. But here, too, refraining from commenting communicates something – something deniable.

With the discussions of the previous two examples I have tried to show how the deniability features of silent implicature can be exploited, or, in other words, how silent implicature can *enable* such denials. I further attempted to show some different aspects of the denial of silent contributions. While these examples are only a selection, and there surely are many more cases we could discuss, I tried to make clear that, for one, silent conversational contributions are often prone to being denied and, moreover, that things get more complicated the more politically loaded they become. In situations that are perceived as socially "risky" by interlocutors, silent implicature might be preferred exactly *because* it allows us to maintain deniability. The next section seeks to discuss some further examples specifically in the context of injustice, and deepen the discussion around how to possibly *counter* denials.

3.4. Deniability and the Role of Injustice: a Double Edged Sword

When discussing the issue of risk mitigation and deniability, I already briefly mentioned how deniability can be used in the context of injustice by both those perpetrating the injustice (e.g., by communicating something racist, or silently implicating agreement with injustice), and by those affected by the injustice (in order to preserve their own safety). More specifically, I will focus on two kinds of situation where deniability in the context of injustice is relevant: **a.)** I'll think about how somebody who *silently assents* to some kind of injustice might employ deniability. This will also involve thinking about how to counter and challenge denials of this sort (and address question 3 from the introduction). And **b.)** I'll consider a case where somebody makes use of silent deniability in order to maintain their own safety in virtue of being affected by the injustice in question (and, finally, address question 4 from above).

In addition to the already considered cases, this shows the political relevance not only of silence, but also deniability and the multifaceted role of risk-avoidance.

Example 3: "I Didn't Mean That" – Silence in the Context of Injustice I

There is a more or less strong norm concerning our *duty to object* when we see some kind of injustice. *Silence* and objection have a difficult, yet interesting, relationship to each other. Many scholars agree that silence amounts to agreement in many scenarios – this derives from the idea that we have a duty to speak up when we disagree. As briefly mentioned previously, some authors (such as Goldberg 2020 and Pettit 2002) argue that audiences are justified in assuming that someone who remains silent does not object. Maitra (2012) argues that, in an immediate context of injustice, our failure to object can be an act of *licensing* the perpetrator of an injustice, and of granting them the authority to subordinate. Ayala and Vasilyeva (2016) go further, arguing that, if we remain silent in the context of injustice, it's the *silence itself* that enacts harm, and the silent interlocutor bears responsibility for this harm.

While I agree that there are various cases where these claims do apply, I think we need to complicate this picture about silence in the context of injustice. For one, I already want to mention that, to the extent to which silence can be an active conversational contribution, the possibility of expressing yourself using silence can also be stifled by injustices – something I will discuss in detail in *Chapter 6*. Further, accounts which discuss silence and objection often don't take into account the very broad communicative functions silence often fulfils, a function that goes far beyond "mere" assent (or dissent). Finally, silence can sometimes also signify dissent: E.g., remaining silent instead of (nervously) laughing in response to a harmful joke can make it quite clear that you disagree, or holding a silent protest in response to a known racist being invited to campus can "say" a lot. However, while I don't believe that silence always communicates assent (to injustice), I also don't think that it *never* does. It seems clear that the graver the injustice we're a bystander to (or a party to), the more of a duty we have to intervene. Speaking up *can* be more than due, and remaining silent *can* indeed communicate endorsement, enact harm, and license injustices (e.g. see Maitra 2012; McGowan 2012).

We will hear much more about this in the next chapter. For now, all of this is relevant in the sense that I'll now consider a case where the following happens: somebody remains silent in the context of injustice where speaking up *would have been due*, but defends themselves when challenged using the deniability features of their silence. In situations like this, the deniability features of one's silent

implicature can be misused as a strategy to avoid accountability by somebody for whom it would have been safe to speak up.[48]

The example I'll refer to is borrowed from Ishani Matira's (2012) article *Subordinating Speech*, where she discusses how certain kinds of (hate) speech can subordinate:

> **(25)** "*Example 1*: An Arab woman is on a subway car crowded with people. An older white man walks up to her, and says "F***in' terrorist, go home. We don't need your kind here." He continues speaking in this manner to the woman, who doesn't respond. He speaks loudly enough that everyone else in the subway car hears his words clearly. All other conversations cease. Many of the passengers turn to look at the speaker, but no one interferes" (ibid., 100-101).

As Maitra outlines in the discussion of her example, nobody challenges the older white man's claims. According to her, in remaining silent, the bystanders *licence* the hate speaker, they give him authority to rank his victim as inferior and subordinate her (see ibid., 115), among other things, by allowing it to enter the shared background of all participants of the broader conversation (see ibid., 111-117). As Maitra points out, while it's right "that in a typical subway car, there are many ongoing conversations", this "isn't an impediment to there (sometimes) also being a car-wide conversation" (ibid, 115.). It isn't always up to us what conversation we are drawn into – in fact, any one of us "can be pulled into a conversation that they would very much rather not be part of" (ibid.). In virtue of this being a possibility, I moreover believe that silent implicature becomes a possibility in this context.

So, a failure to object in this kind of situation can be taken to grant authority to the hate-speaker. However, "it may be objected that silence on the part of the other subway passengers doesn't mean that they *agree* with the hate speaker's intended ranking, or with anything else he intends to convey" (ibid., 116). Some might genuinely agree, others might not care, again others might be opposed but fearful. But, as Maitra makes clear, we need to consider that *even if* the other passengers have strong

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[48] When I say "safe" here, I mean that by speaking up somebody would unlikely of being harmed or attacked (physically or verbally). That is, a white person speaking up against a racist statement is less likely to be attacked (verbally or physically) than if a black person does so. Often, a man who speaks up against a sexist statement is more likely to be taken seriously than a woman who does the same thing. There are many more examples like that. But just because the man is privileged here, this doesn't mean that the situation doesn't appear socially threatening to him. And, of course, there might indeed be certain *social* costs for privileged individuals – e.g., some people might not want you in their social circle anymore because they find it uncomfortable getting called out for racism, sexism, homophobia, or the like. Even though there might be a social cost, this shouldn't be an excuse for not speaking up when its due. Working against systems of oppression can't always be comfortable. But what holds nonetheless is that it will be safer for some people to say something than for others.

reservations about what the hate speaker says, if they don't speak up, he ends up with authority (to subordinate) (see ibid.). Moreover:

> "If staying silent in the setting of [this example] licenses the hate speaker, then it seems to follow that the other passengers have some moral obligation to speak up. To put the point in other (and stronger) terms, if I am right about licensing here, then in staying silent, the other passengers are, to some extent, complicit in what the hate speaker does" (ibid.).

As Saul (2017, 101) points out by drawing on Rae Langton (2012) and Mary-Kate McGowan (2012), when unchallenged, statements that carry certain (racist) presuppositions can shift what is acceptable because their presuppositions are implicitly taken on board. As such, "openly racist utterances effect significant changes to standards of conversational acceptability" (Saul 2017, 101). This makes clear that silence does indeed play a role here in *allowing* such a shift of acceptability. So, let's now think about a more concrete instance of silence in this context by considering the following scenario:

> **(25*)** Jaz and Hanna are both on the subway car as well. They sit in the same aisle as the woman, and, for the sake of the argument, imagine that Jaz did indeed speak up – let's say he told the man to shut up and go away, said that he was horribly racist, and turned to the woman to ask her if she was okay etc. Hanna, Jaz's classmate, said nothing. In fact, unbeknownst to Jaz, Hanna thinks that the man isn't wrong: While she wouldn't get up and shout at somebody herself, she does agree with the general (racist) sentiment he is expressing overall.
> The man leaves the subway car at the next stop, and Jaz and Hanna exit soon after. Jaz challenges Hanna now – he thinks it was problematic that Hanna didn't speak up, and that a failure to do so is part of the injustice taking place. So he asks: "Why didn't you say anything? Did you agree with him or what?". Hanna, however, denies that her silence meant agreement, or, in fact, anything problematic at all: "My silence didn't mean to communicate agreement, I just didn't think that I *needed* to say anything else!"

Of course, there might be people who remain silent because they are fearful (which still can have a problematic impact on the overall situation), among other things. But it can also happen that people who *agree* with the kind of racism expressed in the example *still* remain silent – after all, even when people agree with racist statements like this, they might not want to agree with them *publicly*, precisely *because* they don't want to commit themselves to too much. Hanna, in our example, falls into this category.

So, in short, Jaz suspects that Hanna was implicating something along the lines of *This man is not entirely wrong.* But when Jaz challenges Hanna about the meaning and impact of her silence, Hanna denies that this was what she intended to audience-implicate. The various forms of deniability we've discussed over the course of this chapter could now be displayed as follows:

Possibility 1: Hanna *did* intend to communicate agreement with her silence. When challenged by Jaz, however, she starts to feel ashamed, she thinks about what Jaz said in the situation before, and

how the attacked woman must have felt. She realises that it might be wrong to agree with the hate-speaker's actions. But even though she realises this, she does not want to *admit* and take accountability for the fact that her remaining silent contributed to the harm taking place. So Hanna denies that this was what she intended to communicate, and thereby make use of the *inadvertent deniability features* of her silence.

Possibility 2: Hanna has not changed her mind. However, she does not want to discuss this with Jaz because she wants to both avoid a difficult conversation, and also doesn't like to be labelled as "racist" – she thinks that, even though she agrees with the sentiment this man expressed, that doesn't mean that she is racist. So, in order to avoid an extended discussion with Jaz, she denies her communicative intentions, and claims that Jaz misunderstood her silent implicature. This denial might be more or less plausible to Jaz. But either way, in this case it is *inadvertent deniability* that allows Hanna to navigate this "risky" situation.

Possibility 3: Hanna did not want to speak up, but Hanna also knew that Jaz would challenge her – a conversation she was not keen on. So, Hanna thought to remain silent and not commit herself to too much, precisely because she knew that she *could* deny this *should* Jaz challenge her. In this case, *deliberate deniability* that comes into play.

In all of these cases, the slogan "Silence is Compliance" seems to apply to Hanna's behaviour. By making use of silent deniability, Hanna is able to navigate Jaz's challenges and leave Jaz in a frustrating situation, with Hanna sticking to her denial, and Jaz having little possibility to prove her otherwise, even if the denial is implausible.

However, there is more that Jaz might want to do to counter Hanna's denial. We saw above that leaving harmful presuppositions unchallenged can contribute to shifts in the conversational score, and can accommodate them as *acceptable* going forward (see Saul 2017, 101). So, too, when people make use of the deniability features of their conversational contributions, we might want to challenge them, rather than let them go through, to counteract such a change in acceptability. Let me say a few words about this issue next.

Challenging Denials

Camp (2018), in her discussion of insinuations, brings up as the "flip-side" of denials the practice of "pedantry". According to her, somebody is being *pedantic* if they insist on an explicit explanation of the conversational contribution that is being denied. Camp characterises as "flat-footedly" pedantic the person who *pretends* not to have understood the insinuation at all (even if they did in fact understand), and claims that, from the information provided in the contribution, they are

unable to understand it as cooperative. E.g., B expressed x implicitly in order to maintain deniability about its risky content. C recognises the problematic aspects of x. In their reaction they claim that they are not able to understand x at all by saying something like "What do you mean?", "I'm really not following here", "Sorry, can you explain what you mean by that?" – and could go on reacting that way to whatever explanations and denials B comes up with. In this way, C tries to block a denial from going through.

On the other hand, someone can be "cunningly pedantic", e.g. when they insist that the person who is trying to deny some (risky) content should provide them with an explanation of how exactly they would have *expected* their insinuation to be calculated in a way that fits with their denial (see Camp 2018, 50-51). Camp's point is this: When C denies their insinuation, e.g. because B called them out about its problematic implications, they present a new interpretation y of their insinuation, denying that they intended to communicate the problematic implications of their insinuation which they got called out for. C is *cunningly pedantic* if they reject this newly presented interpretation, despite recognising that B intends them to pick up this new interpretation (ibid., 47). Applied to silence, this could mean that somebody who is flat-footedly pedantic asks the silent interlocutor explicitly "what do you think?", "why haven't you said anything?", "you disagree/agree, right?" – urging them to express themselves explicitly and (possibly) commit themselves to a message. Or they might be cunningly pedantic if they ask "well, how did you think I'd understand your silence?", "explain to me how you thought I'd get to *that* conclusion?", or the like.

According to Camp (2018, 47), "[d]eniability and pedantry are flip sides of a common conversational coin, which interlocutors can deploy to achieve their respective conversational aims with minimal conversational liability." Although the notion of pedantry has a negative connotation, it's important to note that pedantry can of course be more than due. In fact, the kind of case we discussed just now is exactly the sort of example where this kind of pedantry can be *very* useful and could serve as a way of *countering* denials – at the very least by showing the person denying their silent complicity in an injustice that somebody won't simply accept a denial like this. In that sense, to echo Camp, people who employ deniability *do* make themselves vulnerable to "a commensurate form of interpretive foot-dragging by the hearer, in the form of pedantry" (ibid., 48).

So, what could Jaz do? Jaz could respond to Hanna's denial flat-footedly in the following way:

> "You say you communicated support for the woman and my speaking up by remaining silent. So what do you think, that speaking out was the wrong choice? Do you think that the woman would have understood that we support her if I had said nothing too? Or that the man would have walked away? You do disagree with the racist stuff he said, right?"

Jaz could also be cunningly pedantic. This could include questions such as the following:

"You say you communicated support for the woman and my speaking up by remaining silent. But how did you think I would understand your silence? How do you think I could have gotten to the conclusion that you want to support her and are against the things the man was saying?"

Surely, Hanna could respond in various ways to this, possibly with more denials. But it would be getting harder for her. Jaz's "not letting it go" could be a way to make Hanna aware of the problems that come with remaining silent and make it clear to her that not everybody will be willing to just accept that silence "could mean anything here".

Surely, somebody who is being conversationally pedantic can be an extremely uncomfortable conversational partner, who asks a lot of labour of their interlocutors, who they try to get to spell out every thought individually. However, when somebody like Hanna fails to speak up against racist hate speech when they clearly could have done something to either speak up themselves, or support their friend who was already speaking up, but later maintains that they intended to manifest dissent with their silence, such conversational pedantry could be in order. Jaz *should* seek a discussion with Hanna about this. And even if she holds on to their denial, holding her to an explanation might lead her to behave differently next time. At the same time, it is also clear that this requires a lot of emotional effort from Jaz, with possibly very little reward. So, again, pedantry comes with certain social costs. And again, we need to bear in mind the willingness of interlocutors "to push the bounds of reasonable interpretation" (ibid., 52), and how willing they are to bear the social costs that come with being conversationally pedantic (see ibid.).

It's exactly *because* we often are not willing to bear these social costs that we allow deniability to be held up. Politeness can play a role in how interlocutors and audiences *allow* denials to be maintained, because we might view it as uncomfortable and impolite to keep bugging somebody about what they did or didn't mean. It is in this sense that "pedantry" is often labelled as impolite or onerous. But people who want to maintain deniability know how to exploit this fact. They know that those who keep questioning them *also* put themselves in a possibly difficult social position, and will likely be told to keep quiet in order to "keep the peace". It's not unlikely that denials often go through exactly because of the attitude that we should by default grant people "the benefit of the doubt", even if it seems very unlikely that they deserve this. The upshot of all of this is that we should strive towards norms that require us to challenge harmful behaviour. Instead of *allowing* people to maintain deniability about their silent implicature and using this as an excuse to not speak up against injustice, we should practice *accountability* with ourselves just as much as with others.

I've now discussed the third question that I posed in the beginning of this chapter, namely how we can counter denials in (more or less) productive ways. However, there is more to consider: Not everybody is in the same position to bear the social costs of speaking up, often because it will, to

some extent, be dangerous for some people. We should consider this as a "different" kind of silence in the context of injustice, a silence whose deniability can be deployed in order to maintain safety, which brings me to question 4, concerning cases where the deniability features of silence are embraced as a safety strategy.

Example 4: "I Didn't Say Anything!" - Silence in the Context of Injustice II

In an article on *Silence and Objecting*, Jennifer Lackey (2018a) discusses the duty to object in relation to *social status*. One's *social status* can include "properties that contribute to differences in power, paradigmatic examples of which are race, sex, gender, and class" (ibid., 92), as well as those properties that are epistemic in nature (e.g., authority or expertise that come along with professional roles) (see ibid.). Lackey argues that "[o]ne's duty to object can be directly influenced by one's social status" (ibid.). She provides us with an example where a tenured faculty member makes a sexist remark, and considers how the duty to object differs for various conversational participants. E.g., a black, female, precariously employed faculty member has less of a duty to speak up against a sexist comment than a white, male, tenured professor (ibid.) (even though it is often already-marginalised people who are the ones who *do* end up speaking up about injustice committed against others). It seems that we can't really blame the black woman for not saying anything in this context. Already occupying a marginalised position, speaking up could be very unsafe for her, and she might have to make the difficult decision to remain silent in order to preserve this safety. The question I want to address here is how the deniability features of silence could be *useful* as a safety strategy. We should also consider a scenario where somebody remains silent because they want to maintain their own safety or wellbeing, and makes use of the deniability features of silence to do so.

To begin with, it should be noted that in a situation where people feel like they have to remain silent in order to protect their safety, there is already some kind of injustice happening. This harm has been described by Kristie Dotson (2011) as *testimonial smothering*. A marginalised person might *testimonially smother* their conversational contribution because they are confronted with an audience with whom it would be unsafe for them to say something, partly because their audience will not be willing or able to take up the testimony they want to give. This, then, can be understood as a form of *silencing*: Somebody feels that they *have* to remain silent and suppress their comments because, among other things, the immediate audience is perceived as unwilling or unable to take up their testimony or utterance (see ibid., 244). This results in a "truncating of one's own testimony in order to ensure that the testimony contains only content for which one's audience demonstrates testimonial competence" (ibid.), or indeed saying nothing at all. According to Dotson, for testimonial smothering to occur, **a.)** "the content of the testimony must be unsafe and risky" (ibid.),

b.) the audience must display some kind of testimonial incompetence with respect to what the speaker wants to utter, and **c.)** this incompetence must be, or must appear to be, a result of some kind of pernicious ignorance (see ibid.). An example of this would be the following:

> **(26)** "In her article, "Conversations I Can't Have," Cassandra Byers Harvin expresses her reluctance to engage in conversations about race in a U.S. context due to the ways "race talk" has been framed in U.S. public discourse. […] She describes one encounter in a public library with a white woman, "early-50s-looking" who asks Harvin what she is working on. Harvin responds by indicating that she is researching "raising black sons in this society" (16). The white woman promptly asks, "How is that any different from raising white sons?" Harvin notes that it is not only the question that is problematic, as it indicates a kind of lack of awareness of racial struggles in the United States, but also the tone of the question that indicated the white woman believed that Harvin was "making something out of nothing" (16). Harvin explains that in response to the question she politely pretended that she was running out of time in order to extricate herself from the situation. This is a situation where the audience of potential testimony demonstrated, through a racial microaggression, testimonial incompetence" (ibid., 247).

While this example does not involve conversational silence in the way I've been discussing so far, it's clear that her testimony, her contribution, is smothered. As Dotson points out, Harvin withdraws from the situation, due to the testimonial incompetence and racial microaggressions demonstrated by the white woman she's speaking to.

Now, there's another way in which this could go, where the deniability of silence could become important. Imagine Harvin responded to the question, or that they had a bit of a back and forth, and her conversational partner, the other woman, keeps up her harmful behaviour. At some point, Harvin remains silent. Maybe she can't just get up and walk away, so she realises that it would be best for her to just remain silent in order to not get into this discussion any further. Again, remaining silent because she realises that her testimony is not safe in this context, and because she feels like she *has* to remain silent, is *already* an injustice. She's aware that, whatever she says, it might be twisted and turned. But literal, conversational, silence might provide more safety precisely because it allows deniability. Somebody in a situation like the one described might make use of silence as an (enforced) safety strategy by deliberately drawing on its deniability features. E.g., if the white woman asks, angrily, "What, do you disagree with me?" when silence is used as a response, Harvin could say "I didn't say anything!".

A silence could do several things here: it might be an attempt to withdraw, or it might be an attempt to disagree. To what extent somebody who is, effectively, silenced can still actively use their silence to disagree is a different question. In many cases, when silence is enforced, what a speaker wants to communicate is already taken out of their control. Surely, one can attempt to implicate dissent anyway, but when confronted with an audience who is willing to silence you, there is a good chance that they will not be competent or *willing* to calculate a silent implicature of dissent (for instance)

accordingly. The structural misinterpretation, or silencing, of silences will be discussed in more detail in the final chapter. What I think is worth pointing out, however, is that despite being *silenced*, when this silence is still taken to communicate something in some regard, one would be able to embrace its deniability features. That is to say: Even if your interlocutor challenges you on what your silence might mean, its deniability features are still available to you, and could possibly provide a useful safety strategy.

Let's also think back to the subway example from above. In our version of the example, Jaz spoke up against the racist shouting at the woman, and Hanna remained silent, in the sense that they failed to live up to their duty to object when witnessing injustice. There is another version of this example that we could construct, however. E.g., imagine Hanna was a Muslim woman herself. In this case, her social status would, of course, be radically different. If there is an aggressive man shouting at somebody, and you yourself could become his next target if you speak up, your silence doesn't seem to be voluntary in the way it was in the first version of our example. In the first version, it would have been more or less safe for Hanna to say something – at least she wouldn't have fit the man's immediate target audience. Her silence, then, could have been deniable in a very different way. E.g., she might have needed to make use of it had the man turned around and shouted at her "Do you have a problem or what?". In that case, she could have said "I didn't say anything." Again, being put in a situation like that is, clearly, unjust. There is a harm happening, and having to decide between speaking up and potentially becoming a target yourself (especially if you fit the target group the attacker is clearly looking for), and showing solidarity and helping somebody, is clearly an impossible choice to be confronted with.

But what these examples should show is that the deniability features of silence do work in situations like this too. They might be a safety strategy, even if they don't take away from the harm that would take place either way.

3.5.   Conclusion

This chapter has highlighted various issues in relation to denials, deniability and silence. While implicature is a central theme in these discussions in the literature, silence comes up rarely, even though its implicitness offers multiple ways to make use of its deniability features, deliberately or inadvertently. Here, I discussed the complexities of denials in relation to silent implicature specifically, considering the following issues throughout the chapter:

1. the role of *implausible* deniability, and how even denials that seem very implausible can hold up,

2. cases where people make use of the deniability features of their conversational contribution despite this *not* being their intention or plan all along vs. cases where denial *is* the intention all along,

3. how we can *counter* denials in productive ways,

4. and considering cases where people remain silent to make use of its deniability features in order to *protect* themselves in the context of injustice, rather than mislead in order to avoid accountability.

I started in **3.1.** with some stage-setting, asking *what* deniable conversational contributions are, and showing their connection to implicature. In **3.2**. I deepened some of these general remarks by first addressing point 1 from above (the role of *implausible* vs. *plausible* deniability), as well as point 2 (how deniability features get used in unplanned and *inadvertent* vs. more *deliberately* calculated ways). While silent implicature played a role in the earlier sections of the chapter already, in **3.3.** I applied some conceptual discussions to further selected examples of silence, and discussed the issue of *risk mitigation* in some more detail. Finally, in **3.4.** I addressed points 3 and 4 from above, thinking about how to *counter denials* by drawing on some points made by Camp (2018), as well as silent deniability in the context of injustice.

The following chapter will further zoom in on this latter issue. Specifically, I will think about silence, assent and dissent. I have so-far entertained the idea that silence *can*, in the context of injustice, amount to legitimising an injustice that is taking place, and how this relates to denials. But I have also pointed out that silence and dissent have a more complicated relationship than we'd initially think: e.g., as we saw in the discussed case, the silence of somebody who might be attacked if they speak up can surely not be evaluated in the same way as the silence of those who could speak up fairly safely. The next chapter will complicate this issue further by critically discussing Goldberg's (2020) "assent interpretation" of silence (the idea that silence *always* means assent). I want to think about how silence can do *various* things – dissent, assent, and things going beyond that – and how a silent implicature allows us to capture the multifaceted ways in which we use silence, *including* when it comes to dissent.

4. Silence and Assent

In the previous chapters, I have, among other things, highlighted the political relevance of implicating with silence by considering silence in the context of denials and deniability. In the following, my discussion will broadly focus on the relationship between silence and assent (and the limits of that relationship).

The account I will focus on in this chapter specifically can be called the "No-Silent-Rejection" (NSR) account. This account is introduced in Sanford Goldberg's (2020) book "Conversational Pressure. Normativity in Speech Exchanges", in the chapter *Conversational Silence*, in which he argues, in short, that absent defeating conditions (like oppression, or simply being preoccupied) we have an *entitlement* to assume that somebody who remains silent in a conversation *does not reject* what has been said (see ibid., 153). In his words, "[i]n speech exchanges, which are conversations in Grice's sense, all competent language users enjoy a default (albeit defeasible) entitlement to expect that an audience who was manifestly silent in the face of a publicly made assertion has not rejected that assertion" (ibid., 159).

Goldberg defends his account against several counter-arguments, one of which he calls the "disaggregation view". A defender of the "disaggregation view" argues that silence cannot be explained via a universal claim about the nature of conversational silence. Instead, they "try to generate the warrant for the expectation of no silent rejection on a case-by-case basis, allowing that there can be different explanations in different cases" (ibid., 183). Part of what I'll do in this chapter is defend a form of the disaggregation view by arguing that conversational silence is much more multifaceted than Goldberg allows.

This is the first step in a two-part discussion of the relationship between silence, assent, and dissent. While for now I'll focus on *refuting* the idea that silence *standardly* means *assent*, the next chapter will be devoted to discussing dissident silences specifically, centring arguments by Alessandra Tanesini (2018) (who also proposes several counter-arguments to Goldberg, as well as an overall interpretation of conversational, or as she calls them, *eloquent* silences), and Jennifer Lackey (2018a), who urges us to realise the need to theorise about silences in non-idealised ways. I'll begin by introducing Goldberg's "assent interpretation of silence" in **4.1.**, in order to then think about the possibility of "disaggregating silence" in **4.2.**, then assess some counter-examples to Goldberg's model and the benefits of understanding conversational silence via the framework of silent implicature in **4.3.**, before tentatively summarising the discussion in **4.4.**.

4.1. "No Silent Rejection": The Assent Interpretation of Silence

There are various accounts in (political, feminist) philosophy that point out how remaining silent in particular circumstances, such as in the face of injustice, can license, contribute to, or actually *constitute* an injustice (e.g. Maitra 2012, Ayala and Vasilyeva 2016, Lackey 2018). Goldberg's account can be read along the lines of some of these arguments. As will become clear, he thinks that remaining silent (in the context of injustice, but also beyond) justifies our audience in assuming we are in agreement. To understand this in more detail, I'll devote this first section to a reconstruction of Goldberg's account of *No Silent Rejection* (NSR) specifically: I'll discuss the *entitlement to expect No Silent Rejection*, including its background, and the various qualifications Goldberg introduces, and then outline his arguments regarding the *defeasibility of NSR.*

The Entitlement to Expect No Silent Rejection

In outlining NSR, I want to start by noting Goldberg's specific *conception* of conversational silence. In short, he says that silence itself cannot be a speech act, as it falls short of (Gricean) non-natural meaning (see Goldberg 2020, 156). In making this claim, Goldberg draws on arguments made by Philipp Pettit (2002) who, in his paper *Enfranchising Silence*, argues that, under conditions of free speech, silence itself is *a speech act of assent.* According to Pettit, "silence in the presence of freedom of speech is itself capable of becoming a form of meaning and communication. Silence is capable of being given a voice. If you prefer, silence is enfranchised" (Pettit 2002, 372). But, as we heard, even under ideal conditions of free speech, silence can't mean just *anything.* Rather, it's "typically going to be significant of approval. Silence is rarely going to be mute: speech, at least in an extended sense, is going to be ubiquitous" (ibid.). In these situations, according to Pettit, silence itself *can be* a speech act of approval. So, while Goldberg agrees that we are entitled *to infer* assent from silence (absent defeating conditions), he rejects Pettit's account as too strong: For one, it's unclear what exactly constitutes "conditions of free speech", and if we'll ever be able to reach these – here he echoes Langton's (2007) arguments against Pettit.[49] But, more importantly, Goldberg claims that

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[49] Langton makes various points that challenge Pettit's conception of silence and freedom of speech. Among others, as mentioned above, she points out that it's unclear what the ideal conditions of free speech are, but also that "the expression of disapproval is often voluntary, and sometimes costly; and this means that the expression of disapproval may be masked" (Langton 2007, 201). Moreover, in virtue of disapproval itself sometimes being voluntary and costly, it might be *stifled.* As such, "we are further still from the conditions in which freedom of speech enfranchises silence, if by that is meant a situation that permits a default interpretation of silence as approval" (ibid., 213).

silence in itself cannot function as an act with non-natural meaning and reflexive intentionality (Goldberg 2020, 156).

A communicative act has *reflexive intentionality* when "one performs an act *intending* one's audience to recognise one's communicative intention, partly on the basis of their recognition of this very intention" (ibid., 155). This, according to Goldberg, is usually *absent* in cases of a silent reaction to another's speech act or nonlinguistic act (ibid.). However, if we remain silent in response to somebody's statement, we should *nevertheless* be aware that our silence will induce *some* kind of uptake (ibid. 155-156). As we will see shortly in more detail, Goldberg argues that we should anticipate that audiences will infer something as strong as assent (or non-rejection, or acceptance) from our remaining silent (see ibid., 156). But this, according to Goldberg, doesn't mean that remaining silent is an act of meaning with reflexive intentionality in itself. Rather, cases in which we fall silent are akin to situations that *fall short* of meaning. The relevant (Gricean) point of comparison would be e.g. cases where a parent leaves out a vase that was broken by a child for their partner to see (see Grice 1989, 218), or when we try to frame somebody for a crime by leaving their handkerchief at the crime-scene (see ibid., 217): When we remain silent, we might be not manifesting the relevant intention (as in the handkerchief case), or our intention might not be reflexive (as in the vase case), but our silence can *lead* our audience to think that we approve, while at the same time not *meaning* this in the Gricean sense (see Goldberg 2020, 156).

As such, under this account, silence seems to have a "special" communicative status in our conversational enterprises: It isn't a speech act in itself, but it *can* nevertheless give rise to some kind of uptake in an audience. More specifically, not only should we realise that our audience has an entitlement to assume assent, or at least non-rejection, from our silence, we should also realise that remaining silent in a context where we disagree would be *uncooperative* and risk *epistemic harms*. What we need to understand first is that, according to Goldberg, the relation between silence, uptake, and assent mostly hinges on the expectation of cooperativity in conversations (ibid., 158):

> "[W]hen it comes to silence in the face of another's public assertion, the inference, from the
> claim that the audience is silent in reaction, to the claim that the audience has accepted the
> assertion, is itself backed by participants' entitlement to regard other conversational participants
> as cooperative. For it is the presumption of conversational cooperativity, together with norms
> of our assertoric practices, which mark silent rejection as uncooperative" (ibid.).

We are now in a position to introduce Goldberg's (2020, 159-167) three-step argument in favour of "No-Silent-Rejection" (NSR):[50]

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[50] Note that, while the individual steps in NSR are labelled in different ways, the *overall* argument is still referred to as NSR by Goldberg. "NSR", then, refers both to the first step in the argument, as well as the argument *overall*. At the

1. "NSR   In speech exchanges which are conversations in Grice's sense, all competent language users enjoy a default (albeit defeasible) entitlement to expect that an audience who was manifestly silent in the face of a publicly made assertion **has not rejected** that assertion" (ibid., 159, all emphases here mine).
2. "NSR=   In all speech exchanges which are Gricean conversations, all competent language users enjoy a default (albeit defeasible) entitlement to expect that an audience who was manifestly silent in the face of a publicly made assertion has **accepted** that assertion" (ibid., 165).
3. "NSR+   In all Gricean conversations **in which the presumption of epistemic sobriety is reasonable**, all competent language users enjoy a default (albeit defeasible) entitlement to expect that an audience who was manifestly silent in the face of a publicly made assertion **has assented** to that assertion (and so believes what was asserted)" (ibid., 167).

As the highlighted text emphasises, NSR is made stronger with each step – starting from silence indicating *non-rejection* and finally arriving at silence indicating *assent*.[51] Connected to all of these levels of NSR are several claims "about the broad practice of assertion" (ibid.): The normative claim **(a)** is that "under conditions of cooperation, silent rejection is normatively marked" (ibid.), which means that we enjoy a general (though defeasible) entitlement to expect that our audience *will not* be silent in rejection. Another claim is empirical: According to Goldberg, it's a "familiar fact" that **(b)** audiences will regard our silence as indicating acceptance (see ibid.). All of this means that "participants in conversations have a generic *pro tanto* conversation-generated practical reason to give a public indication when they reject or harbour doubts about an assertion" (ibid.). I'll now discuss these points in more detail, to then stress in more detail the different levels of strength to the *overall* argument of NSR.

Let's look at **(a)** first, the idea that we are *entitled* to expect NSR. Goldberg outlines two sorts of normative or moral expectations that we can expect to be fulfilled in a conversation: (1), a speaker is entitled to expect their audience to be cooperative, and (2) they are entitled to expect that their

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same time, however, the first step is *not* to be taken as representative of the overall argument, since it is Goldberg's aim to arrive at a *stronger* version than that. So, while he does flag the stronger steps in the argument NSR= and NSR+, Goldberg keeps labelling the *overall* argument NSR throughout large parts of his text, even when he has a stronger interpretation in mind.

[51] In the following, I take Goldberg's notion of *agreement/assent* to be quite broad: it is not just about agreeing to or believing some content in the sense of "this is (factually) correct" but can also be about assenting to or endorsing decisions or actions (e.g., he points out how silence can be agreement to or endorsement of injustice). Similarly, I'll interpret the notion of *dissent/disagreement* quite broadly: It could mean something like disapproval or dissent in a general sense, but also disbelief more concretely. We will see that silent implicature, due to its context-sensitivity, is able to make sense of this specificity.

audience utters their dissent explicitly, if there happens to be disagreement (ibid., 164). (1) means that we can usually assume that our interlocutors are cooperative and rational actors as outlined in Grice's Cooperative Principle: "Make your conversational contribution such as is required, at the stage at which it occurs, by the accepted purpose or direction of the talk exchange in which you are engaged." (Grice 1989, 26). If we are in a conversation that is covered by this principle, we are entitled to assume that all other conversational participants are cooperative as well; it's how we *ought* to behave. According to Goldberg, silent rejection would be uncooperative, however, because if you dissent, silence is not what is required of you in the exchange in which you are engaged.

(2) What *is* required is for you to make your dissent public and known. Remaining silent when you are in *agreement*, however, *is* cooperative, which is why we can assume that somebody who remains silent in the face of an assertion *hasn't rejected that assertion* (see Goldberg 2020, 164). This entails the idea that, for NSR to be true, we need to accept that those who assert that *p* put their audience under some rational/epistemic pressure to *accept* that *p* (see ibid., 160-162), which "ultimately derives from the conveyed epistemic authority that is part of the act of assertion itself" (ibid., 161). Since A, who asserts *p*, can be presumed to have the perlocutionary intention[52] to induce acceptance within her audience, their asserting *p* moves the conversation into a context where it is *common knowledge* that the audience is under the rational pressure to accept what has been asserted (ibid., 162).

According to Goldberg, silent rejection cannot meet (1), because a silent rejection is always uncooperative (as outlined before), and it cannot meet (2) because, in remaining silent, one violates the expectation to utter any disagreement explicitly. These two aspects make it so that a *silent rejection* of a publicly made assertion is *uncooperative* (see ibid., 160), and should be *familiar as uncooperative* to all competent speakers (see ibid., 163). Because these aspects relate to how one *ought* to behave in conversations, interlocutors are *morally entitled* to expect such behaviour. In short, we have a moral entitlement to expect NSR.

Let's try to apply this to an example:

> **(27)** Charly and Burcu talk to each other about their mutually favourite band Queen. Charly makes the assertion "Queen's best-selling single was *Killer Queen*." Burcu knows, however, that Queen's best-selling single was *Bohemian Rhapsody*. What is expected of Burcu in this situation?

According to Goldberg, Charly has the *moral entitlement* to expect that Burcu *explicitly utters their dissent* if they disagree with him. Not only can Charly expect Burcu to respond, but Burcu also has some kind of duty to do so, and "a generic *pro tanto*, conversation-generated generated practical reason"

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[52] Where "perlocutionary intention" means the intention to have a certain *effect* on an audience with ones assertion.

(ibid., 153) to give some explicit indication of their disagreement with Charly. If Burcu remains silent in the context of Charly's assertion, it would be fair for Charly to assume that Burcu has *not rejected* their statement about *Queen*. In other words, audiences who disagree with an assertion that they observe are under normative pressure to signal these doubts or disagreements (see ibid.). So, the considerations covered in (1) and (2) give us the moral entitlement to assume that a silent reaction to an assertion standardly means assent. And, according to this view, "the inference, *from* the claim that the audience is silent in reaction, *to* the claim that the audience has accepted the assertion, is itself backed by participants' *moral* entitlement to regard other conversational participants as cooperative" (ibid., 158). Since speakers can expect cooperation from one another, a speaker can assume that if their interlocutors disagree with an assertion they made, those interlocutors will be cooperative in the sense that they will tell them about their disagreement explicitly. If an audience remains silent, however, they are entitled to assume that the audience agrees *because* of the absence of explicit *disagreement:*

> "Anyone who is morally entitled to regard a speech exchange as a conversation – which is to say anyone who is participating in a conversation of the sort that is covered by Grice's Cooperative Principle – is *ipso facto* morally entitled to presume that the participants are cooperative. Since silent rejection is uncooperative, participants to a conversation are morally entitled to expect that, absent positive reason to think otherwise, an audience who is silent in the face of an assertion *has not rejected the assertion*. And this is simply to say that there is a (defeasible) moral entitlement, deriving from the features of the practice of assertion (and available to any competent speaker who is entitled to regard their speech exchange as a conversation), to expect that the silent audience has not rejected the public assertion. In short, NSR holds. The flip side of this, of course, is that *audiences* in a conversation have a *pro tanto* conversation-generated reason, when they reject another's assertion, to indicate this publicly – as to fail to do so is to be uncooperative" (ibid., 163-164, Goldberg's emphasis).

In short, it is Goldberg's thesis "that when it is manifest that an audience has observed another's public assertion, the audience is under normative pressure to avoid silent rejection or doubt" (ibid., 158), and, further, that "our duty to speak out appears grounded on the idea that to fail to do so is to acquiesce in the perpetration of harms" (ibid.). Note that, at this point, we are still in the first step of Goldberg's argument, according to which silence indicates **non-rejection**. In order to make room for more far-reaching commitments, such as acceptance or assent, Goldberg *qualifies* NSR further, by introducing NSR=.

In the background to NSR in general, stands the assumption that any assertion is simply either accepted or is not, which is why Goldberg (2020, 165) defines rejection as non-acceptance. In introducing NSR=, he qualifies NSR's "silence indicates non-rejection" with the stronger idea of "silence indicates acceptance". Recall:

> "NSR=   In all speech exchanges which are Gricean conversations, all competent language users enjoy a default (albeit defeasible) entitlement to expect that an audience who was manifestly silent in the face of a publicly made assertion has **accepted** that assertion" (ibid., my emphasis).

Going back to our example with **(27)**, in remaining silent, Burcu doesn't just *not reject* the statement that *Killer Queen* is Queen's best-selling song, but they *accept* it. So, in remaining silent, Burcu allows an update of the common ground with the assertion "Queen's best-selling song was *Killer Queen*". Charly is entitled to assume that Burcu has *accepted* this assertion in remaining silent. Nothing, however, allows Charly to assume that Burcu actually also *believes* and *endorses* the claim that Queens most successful song was *Killer Queen*. Nothing says that they agree to this update in the sense that they also endorse the truth value of the content under discussion.

Because of this, NSR= is still not as strong as Goldberg's intended conclusion. Although they codify a moral entitlement and normative expectations, NSR and NSR= *only* allow for an "update of the common ground" of the conversation if an audience doesn't object explicitly (see ibid., 166). This is why Goldberg introduces NSR+: In epistemically sober contexts (where the aim is to exchange reliable information, and there's only updates to the common ground when there's an epistemic reason to do so), acceptance is warranted only when it is *epistemically* warranted (see ibid., 166). As we recall, in the final step of the argument, NSR+ looks as follows:

> "NSR+   In all Gricean conversations in which the **presumption of epistemic sobriety** is reasonable, all competent language users enjoy a default (albeit defeasible) entitlement to expect that an audience who was manifestly silent in the face of a publicly made assertion **has assented** to that assertion (and so believes what was asserted)" (ibid., 167).

According to NSR+, Burcu's silence not only communicates that they *accept* Charly's assertion, but also that they *assent* to the statement and *believe* that Bohemian Rhapsody was Queen's best-selling song. Silence (and hence acceptance) in light of such an exchange doesn't just mean "allowing" an update of the common ground, but also allows the speaker to think that the audience *accepts* this assertion in the sense that they *believe* it (see ibid., 167). This, again, "means that acceptance is warranted only when it is *epistemically* warranted, that is, only when there are adequate grounds for believing what was asserted" (ibid., 166). Goldberg calls such contexts "epistemically sober" (see ibid.) And in epistemically sober contexts, we can strengthen NSR (and NSR=) further to NSR+ as indicated above, by "replacing 'no silent rejection' and 'acceptance' with 'assent' and 'believe'" (ibid., 167).

All this, then, allows us to characterise the "assent interpretation of silence", overall, as "the interpretation on which a hearer's silence in the face of an assertion is taken to indicate her assent" (ibid., 168). This is explained in more detail by the various steps of NSR, each of which indicates

new facets to how, according to Goldberg, silence is usually understood as non-rejection, acceptance, and assent. In particular, NSR+ might, according to Goldberg, be "the strongest of the norms governing silence in conversation. Insofar as a good many of our exchanges are in epistemically sober contexts, this norm is regularly in play" (ibid., 167). If we apply this to the practice of assertion standing behind this whole discussion, we might conclude, with Goldberg (2020, 167-168), that NSR (and its qualifications) are themselves *part* of the practice of assertion, and that they are in place whenever somebody makes an assertion. Since we might classify Charly and Burcu's situation as epistemically sober, then, according to NSR+, Charly is entitled to assume that Burcu not only allows an update of the common ground with the information "*Killer Queen* was Queen's most financially successful song", but also that Burcu *believes* "*Killer Queen* was Queen's most financially successful song". These various forms of NSR are, according to Goldberg, part of our common and familiar practices of assertion (see ibid., 181). What's more, according to Goldberg, we are equipped to provide empirical evidence for this, showing that the assent interpretation of silence is both *psychologically* and *socially* salient. Let's look at this next.

Backing Up NSR

According to Goldberg (2020, 168-171), NSR is generally backed by its empirical, psychological, and social salience – the fact that audiences *will* regard our silence as indicating acceptance. E.g., many languages seem to have a "familiar proverb to the effect that silence is tantamount to assent or acceptance" (ibid., 168).[53] Additionally, history has shown us that silence very often, specifically in the context of injustice, is and was considered to mean *assent* to the injustice (ibid., 169-170), which shows that "the de facto popular linkage between silence and acceptance of another's assertion […] can be seen as a special case of our attitude towards silence (or inaction) in the face of others' actions more generally" (ibid., 172). A demonstrative example of the *social salience* of NSR can be found in practices like the 'tacit acceptance procedure' in organisational contexts, where no objections equal acceptance of a proposed item/statement/regulation (see ibid.). And its *psychological salience* becomes apparent partly through the work of psychologists like Daniel Gilbert et. al. (1993), whose work suggests that acceptance in itself is a psychological default. This, according to Goldberg, should lead us to conclude that silence as acceptance is *also* a psychological default, simply because rejection would require more conscious effort in evaluating the statement,

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[53] Goldberg lists ten: Latin, Persian, Russian, Dutch, Greek, Icelandic, Spanish, French, Portuguese, and English (see Goldberg 2020, 168-169).

context etc. (see Goldberg 2020, 173). Accordingly, he claims, interpreting silence as communicating assent, acceptance, or at least non-rejection is our *common* interpretation of silence.

This conclusion reinforces and backs up NSR (and NSR= and NSR+): Remaining silent despite rejection is not *only* uncooperative, but can also cause *epistemic harm* in misleading others (see ibid., 174). If we were to remain silent in the face of the public assertion of someone we disagree with, we risk a certain kind of *epistemic harm*: we recklessly and negligently risk misleading other conversational participants into forming false beliefs (ibid., 153). E.g., if Burcu remains silent vis-à-vis the claim that *Killer Queen* was Queen's best-selling song, they're not only violating their duty to respond and the Cooperative Principle – they *also* risk misleading others and causing epistemic harm, because Charly will take her silence to mean assent. Further, if somebody *else* is observing the conversation (who knows absolutely nothing about Queen), Burcu also risks misleading that person.

But what should we think about this if, e.g., Charly was Burcu's vindictive boss, who they know always wants to be right and holds some reasonable power over them? What if the costs of correcting Charly would be too high? It seems obvious that there are many cases like this in which it seems rather wrong and unreasonable to expect that an audience's silence means assent. Goldberg addresses questions like these by introducing various *defeasibility conditions* to NSR, NSR= and NSR+, as I'll outline in the following.

The Defeasibility of NSR

Goldberg presents two potential defeaters of NSR. These are *Non-Conversation* and the *Outweighing Explanation* (ibid., 175): *Non-Conversation* means that the "particular speech exchange is not a conversation – it is not a cooperative exchange" (ibid.). The *Outweighing Explanation* applies when the "best explanation of the audience's silence appeals to *other* practical reasons that audience has; these practical reasons outweigh the audience's *pro tanto* conversation-generated practical reason to be cooperative (and so morally permit the audience to remain silent *whether or not* he has accepted the assertion)" (ibid., 175-176). The following are instances where either *Non-Conversation*, the *Outweighing Explanation* or a combination of the two hold, and NSR is defeated:

- it's *practically difficult* for a hearer to indicate her reaction (they are part of a huge crowd, large classroom, etc.);
- it's *socially improper* to indicate a reaction (they are in a social situation with mutually known expectations of silence, politeness, etc.);

- there are *serious costs* to the hearer objecting or manifesting rejection (e.g., when their vindictive boss speaks, conditions of repression, etc.);

- an *assertion itself isn't reasonably regarded as part of a cooperative exchange* (the person sitting next to you on the train or bus won't stop talking);

- the matter under discussion is *trivial*, so one doesn't want to make the effort to object (e.g., how many dishes fit in the dishwasher, etc., whether it's potatoes or tomatoes that on sale at Aldi);

- the context is characterised by sexism, racism or other forms of *oppression*, where people are or feel *silenced* (see ibid., 177).

In short – in contexts where there's adequate evidence to think that one of these features holds, the conversational pressure to publicly signal rejection is defeated (ibid., 176).

According to this, if *Non-Conversation* holds, there *never was* a moral entitlement to assume NSR in the first place, because exchanges where a speaker's contribution isn't feasible or welcome do not count as conversations (at least not in the Gricean sense). While silence under conditions of general cooperation can be a sign of "opting out" of a conversation, in cases of oppression the exchange isn't of a cooperative nature in the first place, which undermines the expectation stated in NSR (see ibid., 178; 180).

When the *Outweighing Explanation* holds, on the other hand, "the presumptive entitlement to expect no silent rejection is defeated by the epistemic reasons one has" (ibid., 178). This means that in such cases we have epistemic reason to think that our audience has various *practical reasons not to indicate* their dissent. In such cases these reasons weigh heavier than our conversation-generated practical reasons, and morally permit participants *to not act* on these conversation-generated practical reasons (ibid., 178-179).

Let's consider some more concrete examples of this. For one, according to Goldberg, cases of cost-benefit considerations fit the *Outweighing Explanation*.

> **(28)** Consider Berty and Amy who talk about yesterday's office party. Berty says that it was Cloe who put the glasses in the dishwasher. Amy, who is really tired because she stayed at the party till the very end, knows that it wasn't Cloe, but Ali, who put the glasses in the dishwasher. However, Amy remains silent in the face of Berty's assertion – simply because speaking up and correcting Berty isn't worth the effort to an incredibly tired Amy.

According to Goldberg, "the best explanation of A's silence might be that speaking out in rejection is not worth the effort in this context, where (given these costs and this context) silent rejection is morally permissible" (ibid., 178).

We might have similar cases in light of certain social norms. Sometimes, we face a social expectation of silence. "This expectation gives the hearer a reason to be silent, which, given the costs of violating that expectation, can be weightier than the reason to make public any objections she has" (ibid., 179). E.g., if I was at a really bourgeoise dinner-party, the politeness norms at parties like these might require me to remain silent even if I disagree and want to speak up, because it is considered wildly impolite to publicly disagree. And, as Goldberg (2020, 179) admits, "[i]n such communities, the significance of silence will be very different from what it is in communities in which the prevailing politeness norms do not carry as much weight […]."

It is obvious that we can also offer explanations in examples involving conditions of oppression. If we are faced with situations underpinned by sexism, racism, homophobia, transphobia, or the like, we can sometimes regard the situation as a case "in which either or both of the defeaters, NON-CONVERSATION or OUTWEIGHING EXPLANATION, are present" (ibid., 180). Especially if "individuals feel threatened to speak at all […] the speech exchange is not reasonably regarded as cooperative, and so NON-CONVERSATION holds" (ibid.). If Berty was Amy's sexist, aggressive, and spiteful boss who has a lot of power over Amy's position in the office, Amy might have various additional reasons not to correct Berty's belief that Cloe took care of the dishwasher. It is especially in cases where individuals feel demoralised due to oppressive circumstances that "the speakers have practical reasons to remain silent – namely, the sense that any attempt to speak up will most certainly have no positive effect but many negative effects – which would explain their silence and which, when well-grounded in the facts, would provide moral justification for remaining silent even in disagreement" (ibid.).

So far, then, we have a reconstruction of Goldberg's arguments. Before I proceed, let me briefly sum up his central claims: For one, as we have seen, according to Goldberg, silences in conversations generally *do not* have non-natural meaning in a Gricean sense. They aren't speech-acts with reflexive intentionality. Still, A, who remains silent in the face of B's assertion, should expect that A's silence will lead to some kind of uptake in B, summed up by NSR, an argument presented in three steps, where each step makes a stronger claim about the content of this silence than the previous one: While in the first, "an audience who was manifestly silent in the face of a publicly made assertion **has not rejected** that assertion" (ibi., 159), according to NSR+ they have **accepted** such an assertion, and NSR= maintains they have **assented** to it. A silent rejection, on this picture, would be uncooperative. And because interlocutors are under the normative pressure to be cooperative (in other words, not silent) in conversations, we have a moral entitlement to expect No Silent Rejection. This, as we have just heard, can be defeated: In contexts that don't count as conversations, or are characterised by other outweighing explanations (such as silencing or practical constraints etc.).

Now, while it seems that these defeaters are doing are doing a lot of work for Goldberg, there are still some ways in which we might disagree with him. E.g., we might say that his account is trivial (see ibid. 180-182), or that (despite allowing for defeasibility conditions) too many bad consequences could follow from this account. E.g., a full endorsement of NSR could lead people to think that they have somebody's assent, when they in fact do not (see ibid., 184-186). Jennifer Lackey, in her chapter *Silence and Objecting* (2018a), makes the case that Goldberg's theory employs *ideal* theorising, and that we arrive at a different picture once we think about silence in non-ideal scenarios. Or, as Alessandra Tanesini (2018, 120) argues in *Eloquent Silence*, we should consider silences as *illocutions* in themselves. She further presents "a non-exhaustive and partially overlapping taxonomy of eloquent silences as ways of expressing dissent", and argues that silences can fulfil cooperative means in conversations. So, in sum, our points of disagreement might look as follows:

(a) We might hold that silences *can* be a form of signalling disagreement, doubt or dissent (even absent defeating conditions).

(b) We might disagree that silent rejections are always uncooperative moves in a conversation. We might reject the assumption that assent is the only way to make sense of silent reactions.

(c) We might hold that there is no moral entitlement to expect No Silent Rejection.

(d) We might hold that the messages we intend to convey with silence don't always come down to either assent or dissent.

All these criticisms will be addressed in the remainder of this and the next chapter.[54] I'll do so by defending a form of what Goldberg calls the "disaggregation objection".

4.2.   Disaggregating Conversational Silence?

As Goldberg (2020, 182) holds, a defender of the disaggregation view will argue that we need to "try to generate the warrant for the expectation of no silent rejection on a case-by-case basis, allowing that there can be different explanations in different cases."

Goldberg attempts to disqualify this objection as follows: (1) While he concedes that we might be skeptical about the general entitlement connected to NSR, given the *many* considerations that could defeat NSR (see ibid., 182-183), he points out that there are plenty of *other* default entitlements we readily accept. E.g., "the leading view in the epistemology of testimony, according to which hearers

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[54] Versions of these criticisms, especially (a)-(c) are brought forward in Tanesini (2018), which I'll focus on more in the next chapter. Moreover, point (c) in particular is addressed in detail in Lackey (2018a), which I will also come back to in the next chapter.

enjoy a default (epistemic) entitlement to accept what they are told, with defeat of this entitlement contingent on the presence of reasons to doubt the credibility of the telling itself" (ibid., 183). Similarly, he claims that the ways in which we practice assertions favours the postulating of a default that can be defeated in certain circumstances, rather than assuming that there is no default at all (see ibid.). This would disqualify an objection to NSR that is grounded in an objection to the very existence of a default assumption.

(2) Next, Goldberg says that "it will not do simply to say that we can generate the warrant for the expectation of no silent rejection on a case-by-case basis" (ibid.) because his argument for NSR appeals to considerations that *are* generally applicable. The burden of proof rests on the defender of the disaggregation objection to explain how these features of assertion (e.g. that silence does, in fact, usually mean agreement or assent) do not apply generally, or to silence specifically (see ibid.).

And (3), "there is reason to doubt whether the proponent of the disaggregation objection *can* explain what needs to be explained on this score, without appeal *to the very features* that motivate NSR itself" (ibid.), since, according to Goldberg, it is uncontroversial that there are cases where we have an expectation of no-silent-rejection, and in which we are under pressure to make our dissent public. One might doubt whether it is possible to explain such cases without appealing to NSR, and with that, to the generic features of the practice of assertion (see ibid., 184). But *because* NSR is socially, empirically, and psychologically salient, and a built-in feature of the practice of assertion, the defender of the disaggregation view will have a difficult time doing this.

The version of the disaggregation view I put forward in the following can meet these worries. If my argument is successful, we have a counterproposal to NSR, and with that an account that can capture the nuances of silence without having to appeal to a universal (albeit defeasible) interpretation of silence.

My counterargument will be along the following lines: I will show that assuming silence to indicate assent or agreement is not the common practice NSR makes it out to be, by providing a few examples where it's clear that silence doesn't mean and isn't taken to mean assent, while none of Goldberg's defeasibility conditions apply. Silent implicature, on the other hand, allows us to understand the broad spectrum of conversational silence and enables us to see how it can communicate both dissent, assent, and many things beyond that, while thinking of conversational participants as cooperative. As we'll see, the worries Goldberg presents for the disaggregation view can be assuaged: there *is* a way to explain conversational silence *other* than by a general default entitlement. My account makes no appeal to NSR *and yet* can still explain cases where we ought to assume that silence communicates assent, but also cases where silence means dissent, or something

else altogether. This allows us to account for the multifaced way in which we use conversational silence in our everyday conversational exchanges.

4.3.   Reconsidering Conversational Silence

First, it should be noted that empirical research on the role of silence in conversations doesn't seem to suggest that it *standardly* communicates assent. In a recently published book, "When Conversation Lapses. The Public Accountability of Silent Copresence", Elliot M. Hoey (2020) discusses *many different* ways that lapses in conversations (where speaking would have been possible) are socially relevant (see ibid., 2). E.g., he writes that "lapses are a place for participants to orient to the relevance of talking itself as a mode of participating in social interaction" (ibid., 160). As such, silences are attempts to manage many different social situations, which doesn't seem to suggest a *standard* understanding of silence as assent. Hoey also references research that suggests that certain ways of pausing are a way of delivering responses such as disapproval (e.g. see Pomerantz 1984). Moreover, Dalia Rodriguez (2011), in *Silence as Speech: Meanings of silence for Students of Color in Predominantly White Classrooms*, suggests that students of colour can *disrupt* white dominance in the classroom *both* through speaking *and* remaining silent.

With this in mind, it also doesn't seem clear that our use of proverbs *reliably* indicates, or can even function as empirical evidence for, silence being tantamount to acceptance. In fact, sayings such as "Speaking is Silver, Silence is Golden" or "If you don't have anything nice to say, don't say anything at all" seem to suggest that at least some proverbs indicate a more nuanced meaning of silence (as does the culturally widespread idea of "the silent treatment"). Further discussions of similar proverbs and idioms can be found in Mompoloki Mmangaka Bagwasi's research on the meanings and uses of silence in Setswana, where she analyses sayings and proverbs, indicating that silence can communicate assent in certain contexts, while bringing across dissent in others (see Bagwasi 2012, 187-188). Surely, sayings about silence and consent or assent *do* exist, and I don't think that an appeal to the multiplicity of proverbs about silence alone could disqualify NSR, but this plurality at least indicates that Goldberg's move in taking proverbs that express a connection between silence and assent as *empirical evidence* for NSR, seems to overlook things.

At the same time, I'm not claiming that silence *never* indicates something like agreement. Indeed, there are numerous examples where it would make absolute sense to infer assent from somebody's remaining silent. One could be the following:

> **(29)** After finishing a long comment about the most recent Volvo on the market, Li says to their partner
> Angie: Hey, do you think I talk to much about cars?
> Angie: […]

Li would probably be right in understanding Angie as communicating something like: "Yes, Li, you do talk too much about cars". And of course, this also holds in situations of injustice, where an *absence* of explicit dissent, or an attempt at *silent dissent*, might just not be enough.[55] At the same time, even in these situations there might be circumstances where the privileged *should* remain silent in order not to speak *for* or *over* the marginalised. This, again, complicates the picture of what conversational silence can and cannot do, and I'll have more to say about this in the final section of this chapter. For now, my overall point is this: Simply because it *is* correct that a failure to speak up can amount to agreement with certain *injustices* (where "amount to" can mean that they *license injustice* or *grant authority* by remaining silent, as argued by Maitra (2012), or, as McGowan (2012) has shown, allow a problematic supposition to enter the common ground by leaving harmful comments unchallenged), we shouldn't conclude that in *every* situation (even absent defeating conditions) silence will standardly be assumed to communicate assent.

Some Counter-Examples

This suspicion, that silence does not standardly (even absent defeating conditions) mean assent, needs to be backed up. I will do this by considering a few examples where silence doesn't indicate assent, despite none of Goldberg's defeasibility conditions being present. This shows that NSR can't explain a variety of cases in which silence communicates either disagreement or something else altogether. Consider a few already familiar (or slightly adjusted) examples:

> **(23)** Ruth and Charly sit around the dinner table with Ruth's family, including her mother, father, and sisters. Ruth and Charly have been together for a while, but Helmut doesn't quite think Charly is the right fit for Ruth. However, this evening, Ruth and Charly make an announcement:
> Ruth [to the family]: We wanted to tell you something – we decided that we want to get married. We don't have a date or anything yet, but that's something we want to do.
> Helmut [along with the whole family] looks at Ruth and Charly for a very long and uncomfortable time, but doesn't say anything.
> After what feels like an eternity, he finishes the last bites on his table, gets up and walks away. The rest of the family returns to the conversation from before Ruth made her announcement. Nobody speaks of the engagement ever again.

> **(4*)** Maggie and Remi are in a relationship and have one of their fights. Things calm down a bit after a while, and Remi says: "We'll be able to work through this, because we love each other!"
> Maggie looks at Remi, remaining silent.
> Remi: "Right, okay. I think I finally see where the problem lies…."

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[55] Discussions of this specific issue can be found in Maitra (2012) or Ayala and Vasilyeva (2016).

(3) In a scene in the TV-show *Dear White People*, Samantha White and Troy Fairbanks, a young couple, visit Troy's (strict and somewhat overprotective) father Walter Fairbanks in his office to tell him they are planning on taking a trip over their break. The following exchange happens:

Troy: So… We were thinking of taking a four-day weekend and heading up Toronto. See the sights. Do a little legal Canadian wine tasting.

Walter: […]

Troy: looks resigned

Samantha: Wait, what just happened? Are we still going?

Troy mumbles: We're not going.

(see Season 1 *Dear White People*, Episode 3, min 1:32-1:58)

It seems that it would not make a lot of sense in any of these cases for an audience to assume these instances of conversational silence mean assent. The *entitlement to expect NSR*, which is based on the assumption that a silent rejection would be generally uncooperative, would be disqualified if silence can clearly communicate something, even without the defeasibility conditions being present. Let's look at this in a bit more detail.

I'll start with **(23)**: In this example, it's not *practically difficult* for Ruth's father to indicate his reaction (for one, they are not part of a large crowd). It wouldn't be *socially improper* for him to say something – on the contrary, it seems like social norms seem to demand that he *does* say something (note that Goldberg says that, for NSR to be defeated, *saying something* would be the improper thing, which is not the case here). There are no apparent *serious costs* in the relevant sense – surely, Ruth might end up being upset, and in general a father might want to avoid that – but it stands to reason that Ruth could be upset about anything but an explicit endorsement of her announcement. Again, Goldberg's condition refers to not being able to voice dissent explicitly due to serious costs, which can be avoided via remaining silent, and this is something silence, I think, wouldn't be able to achieve in this case. The matter under discussion isn't *trivial*; and there is no *silencing* going on. Finally, we might want to add that the epistemic "risk of misleading others" doesn't seem to be a problem here. It seems to me that even a bystander who doesn't have full access to the context can understand that "assent" in Goldberg's sense isn't the message communicated via silence here.

Let's go on to **(4*)**: It's not *practically difficult* for Maggie to say something explicitly. Maggie could say something like "I'm so sorry, but we can't work this out because I don't love you anymore."[56]

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[56] Note, that the silent implicature *I don't love you any more* could also be *unintentional* in some sense. Maybe Maggie is silent because she doesn't *know* what to say or isn't sure about how she feels about Remi, and not because she's very clear that she doesn't love him anymore. The disentangled account of silent implicature is able to make sense of this, since it's a possibility that Remi understands an audience-implicature that wasn't *intended*. But also on this picture it would be puzzling if Remi understood Maggie as communicating something like *I'm very sure I still love you*.

Further, we wouldn't consider it *socially improper* to indicate a reaction in this situation. Surely, it's not particularly nice for somebody to be told that they're not loved anymore, and that things don't seem to be working out any more, and usually we don't enjoy telling this to people either. But there's no strong norm around refraining from *saying* these words, specifically in a situation like the one described. It would nevertheless be very strange if Remi considered Maggie's silence to communicate "Yes, I do still love you". If anything, it seems like in this situation a *confirmation* of love would be required. Next, the condition of *serious costs* that would outweigh Maggie's motivation to voice her rejection explicitly doesn't seem to apply. While it's true that Maggie communicating (with silence or explicitly) that she doesn't love Remi any more will have certain costs, including the possibility of leading to the end of the relationship, the same would be true if she were to voice this explicitly. And finally, the matter under discussion is not trivial, and the context is not characterised by oppression – neither Remi nor Maggie are silenced.

And finally, example **(3)**: It wouldn't have been *practically difficult* for Walter to say "You have finals after the break. I think you should use that time to study. You can go to Canada after you graduate", and it wouldn't have been *socially improper* to indicate such a reaction. Surely, with Sam present, Walter might not want to be too explicitly authoritative. But saying something like this would surely be socially acceptable. Moreover, there would be *no serious costs to Walter* in saying something explicitly; the matter isn't *trivial* and beyond worth commenting on; and it wouldn't make much sense to think of Walter as silenced or *oppressed* in this exchange.

We can also see that the silences in these cases, although they do communicate dissent, don't *just* communicate dissent. In each case, the what's brought across via silence also serves to communicate something broader. In case **(3)** it could be *This is a very bad idea, you are under-age and should not drink, and you know how I feel about going away when you really should focus on school.* In case **(4*)** it could be *We cannot get over the fact that I don't love you anymore. Whatever we were fighting about, the relationship cannot be saved if there's no love any more on my side.* And in case **(23)** it could be *Oh my god, you are actually marrying this guy – I think this is such a bad idea, he is not good enough for you!* While in all of these cases a general disagreement with the asserted content is present, the arising silences are embedded in a rich conversational context. Similar things can be said, of course, for cases where somebody communicates assent with silence (recall, I don't claim that we *can't* communicate assent with silence). In those cases silence might also communicate *more* than mere assent. And it seems to me that NSR, as presented by Goldberg, does not leave room for these additional observations.

So far, I haven't talked about the notion of cooperativity in these examples, and I'll now show how all of these exchanges can be considered cooperative ones in the following. What should first be noted is that, contrary to Goldberg's claims, silence in these exchanges *does* exhibit reflexive

intentionality. Recall that, according to Goldberg, an act has reflexive intentions when "one performs an act *intending* one's audience to recognise one's communicative intention, partly on the basis of their recognition of this very intention" (Goldberg, 2020, 155). This seems to be the case in all of the given examples. To stay with case **(3)** – Walter makes a silent conversational contribution *intending* his son to *recognise* the communicative intention that underlies him remaining silent (namely, that Walter disagrees with Troy and Sam taking a trip), in part by Troy *recognising this very intention*. But *even if* this convinces defenders of NSR that silence can, sometimes, exhibit reflexive intentionality, they still might not be convinced that the above examples actually *are* cooperative exchanges. I think that by taking another look at Grice's account we can clarify my point a bit more.

In his understanding of cooperation, Goldberg follows Grice (1989), who outlines the above mentioned Cooperative Principle in *Logic and Conversation*. As Grice notes, "[o]ur talk exchanges do not normally consist of a succession of disconnected remarks, and would not be rational if they did" (ibid., 26). Rather, our cooperative efforts include that we are at least loosely following a common purpose or set of purposes in our exchange (see ibid.). Such a purpose, however, is not *absolutely* fixed: It "may be fixed from the start (e.g., by an initial proposal of a question for discussion), or it may evolve during the exchange; it may be fairly definite, or it may be so indefinite as to leave very considerable latitude to the participants (as in a casual conversation)" (ibid.). Some possible conversational moves would be excluded as unsuitable, and hence, uncooperative (see ibid.). According to Goldberg, silent rejection *specifically* would be such a move – first, because it means that we don't make our disagreement clear (which we ought to), and second, because dissent without providing content to draw on is uncooperative in a conversation and goes against the conversational flow.[57]

This, however, doesn't apply to any of the examples given above. In the examples we've discussed, we understand the silence to communicate something, draw on it in our subsequent conversation, and see it as a contribution to the conversation that fits with the overall direction of the talk exchange. In Grice's sense of cooperation, these contributions *can* be seen as cooperative ones. Just to make sure, let's look again at our examples.

In case **(3)**, the exchange is about a trip to Canada. With his silence, Walter *contributes* to the overall topic, even though he isn't in agreement with his son going to Canada. He actively wants Troy to

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[57] Tanesini (2018) also argues that silences can have reflexive intentionality by discussing how silences can be forms of speaker meaning, referring to both Grice (1989) and Green (2007). While my interpretation of silence and speaker meaning, discussed in *Chapter 2*, differs slightly from hers, I do see myself in alignment with her on this point. I'll talk more about this in the next chapter.

understand something like "No, you shouldn't go to Canada", and expects him to pick up this message and act accordingly, having indicated his position *by remaining silent.* Note again that objecting doesn't have to be uncooperative as such. It can fit into an overall talk exchange to disagree about something – it doesn't mean that cooperation is ended or derailed entirely. While I admit that in the given example it might be at least unclear whether cooperation has ended, it is generally not difficult to imagine that it could *continue* on the basis of what the father contributed. E.g., Troy might say "Oh come on dad! We already planned for it", with Walter responding "Why don't you just go to the theatre here, there's a nice play on right now!"

In the same way, as in **(4*)**, even communicating *We can't work this out because I don't love you anymore* with silence can fit into the overall exchange. Remi is able to recover what Maggie is bringing across with her silence: Remi asserts something, Maggie remains silent, Remi understands what Maggie communicates with her silence and draws his conclusion. It seems that Maggie *wants* Remi to understand her silence as a negative answer to his question. While it's true that silences in fights can be *very* uncooperative, in this case it seems it's something that Maggie *wants* to communicate (given the direction of the exchange) in a very generally cooperative way. Moreover, the conversation could continue on the basis of what Maggie communicates with her silence. E.g., Remi might ask why Maggie didn't say anything sooner or why she was holding out on talking about their problems etc.

Finally, in case **(23)**, Ruth's father intends for her and Charly to take something from his silence – which, again, subsequently enters into the conversation and shapes it in certain ways. While silence in this situation *could* also be uncooperative (in the sense of ending a conversation), in the particular context this is not what happens.

This brings me to my next point: The claim that silent rejections generally risk epistemic harm in misleading the audience doesn't extend to all cases of conversational silence. At least in the examples that I gave above, it seems clear that silence rather unambiguously communicates *something other* than assent. Given the intentions with which the silences are put forward, plus the way in which they are recovered, it seems very unlikely that anybody would take them to mean assent. Even *absent* defeating conditions it's not the case that the conversational silences are always recovered as assent. In light of these considerations, NSR doesn't hold.

What we have shown so far is that we don't *have* to appeal to NSR in order to be able to make sense of conversational silence. Indeed, there seem to be various cases that cannot be explained by NSR. It seems, thus, that the moral entitlement to expect NSR is defeated. We were able to identify several examples where silence clearly doesn't indicate assent, where none of Goldberg's defeating conditions hold. One question remains, however. *How* do we communicate with silence then? How

do interlocutors recover what conversational silence communicates? I believe that the already established account of silent implicature can help.

Applying Silent Conversational Implicature

Understanding silence with our revised notion of *conversational implicature* allows us to "disaggregate" silence and can explain *both* cases where silence communicates something other than assent *and* those where it does, in fact, communicate assent. This allows us to understand the complexities and context-dependencies in which silences occur in conversations on a case-by-case basis, while still having a theoretical framework to refer to – a framework that isn't grounded in NSR.

In *Chapter 1*, I suggested the following re-definition of conversational implicature (see Grice 1989, 30-31) to include silence:

> Somebody who, by (in, when) saying (or making as if to say) that *p* or by **remaining conversationally silent** has implicated that *q*, may be said to have conversationally implicated *q*, provided that
>
> (1) they are to be *presumed* to be observing the conversational maxims, or at least the Cooperative Principle;
>
> (2) the supposition that they are aware that, or think that, *q* is required in order to make their saying, making as if to say *p* (or doing in *those* terms), **or their remaining conversationally silent** consistent with this presumption; and
>
> (3) the person making the conversational contribution thinks (and would expect the hearer to think that they think) that it is within the competence of the hearer to work out, or grasp intuitively, that the supposition mentioned in (2) is required.

So, let's apply this to example **(3)**:

> **(3)** Troy: So… We were thinking of taking a four-day weekend and heading up Toronto. See the sights. Do a little legal Canadian wine tasting.
> Walter: […]
> Troy: looks resigned
> Samantha: Wait, what just happened? Are we still going?
> Troy mumbles: We're not going.
> (see Season 1 *Dear White People*, Episode 3, min 1:32-1:58)

We might want to argue that here we have a violation of Grice's maxim of **Quantity**₁ ("your contribution should be *as* informative as required"). As we heard before, flouting of Quantity consists in a failure to provide the appropriate amount of information on the level of *what is said* explicitly, while the relevant contribution can still be informative on the level of what is *implicated*

(see Grice 1989, 33).[58] Many cases of conversational silence do seem to be violating Quantity$_1$ in a very straightforward sense: At the level of what is said, they indeed don't seem to provide the *amount* of information that is required for the talk exchange.

Applied to our example, this means the following: Walter Fairbanks' silence violates Quantity because the answer he gives doesn't contain the *required information* Troy wants – namely approval (or disapproval) of their trip. If Quantity requires us to give *as much* information as needed in the given exchange, Walter's response here certainly *doesn't* live up to that requirement: on the level of his *direct* contribution, his response doesn't really contain any information. It thereby flouts/infringes the maxim of Quantity and the Cooperative Principle on the level of what is said. However, Walter can be thought of as communicating disapproval with his silence in a broadly cooperative way, if we take into account *the level of what is implicated.*

So, how could conversational silence be "reconciled", so that the Cooperative Principle is observed overall (see ibid.), and Troy can think of his father as following the Quantity maxim at least on the level of what is implicated? It should be noted that, according to Grice, calculating implicatures is a *rational* process of reconstruction. Nevertheless, as pointed out before, he didn't suppose that people always go through this reconstruction in an explicit or technical sense – implicatures can be "grasped intuitively" (ibid., 31). I nevertheless want to provide an approximation of such a reconstruction here, to illustrate how Troy might roughly calculate his father's silent implicature (even if understood intuitively). For one, it does seem to me that we do, at least sometimes, reason about the things people communicate to us in broadly reconstructive ways. But, moreover, Grice did make it clear in his original text that we must be able to give a reconstruction of the implicature *even if* it is grasped intuitively. So, even if the precise reconstruction might differ slightly between audiences, what I'm suggesting is that the *overall* meaning of Walter's silence, in the given context, would be figured out roughly as follows:

> "Dad clearly wants me to know that he's not approving of that trip. I know him – if he was at least somewhat fine with us going he would say something superficially polite. But since he clearly heard me, and knows what I'm talking about, his remaining silent in this case makes it clear to me that Sam and I can't go on that trip without him causing trouble for me, and he clearly wants me to get that – and not go as a result."

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[58] We also often encounter "infringements" of **Quantity$_2$** (=contribution shouldn't be *more* informative than required). Say C asks B if there is ketchup on a table further away. If it's clear that C simply wants to know whether there's ketchup, but B gives a whole bunch of other information about ketchup (who invented it, when and where did they invent it, etc.), and what else I see sitting on the table, C's contribution is *more* informative than required.

If Troy reasons this way (or some way like this), Walter's silent violation of Quantity succeeds in implicating something – in this case, disagreement with, or dissent from, his son's plans.

Now, a defender of NSR might still have objections to this. E.g., they might say that *even if* Walter manages to communicate something with his silence here that isn't assent, the silence itself *is* uncooperative. Further, they might worry that the calculation of Walter's silence could work out completely different, and that it's unclear why it's *that* overall message that Troy recovers. Let me address these concerns in turn.

For one, we might take Walter's silence as announcing that he won't be part of this conversation, that he doesn't want to engage in this discussion, that he's not interested in hearing his son's ideas about what this weekend away could entail. But, as I've argued above, it's clear that Troy takes Walter's silence to be a contribution to the conversation. As we see, Troy's immediate reaction is to blow off the trip. Would he have this reaction if Walter simply tried to end cooperation and exit from the conversation without communicating something to Troy? Why does it seem that Walter makes a silent conversational contribution with the *intention* that Troy recognises that he, Walter, disagrees with the reported plans, partly by Troy recognising that it is Walter's intention to communicate exactly that? While it's true that we could, theoretically, communicate something by opting out and stopping the interaction through silence, this is not what's going on here: We can see that Walter's silent contribution isn't opting out in the sense of *ending* the conversation or *exiting* from it, because the conversation *can* quite smoothly continue on the basis of what was silently implicated. This could look as follows:

> **(3*)** Troy: So… We were thinking of taking a four-day weekend and heading up Toronto. See the sights. Do a little legal Canadian wine tasting.
> Walter: […]
> Troy: looks resigned
> Samantha: What just happened? Are we still going?
> Troy mumbles: We're not going.
> Walter: There's great things to do here right on campus – where you can't legally drink. For another 3 years.
> Troy: I'm not sure what's on this weekend if I'm being honest.
> Walter: Why don't you hit the local theatre? I hear they have a great Romeo and Juliet interpretation going.
> Troy: Ahm, yeah. Sure, dad. Sounds like a good idea.

It is in this sense that even a dissident silence can be thought of as cooperative, as it functions as an intelligible contribution to the conversation. The conversation continues on the basis of what Troy takes from his father's silence. Walter's conversational silence wasn't intended as opting out, but rather to implicate something to as a contribution to the conversation (which again suggests

that Goldberg's defeater of Non-Conversation doesn't hold). Of course, the function of a silence can also vary with context. Indeed, the silence of a different parent, who isn't overprotective or strict, might correctly be recovered as "Okay, noted". Silence, in a lot of ways, doesn't just stand on its own – there is shared background knowledge the interlocuters can draw on, even if that background knowledge only deals with the specific conversation and content that came *before* the person was silent as a response. But it should be noted that, also on Goldberg's account, context influences the way in which we are entitled to infer assent from silence. I think, however, that understanding silent contributions via conversational implicature can better account for the actual reality of *how* we *practice* silence.

As we've seen earlier, none of this is to deny that silence can assent in certain circumstances, or that there can be situations where explicit dissent should be voiced explicitly. The account of silent conversational implicature does, very clearly, allow for interpretations of silences as assent. What I'm arguing is that this will not standardly be the case, even absent defeating conditions. Finally, related to this, it should also be noted that simply adding new defeating conditions to the list doesn't appear to help. As Lackey (2018a, 80) points out, "[d]efeating conditions ought to be such that they pick out the non-normal or unusual against a background of what is normal, the latter being the default." However, it seems that there is such a high volume of instances where NSR doesn't apply that adding new defeating conditions would only weaken the principle further. In fact, if we have to add one defeating condition after another, it seems that NSR would run the risk of collapsing into a kind of disaggregation account itself, where the relevant defeating conditions have to be identified almost on a case to case basis. Silent conversational implicature, however, can both incorporate and explain the various interpretations and occurrences of silence we are faced with in our day-to-day interactions.

4.4.   A Tentative Summary

Let's take stock and see if these arguments meet Goldberg's concerns by providing an answer to his above outlined worries (2) and (3). Let me outline (2) and (3) first.

With (2) and (3) Goldberg suggests that it will be difficult to explain silences on a case-by-case basis without relying on NSR. Because NSR is so generally applicable, according to him, a defender of the disaggregation view will have difficulties coming up with an account that doesn't make use of NSR – partly because there are many cases where it's uncontroversial that silence communicates assent (Goldberg 2020, 182-184). As we saw, however, the account of silent conversational implicature can meet this worry. For one, I showed that conversational silence as assent is not socially, empirically, or psychologically salient in the way Goldberg claims it is, even *absent* defeating

conditions. The account of silent implicature, then, is able to explain both how and what silences can communicate on a case-by-case basis, while still adhering to a theoretical framework built on Grice's general assumptions about cooperativity in conversations. Silent conversational implicature can explain cases where silence communicates assent, dissent, or something else altogether without appealing to anything like NSR.

Referring back to the various ways in which we might object to Goldberg's discussion (a)-(d), I have (a) considered that silences *can* be a form of signalling disagreement, doubt, or dissent (even absent defeating conditions); (b) put forward arguments disagreeing with the idea that silent rejections are always uncooperative moves in a conversation; (c) discussed why there is no moral entitlement to expect No Silent Rejection; and (d) discussed how the messages we intend to convey with silence don't always come down to either assent or dissent.

Now, while I think that it is useful to reconsider silence in this way, I also think that it is important to pay some more attention to silent dissent specifically. Silence dissent has, of course, come up already. I've looked at how silent implicature allows us to understand dissenting silences, but also how silence can bring across assent, as well as communicating ideas that go beyond that. In the second part of my discussion on *Silence, Assent* and *Dissent* in the following chapter, I'll engage more with the idea of disruptive and dissident silences and their political role by referring to criticism of Goldberg by Alessandra Tanesini and several further claims made by Jennifer Lackey.

5. Silence and Dissent

While dissent did play a role in the previous chapter, the discussion was less focussed on how silence can manifest *dissent*, and more on how to reject the claim that silence *standardly* means *assent*. Here, I want to approach this discussion from the other direction by focussing on dissent specifically.

There are many reasons why the issue of silence and objection deserves more attention – if only because it is a recurring theme in political discourse: E.g., in the 1980's the organisation ACT-UP (The AIDS Coalition To Unleash Power) titled one of their most famous projects "Silence = Death" to draw attention to HIV/AIDS and a lack of government action to counteract the epidemic (see Liclair 2015); during Black Lives Matter protests we've heard the slogan "White Silence is Violence" or "Silence is Compliance", alerting us to how silence can permit, license, and even enact racism and racist violence (see Lambert 2020; see Capatides 2020), and feminists still have to assert that "Silence is not Consent" alongside "No means No" or "Only yes means yes". While the latter example makes it clear that silence shouldn't *always* mean assent, it also makes sense that, in its capacity as a *failure to speak up* or as a *refusal to address pressing issues,* the discourse has often understood silence as something *negative*. E.g., when Lambert (2020) addresses white people on taking a stand and educating themselves about racism, he writes that "[w]hat you need to understand is why you are silent, why you are not an ally, why you permit our oppression and persecution."

Among other things, I'll use this space to think more about how applicable, useful, or desirable dissident silences might be in varying contexts: In the first part of this chapter, **5.1.**, I'll introduce an account by Jennifer Lackey (2018a), who draws our attention to the need to understand silent dissent (and assent) in non-idealised ways, starting from considerations regarding our duty to object. I'll relate her arguments back to Goldberg, pointing out how she disagrees with him, and think further about what we should take from this discussion in order to fully capture the related issues surrounding silence and dissent. It's worth noting here that Lackey doesn't attempt to theorise about *how* we communicate with silence. She is more concerned with the ethics and non-ideal starting points of how we *practice* objections, than with establishing an account of how communicating with silence works. So, **5.2.** will be devoted to a more detailed discussion of Tanesini's (2018) *Eloquent Silence: Silence and Dissent,* which does introduce such an account. In her discussion, Tanesini (2010) departs from Goldberg, presenting an alternative interpretation of silences, specifically by focussing on "eloquent" silences as illocutions with speaker meaning as well as *dissenting* eloquent silences (see ibid., 110). In the following, I will contrast the account of silent

conversational implicature with her approach – while I believe that Tanesini puts forward a persuasive response to Goldberg, I think that there are some cases of conversational silence the account of silent implicature will be better suited to make sense of.

5.1.   Lackey on Non-Idealised Objections and Silences

Let's reconsider case **(11)**, which we saw earlier:

> **(11)** A group of co-workers have a meeting, and Berty is facilitating the discussion. They are going back and forth about who will solve some computational problem. During that exchange, Danny says something like "Women just aren't good at maths". Berty only responds with (conversational) silence and moves on to the next point in discussion.
> D: "Women just aren't good at maths"
> B: [...]

Previously, we thought about how different possible contexts would require different interpretations of this example:

> *Option i.*   Berty intends to communicate disagreement with Danny to everybody in the audience, including Danny.
>
> *Option ii.*   Berty intends to communicate agreement to Danny, and disagreement to the rest of the audience.
>
> *Option iii.*   Berty intends to communicate agreement to the entire audience (including Danny), but only Danny ends up understanding it as such.
>
> *Option iv.*   *in new context*: Berty intends to communicate disagreement with Danny to everybody in the audience, including Danny.

We can see that, while somebody might want to communicate dissent to the sexist statement (with "cold", dismissive silence), there are also situations where silence could bring across agreement. For now, let's consider a different, yet related, question: How do people's duties to *object* to this statement vary? And how does this impact on our ways of using silence (as dissent) in such situations? If, for instance, one of the people present was a senior member of the firm, while another is a new intern, one of the only women of colour in the whole office, do they have the same duty to object to the sexist remark?

In light of questions like this, Lackey (2018a) argues that Goldberg's assent interpretation of silence is misguided along the lines of ideal theory: She highlights the problems of ideal theory in a first step, explains what she calls Goldberg's *Cooperative Conversation View* in some detail in a second, and then gives her non-ideal account of the duty to object and its relation to silence in a third. Her central argument is that we ought to take into account the social status of the people involved in a

conversation, how social, political, and cultural contexts shape interactions, and how this impacts on what we are and are not entitled to infer from silence. Our duty to object, Lackey argues, needs to be understood in non-idealised ways, to avoid excluding "the way that things are in the actual world, especially for those who are systematically marginalized" (ibid., 82). Our *starting point* should be a non-ideal theory of conversational exchanges (rather than considering non-ideal circumstances as deviations from the norm), which can account for the presence of power structures, oppression, cultural difference, and in turn show that our *objecting* might be a privilege that not everybody can afford to the same extent, impacting the way in which we are or aren't able to use silence (see ibid.). In response to Goldberg specifically, she thinks that silence *should not* standardly be thought of as communicating assent. However, as we will see, it is not her aim to provide a theory of *how* we can communicate with silence. Rather, Lackey's account contains a critique of the ideal assumptions that go into Goldberg's account and how they impact on the *duty to object*. I'll now proceed to reconstruct her account, and to then think about what this tells us about the limits on silence and dissent (in the context of silent implicature) specifically.

Silence and Objecting: The Problem with Cooperation

Let's start with Lackey's (2018a) criticism of the notion of *cooperation*. According to her, "there are independent reasons to reject Goldberg's account, both of what can be inferred from silence and what this reveals about our duty to object in conversational contexts" (ibid., 91). The *Cooperative Conversation View* not only reflects an idealised approach in itself, but also gives rise to an *Ideal Theory of the Duty to Object* (see ibid.).[59]

As we can recall, a great deal of Goldberg's claim relies on the view that people *ought* to object explicitly when they do not agree. According to him, silence cannot be this kind of objection, because a silent reaction doesn't do justice to our obligation to voice dissent explicitly, and would, moreover, *not be cooperative*. Given that people are entitled to expect to be treated cooperatively in conversations, people are also entitled to take silence to mean assent. According to Lackey, however, it is misguided to assume that interlocutors *will* actually generally view each other as cooperative and will *try to make sense* of what their conversational partner tries to bring across. These preconceptions about how conversations work and how people behave in them do not consider

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[59] Lackey uses different terminology to describe Goldberg's account than I have used in the previous chapter. *Default Entitlement to Assume that Silence Indicates Acceptance* (DESIA) in her terminology is synonymous with *No Silent Rejection* (NSR) in mine, and *Cooperative Conversation View* should likewise be understood as synonymous with *Assent-interpretation of silence*.

the role of identity prejudice, hierarchies, power structures, or other forms of marginalisation (see ibid., 90-91).

For example: It could be the case that somebody with greater power, and a good bit of identity prejudice against a certain minority group A, will not put any effort into interpreting the utterances of a member of A in a cooperative way. They might simply *not try* to make sense of what their conversational partner wants to bring across, and, depending on the situation, they may not view them as cooperative in the first place. Or, recalling example **(11)**, someone (in this case Danny) making a sexist comment might not see their female colleagues in a cooperative light from the start (which would further impact *their* ability to object to his comment). However:

> "If our theoretical starting point is not a conversation in which everyone has the privilege of being cooperative, but, rather, one in which features of the actual world take center stage – such as power, oppression, job insecurity, limited resources, cultural differences, and so on – we do not end up at a place where inferring assent from silence seems plausible. Instead, we find ourselves recognizing that objecting is often a luxury, one that not everyone can afford to make" (ibid., 91).

So, what plays a central role in Lackey's account is the notion of *social status* (ibid., 92). Our social status is far reaching: It can include "properties that contribute to differences in power, paradigmatic examples of which are race, sex, gender, and class" (ibid.), as well as those properties that are epistemic in nature (e.g., authority or expertise that come along with professional roles) (see ibid.). Ideal theory, however, tends to *obscure* these aspects (see Mills 2017; see Lackey 2018a, 83): If we idealise the way the world *actually* is and how its institutions, people, and systems work, we will arrive at a unrealistic picture of the world, "including (i) idealized capacities, (ii) silence on oppression, and (iii) ideal social institutions" (ibid.). E.g., assuming that our justice system works in a perfectly fine way and that lawyers, judges, and police are without any bias, we will arrive at a very different picture than if we account for the *actual* ways these systems work (see ibid.). In contrast, although ideal theorists can (and sometimes do) take into account non-ideal features of the world at some level, scholars of non-ideal theory try to *start from* the way in which oppression and marginalisation influence our day-to-day life, aiming to develop theories sensitive to these issues. This is the central difference between what Lackey puts forward, and what Goldberg proposes: As mentioned before, Lackey stresses that we need to start from the non-ideal aspects of the world, rather than treating them as deviations from the norm. And as such, according to her, Goldberg's *Cooperative Conversation View* and his view of a *Default Entitlement to Assume that Silence Indicates Acceptance* (DESIA) (see ibid., 84) have *precisely* these problems of ideal theory.

Goldberg works from the assumption that interlocutors will *usually* regard their conversational partners as cooperative and that they will try to make sense of what they want to bring across.

According to this, viewing our conversational partners as uncooperative or interpreting them in an uncooperative way is a rare deviation of an ideal, while in fact, according to Lackey, this is quite common (see ibid., 86). The very fact that conversations do not work in this idealised way undermines Goldberg's assumption that we always have a duty to object and that this duty is the same for all of us.

A Non-Idealised Duty to Object and the Role of Silence

Does somebody who is unfairly preconceived to be a genuinely uncooperative conversational partner have the same duty to object as somebody who is considered to be cooperative and who is being interpreted in that way? If we can show that we *do not* have a moral obligation to explicitly voice dissent in this kind of case, this undermines the entitlement to expect *no silent rejection*. When there is no moral right to expect that one explicitly utters their dissent, we aren't justified in assuming that absence of such explicit refusal means agreement.

According to Lackey (2018a, 92), we *first* need to realise that *if* our duty to object is influenced by our social status, then different people will have different obligations to object: individual duties will differ from each other. Similar things can be said for the silence case: Silence cannot by default convey acceptance "because what silence indicates is normatively linked with the particulars of the individual who is silent" (ibid.). For example (see ibid.):

> **(30)** Suppose a tenured professor makes a sexist remark. There is another tenured male professor present, but also his black female junior colleague with less job security and authority. The professor's duty to object is greater than hers, and her silence should not be taken to communicate dissent by default. Their silences mean something different.

Lackey considers this (1) from an *epistemic* and (2) from a *moral* point of view: (1) The *epistemic* viewpoint requires us to consider that "with great power in a domain often comes greater authority, and thus an increased likelihood that one's testimony will have an effect" (ibid.). This could mean that a professor with a lot of authority might have more epistemic impact if he objects (or if he fails to object). If we assume that we have a duty to promote true beliefs and reject false ones, and that the male professor's comment can serve this duty to a greater extent, his duty to raise his voice is therefore greater than that of his female junior colleague (see ibid.).[60] Given the fact that "one of

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[60] Note that Lackey *doesn't* reject the idea that we *do* indeed have a duty to object. She even holds that we not only have obligations with respect to our *own* beliefs, but that we are clearly to be criticised if we knowingly promote or permit false beliefs *in those surrounding us* (see Lackey 2018a, 93). But her point is that some people will have a *greater* duty to object (e.g. due to their position and privilege in the relevant context) than others.

the central epistemic goals is to maximize true beliefs and minimize false ones, it follows straightforwardly that those whose voices will have a greater epistemic impact have a greater duty to use them" (ibid., 93). This isn't to devalue the voices of those who are already marginalised, but to note that it will often be *supererogatory* for them to object, while the objections of privileged people could be considered the "bare minimum" (ibid.). This is connected to (2), the moral level: For Lackey, it seems clear that

> "there is more moral pressure for the tenured, white, male professor to object to the sexist remark than there is for his junior colleague, both because he has the social standing to bring about greater positive change and because there is less risk of harm for him. […] Moreover, the stakes are typically far lower for those with higher social status, rendering them less vulnerable for speaking out, especially about contentious matters" (ibid.).

Second, members of marginalised groups carry the burden and pressure of constantly having to explain their experiences and challenge racism or sexism around them at both systematic and individual levels – this epistemically asks much more of them than of more privileged subjects (see ibid., 94): In other words,

> "[g]iven that those with lower social status are typically already shouldering a greater epistemic and moral burden in simply trying to navigate a system designed to exclude or oppress them, those who do not face these barriers should step in and take on more when possible. Objecting to what one takes to be false or unwarranted is precisely an area where this can and should be done" (ibid.).

Lackey (2018a, 86-89) identifies five ways in which we end up at a different theoretical starting point, if we reject Goldberg's idealised view, which makes marginalisation, exclusion, and power structures theoretically *invisible*.

(a) *Objections with traction*, that is, effective objections, are limited epistemic goods (see ibid., 86). We can understand *objections* as assertions that are added by somebody to the conversational context and common ground in order to correct the record of what has been proposed or said previously. Objections with traction, then, "cannot be systematically ignored or silenced by the members of the conversational context" (ibid.).[61] The qualification of "systematically" is important here because

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[61] Although Lackey does not give a full account of how to understand objections with traction, she provides some examples of the various ways in which we can understand then: "objections […] with traction typically involve more, though what this "more" involves can take on different forms. Sometimes, objections with traction are ones that are accepted by at least some members of the conversational context. Other times, they will have weaker functions, such as sowing seeds of doubt about the targeted proposition, or being factored into the overall evidential basis of the beliefs of the audience members. Still others will be such that they are not immediately rejected or defeated." (Lackey 2018a, 86).

we need to notice that objections are structurally effective only if they are factored into the evidential basis of the conversation, discussion, or corresponding belief (see ibid.). It's exactly *because* such objections with traction *are* limited goods that remaining silent in a situation where we think (verbal) objection would be due can "be the result of a simple cost-benefit analysis due to limited resources" (ibid.).

(b) This cost-benefit analysis can be influenced by differences in status and power as well. The fact *that* marginalised people often have fewer epistemic resources (e.g., prisoners lack the social power of correctional officers) means that sometimes silence "might not be merely the result of choosing to be careful with one's epistemic goods, as we all do at times, but instead due to social structures that make objecting impossible, difficult, futile, costly, and so on" (ibid., 86-87). This point also stresses the extent to which marginalised people sometimes cannot even choose to object or resist with their words *because* they are silenced (see ibid., 87).

(c) Silence can fail to indicate acceptance because of psychological or cultural differences: As Lackey points out, some people are conflict-averse or shy, while others tend to protest loudly whenever they encounter something they do not approve of. Similarly, some cultures tend to encourage the latter qualities, while some cultivate the norm to abstain from explicit debates (see ibid., 87-88).[62] Their silences *mean* different things.

(d) There is a semantic and functional sense in which silence doesn't mean acceptance. Uses of silences *compete* with each other: while there *might* be standard ways in which we use silence to show acceptance, there can *also* be standardised ways to use silence as disapproval (see ibid., 88). E.g., think about the use of "the silent treatment" of disapproving parents towards their children, and contrast this with instances where parents silently tolerate the new fashionable outfits of their kids.

(e) Finally, "silence might be the result of purely pragmatic factors" (ibid., 89). We might be silent during a conversation not because we want to communicate something with it, but because of distraction, exhaustion, different priorities, or simple preoccupations (see ibid.).

In light of all of these points, it seems implausible to view silence as *standardly* meaning acceptance: On the one hand, reasons *for* silence are highly heterogeneous and do not display a standard use or mode of interpretation. On the other hand, the reasons for different silences *aren't transparent* (see ibid.). Especially points **(c)** and **(d)** point to a more diverse range of meaning that can be associated with silence. So, in holding that we have to understand our duty to object in a non-idealised way, Lackey argues that interlocutors *do not* have a moral entitlement to expect that everyone always

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[62] These norms can also vary within cultures – e.g., while many cultures find it acceptable for men or boys to object, it's deemed inacceptable if women or girls do it.

voices their dissent. Given that the absence of such explicit disagreement can be due to *social status*, we also do not have the moral entitlement to expect No Silent Rejection.

How could Goldberg come back to this? After all, we might want to argue that he accounts for precisely cases like this by introducing various defeating conditions under which we are not entitled to take silence to mean assent, e.g. when the conditions of *Non-Conversation* or the *Outweighing Explanation* hold. However, even though Goldberg qualifies his account with defeasibility, there are still challenges along the five points Lackey brings up.

For one, as already pointed out, "defeating conditions" should "pick out the non-normal or unusual against a background of what is normal, the latter being the default" (ibid., 90). The *Cooperative Conversation View* holds that silence *normally* indicates acceptance – everything else is a *deviation* from this norm. But as we have seen, it neither seems that silence indicating acceptance is a standard empirical practice, nor that it is a reasonable normative standard (see ibid.). So, there is a "significant range of explanations for silence, especially ones that are dependent on diverse features, such as social status, race, culture, personality, mood, daily events, and so on" (ibid., 89). Second, in order for an instance of silence to mean acceptance, "not only does it have to be the case that there is the norm to object that Goldberg describes, but it also needs to be followed with at least some generality and regularity" (ibid., 91). For Lackey, this means that conversations generally need to be cooperative, because according to Goldberg it is only the uncooperative nature of silence enabling us to take assent or acceptance from silence (see ibid.). However, Lackey thinks that, as I've discussed above, for one, we don't have sufficient reasons to assume that conversations are normally cooperative or that everybody is normally in cooperative conversations and, second, that silences are result of heterogeneous factors with usually opaque reasons (e.g., how can you infer assent from someone's silence if you don't even know whether they are part of a cooperative conversation?) (see ibid.).

In sum, Lackey (2018a, 94-95) urges us to think about the duty to object in a non-ideal framework, stressing that "one's social status plays a significant role in whether one has such a duty in the first place, and relegating the differences between us in social status to "defeating conditions" masks the critical role they play in our normative lives." While she *does* hold that we all have a duty to raise dissent, we do so in varying degrees. Hence, we "cannot determine when we ought to voice dissent without first looking carefully at our position of power and privilege, or lack thereof" (ibid., 95). As such, Lackey provides crucial responses to Goldberg's account.

The Importance of Considering the Non-Ideal

Lackey brings forward crucial points any account discussing the conversational role of silence should consider. We shouldn't forget just how strong the impact of oppression and power structures can be on our conversation, and Lackey is effective in reminding us of this. However, I think that there is more we should say about the *possibility* of silence being a form of living up to the (relative and non-idealised) duty to object. It is not entirely clear from Lackey's discussion whether she thinks that the plethora of things silence can communicate can ever *reliably* be figured out by interlocutors, or whether we should give up on trying to find a strategy to analyse silences altogether. At times, it sounds as if Lackey is going in this direction, e.g. when she points out that it's often difficult to tell if members of your own family are preoccupied with something (and might be silent therefore), let alone all of the other people one meets in day-to-day interactions (see ibid., 89). Other times, it sounds like she favours a disaggregated interpretation of silence, one that takes into account the many different contextual features that occur in our conversations and beyond – e.g. when she points out how silence in various cultural contexts (e.g. Japanese culture) might mean dissent at some times and assent at others (see ibid., 88), or when she refers to Jensen's (1973) taxonomy of functions of silence. So, while I think that Lackey provides essential criticism of Goldberg's account, I think that, without establishing *how* we are to interpret silences in ways that do not rely on a standard interpretation, our discussion only touches part of the problem.

I think that the account of silent implicature can address this at least to some extent. However, it is possible that Lackey would also take issue with the assumption of cooperativeness underlying the theory of implicature overall. To this, I would respond as follows: I agree with her that it's central to acknowledge that the assumption that everybody is always cooperative in conversations, where cooperativity is understood in a strong sense, would be misguided and indeed exclude a large number of instances which we ought to consider. And, in fact, I have attempted to account for the *need* to consider power dynamics by re-working and "disentangling" the framework of implicature – allowing us to account for different "levels" of implicature and other political aspects of implicating with silence. E.g., I've discussed ways in which utterer- and audience-implicature can come apart in crucial ways, but also pointed out how our understanding of cooperativity (for the sake of implicature) doesn't *need* to be a very strong one (e.g., we can have a level of cooperativity that allows for implicatures when we're quarrelling). I'm not sure if this would satisfy Lackey's point that we ought to *start from* the non-ideal. But I think it is an attempt, at least, to make complex, less-than-ideal circumstances, the centre of what we ought to explain, and model existing theories in a way which accounts for this.

Moreover, though, I think it is important to explain *how* we communicate with silences (a task Lackey doesn't take on, as we have seen). While Lackey rightly points out that silences can communicate and they have various, complex and multifaceted meanings, and while I do agree with her that Goldberg's assent interpretation fails to account for that, she doesn't present an alternative interpretation of how to we can communicate with silences – *nor is that her aim.* The importance of her points is clear nonetheless: Indeed, accounts that work on how we can communicate with silence should consider carefully how silence in the context of injustice is closely intertwined with our duty to object. We shouldn't theorise about silence and dissent, or silence *as* dissent, without taking into account how and when we have a duty to object, and how and when silence can live up to that duty. What silent implicature can offer is an alternative interpretation to Goldberg, an interpretation that allows us to centrally account for at least some of the complexities that arise with how we use silences in the real world.

So, to close this section, I want to briefly explore three more points related to the complexities of conversational silences: **a.)** While silent dissent is possible, it might not always be enough; **b.)** while privileged people do have a greater duty to speak up, there are also situations where they *ought* to be silent; **c.)** we need to consider the role and possibility of silent dissent from marginalised people.

a.) I think that it is fair to say that silence cannot fulfil our duty to object at all times, even if it can be an effective means to bring across disagreement sometimes. The stakes are high in contexts and situations of injustice. So, while I think that we indeed *can* dissent with silence, this of course doesn't mean that we will always be *successful* in dissenting with silence, nor that we always *should* dissent with silence. This means that we need to recognise that silent protest has its limits. While it's possible that, at times, not even treating a harmful comment as a point of discussion can be a productive way of rendering it ineffective, we should not be led into thinking that this is always the case. Silent protest like that can easily misfire and leave a harmful comment unchallenged. So it is surely right that, when it comes to certain situations characterised by injustice (e.g. where somebody says something overtly racist), somebody's (e.g., white people's) silent dissent might not be *enough*. Even if it is our intention to object silently, we actually *do* disagree, and some of the people present know that this is the only way they can understand our silence, it still could still not be enough: E.g., in certain situations, something like appalled silence could indeed only be one *initial* thing we can do, but this may need to be followed up with more explicit disagreement. Moreover, we cannot deny that silence *can* be ambiguous – just because it isn't always ambiguous and unclear, this doesn't mean that it never is – and, in situations where it's crucial that we are understood, it might leave things too up for interpretation. Here I agree with Goldberg that silence *could* even end up being interpreted as agreement to injustice. Similar things, however, can be said for certain kinds of *explicit* speech: It's true that, if understood correctly, a sarcastic comment can show that we think a

particular statement is ridiculous, that we disagree or find it unacceptable. But there's always a risk that the sarcasm won't be understood, and beyond that we might want to maintain that sarcasm actually isn't enough to object to something that really *is* that bad. And, of course, similar things can go for silence. Our silent objection will not always do. But, as we've already discussed, this doesn't mean that it will always be unreasonable to expect a silent rejection.

Moreover, what we should realise, in addition to what we've already discussed, is that not *everybody* has the same duty to object: Following Lackey's proposal of "a non-ideal duty to object", we can argue that privileged individuals' duty to speak up is greater in certain situations. However, at the same time, there are instances where privileged people should remain silent nonetheless, even in contexts of injustice.[63] Let's think about how this further impacts on our discussion of silence and dissent.

b.) We've heard before that, according to Lackey, privileged people have a greater duty to speak up than marginalised people, partly because they have more resources with which to perform *objections with traction* (see Lackey 2018a, 86). However, it seems that there are cases where privileged people *should* indeed remain silent, even if they disagree or feel the urge to make their disagreement public, in order for those who are affected by the injustice *to get a chance to be heard.* The fact that objections by privileged people will have more traction than objections by those who are actually affected by the injustice is a very frustrating one. We can be trapped in something of a double bind: E.g., while the fact that an objection to an ableist comment could lead to more actual changes when coming from an able-bodied person rather than a disabled person, it also reinforces the idea that disabled people can't speak for themselves, don't know what they need, or how to articulate it. Similar things go for situations characterised by racism or sexism. This can spiral into situations where someone's explicit dissent, well intentioned as it might be, ends up causing more harm to the original target of an injustice. But of course this situation is not an easy one: If we recognise our privilege, privilege that makes it safe for us to speak up, we also ought to *use* this in order to support others. But it can also mean that sometimes we miscalculate. So, it might be that remaining silent, but *being ready to speak up* should the situation escalate further, could be an effective strategy to avoid taking away the voices of the marginalised.

This, of course, will be context sensitive, and I doubt that there is a reliable recipe that indicates to us how to behave in various situations. But when talking about silence, dissent, and our duty to object, we should at least recognise the problems with the fact that we live in a society that

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[63] Yet, it is often the latter who raise their voice, even though they might be the ones who are under attack or structurally marginalised.

structurally overvalues the voices, comments, and opinions of privileged people and structurally undervalues voices, comments, and opinions of the marginalised. None of this is to say that privileged people should not speak up, but I wish here to emphasise the need to elevate the voices of the marginalised and to challenge and call out the tendency to undervalue certain voices. And it is still true that objecting for those who are already marginalised, or the target of an injustice, is often supererogatory (ibid., 93). However, while the privileged *do* need to object to injustices with the tools that are available to us, we also need to use those tools with care. As Lackey (2018b, 13) points out in a related article on the duty to object, given that we often only have so many objections with traction (and some surely have more than others), our use of them will be influenced by the social world around us. We cannot object to *everything* for mere pragmatic reasons, and "if others have already weighed in, it may be best for me to conserve my voice for an equally problematic moment when no one has registered an objection yet" (ibid.).[64]

Finally, **c.)**: If we hold, as I've argued over the course of this thesis, that silence can communicate all kinds of things – assent, dissent, and many others – and we also agree with Lackey that we are not usually entitled to assume that the silence of the marginalised is agreement, we also need to consider how these non-ideal realities of our day-to-day life influence people's abilities to communicate *dissent* with silence. We cannot assume that any marginalised person who tries to communicate dissent with silence will be understood. Silent dissent cannot be used by everybody in the same way – which isn't to say that silent dissent is impossible for the marginalised. Let me consider some aspects of this here.

Note first that, at times, silent dissent can be the only safe option for marginalised people. I have already touched upon this issue when I discussed silence and deniability in *Chapter 3*. As I pointed out there, attempting to dissent with silence might be a safer way for some marginalised people because it can allow them to maintain a certain level of deniability *should* they get attacked for their (silent) dissent. But, and this also relates to the issues mentioned in **b.)** above, we also need to recognise that, sometimes, silent dissent might only be a limited possibility for marginalised people. Especially in cases where you're *expected* to be silent (because it was somebody's *aim* to silence you), it is unlikely that your silence will count as dissenting for your oppressor. And, as I discussed previously, if you remain silent because you think that speaking up would be unsafe for you, this is

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[64] I think it's worth pointing out that objection with traction *with silence* is a possibility, as we have seen e.g., with example **(23)**, where a father objects silently to his daughter's decision to get married. The extent to which these silent objections with traction are a possibility in very grave situations of injustice is a different question, but I don't think they are impossible: Silent protests have been a commonly chosen tool of dissent for a long time, and surely have caused quite a lot of impact at times.

already an injustice in itself. But more generally, this ties back to some of what Lackey says about silence and assent: If your interlocutor is seeing you in a generally uncooperative light (maybe due to your identity), they might be inclined to *misinterpret* your silence (perhaps taking it as uncooperative). And this, we need to realise, doesn't just go for assent, but also for dissent. As Lackey points out, dissent might be pricey. Not only is it something not everybody can *afford* to do, but not everybody is always *able* to do it (see Lackey 2018a, 91).

Keeping the points made by Lackey in mind, I now want to move on to discuss an account by Alessanrda Tanesini (2018). Her discussion also takes issue with Goldberg's account of NSR, but in addition she presents an alternative way to understand *how* we communicate with conversational silences. In the following I want to present and discuss this account, both in relation to Goldberg's arguments, as well as to silent conversational implicature.

5.2. Tanesini on Eloquent Silences

Tanesini's account is worth discussing here for various reasons: Not only does she present an alternative way of understanding silences as communicative acts, but in doing so she presents a persuasive counterproposal to Goldberg and provides an interpretation of silences as dissent *specifically*. I'll now go through her account step-by-step, considering how she responds to Goldberg's claims, including his arguments that silence will standardly mean assent, lack reflexive intentionality, and that silent rejections are uncooperative. I'll further contrast her account with my approach of silent implicature: While I think that Tanesini puts forward a persuasive response to Goldberg, I think that there are some cases of conversational silence which the account of silent implicature will be better suited to make sense of.

Silences as Illocutions

An important starting point is Tanesini's (2018, 110) particular notion of *eloquent silences* – these "(i) are illocutions and (ii) are intended to communicate." They are to be distinguished from silences that *don't* communicate, silences that communicate (but not in virtue of being speech acts in their own right), and acts that are non-verbal but still not *silence*. For instance, "some behaviors which are not vocal are nevertheless not silence because they constitute linguistic or verbal behavior which deploys non-acoustic means of communication" (ibid., 110-111), including writing, sign-language and gestures. Such actions are verbal, even if carried out silently (see ibid., 111). Putting this together, we can say that (eloquent) "[s]ilence, then, is non-acoustic behavior which is also non-verbal" (ibid.). Other non-communicative silences might occur when we are asleep, sitting next to

strangers on the plane or in the library, when there's a loud noise, or we are rendered unable to speak etc. (see ibid.). Some silences *are* part of conversations but don't have a distinctive communicative function, like when we pause to swallow or to breathe. And yet others "can be taken as evidence of the mental state of the silent person without being themselves communicative acts" (ibid.). E.g., we might interpret longer hesitations as evidence of indecision and, as such, as a possible source of information, but still not communicative (speech) *acts*. These silences, then, can be distinguished from the ones Tanesini is mostly interested in, namely those

> "that, on the face of it, are eloquent because they communicate something to interlocutors. Such silences are usually instances of elicited illocutions or example of resisting elicitation. Silences can enact many different illocutions. Prominent among these are refusals to be drawn into some conversation and announcements that one is opting out of an existing one" (ibid., 112).

In the next section, I will spend some time explaining what Tanesini means when she says that silences are "instances of elicited illocutions or examples of resisting elicitation" (ibid.). First, however, I'll consider how she argues that eloquent silences are illocutions in their own right by drawing on Gricean and (non-Gricean) accounts of speaker meaning. We've already heard some discussions about this in *Chapter 2*, where I've referred to Gricean speaker meaning to introduce silent audience- and utterer-implicature following Saul (2002). As we heard there,

> "By uttering *x*, *U* meant that *p* iff for some audience *A*
>
> (1) *U* uttered *x* intending *A* actively to believe the thought that *p* (or the thought that *U* believes that *p*)
>
> (2) *U* uttered *x* intending *A* to recognise that *U* intends *A* actively to believe the thought that *p*
>
> (3) *U* does not intend *A* to be deceived about *U*'s intentions (1) and (2)." (Saul 2002, 231-232).

In other words, I can assert *p* in performing some kind of speech act. In doing so, I might intend to make my interlocutors *believe* that *p*, and hence I want them to realise my intention that I *want* them to believe *p* (see Tanesini 2018, 113). Illocutions, then, "would be those actions which count as a speaker meaning something", e.g. if I "assert that *p* by performing an action *A* (e.g., uttering *p*) intending to make my interlocutors believe that *p*, and form that belief as a result, at least in part, of their recognition of my intention to make them believe that *p*" (ibid.). And, as we have already seen in *Chapter 2*, it appears that silences can have this structure too. To quote Tanesini (2018, 113-114):

> "A speaker may remain quiet after having made some utterances intending (i) that her interlocutor believes that he is invited to speak, and (ii) that her interlocutor recognizes that (i) is her intention; but also (iii) that her interlocutor comes to believe that he is being invited to

speak partly at least because he recognizes that this is her intention. Her silence is an invitation which communicates that it is the interlocutor's turn to speak."[65]

This relates to a discussion we have already had before, when I attempted to refute Goldberg's (2020) arguments that silences lack reflexive communicative intentions. Tanesini's claims back this up. For example, somebody might keep silent "after a friend has asked whether she is still mad at him" (Tanesini 2018, 114). While it seems right that this person intends (i) that her friend believes that she's still mad, and (ii) that he recognises that (i) is her intention, she doesn't need to intend (iii) that he *believes* that she's still mad through him recognising her intention (as Gricean speaker meaning would require) (see ibid., 114-115).

Tanesini does acknowledge, however, that there are *some* eloquent silences that "do not appear to require reflexive communicative intentions" (ibid., 114) in the Gricean sense. This means that it's not *always* the case that eloquent silences come with the intention to produce an effect "in the audience partly at least as a result of the audience's recognition that the speaker intended to produce it" (ibid.). The previously mentioned broken vase example would be a case of this reflexive intention being absent (see Grice 1989, 218). Likewise, the person who remains silent because they are still mad at their friend might be "happy enough if his belief is based on the observation of her behavior rather than the recognition of her intention" (Tanesini 2018, 115).

The possibility of such a case means that some instances of silences would not be illocutions *according to Grice*. In order to address this worry, Tanesini refers to an account of illocutions that doesn't "require that the speaker intends to produce an effect in her audience" (ibid.) by referring to Green (2007). Green (2007, 74) holds that speaker meaning is a matter of "overtly showing" one's commitment to a particular content under some given illocutionary force. This is to say, in Tanesini's words, that "a person S means that *p* with illocutionary force ϕ if and only if S performs an action *A*, intending to manifest one's commitment to p under force ϕ and that this intention is also manifest" (Tanesini 2018, 115): *A* keeps silent with the intention to publicly manifest her commitment to *y*. This, then, is self-referential, because it's not just about making the commitment to *y* manifest, but also to making it publicly *visible* that this is *A*'s intention (see ibid.). According to Tanesini, eloquent silence fits this account: Somebody keeps silent with the intention to make

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[65] Note that Tanesini's understanding of silent speaker meaning seems to be somewhat different from how I worked it out in *Chapter 2* (p. 39). I don't think we need to require somebody to remain silent *after having made an utterance* (see Tanesini 2018, 113) in order to understand their silence as having speaker meaning. As we've seen, I think that we also have good reasons to understand silences as having speaker meaning if the silence is in response to somebody else's utterance, such as a question or comment. However, since it seems to me that Tanesini draws this same conclusion, I think that we can see our interpretations of silences as having speaker meaning in alignment nonetheless.

publicly discernible one's commitment to something, such as needing more time to think, undermining authority, or that they are still angry.

This is enough to show, according to her, that there are at least *some* silences that involve reflexive communicative intentions in a Gricean sense, and others can be readily explained with adjacent accounts of speaker meaning and illocutions, even if we can't claim reflexive intentionality for *all* silences. This, then, serves as a reply to Goldberg's claim that silences in conversations generally do not have non-natural meaning in a Gricean sense and aren't acts with reflexive intentionality: Tanesini's analysis of silences as illocutions, motivated by Gricean speaker meaning, shows that they *can* be understood as speech acts with reflexive intentionality.

However, a full response to Goldberg needs more than to show that silences can be (intentionally meaningful) illocutions. If we want to hold on to the claim that silences themselves can be a form of disagreement (or something other than assent), it seems that we need to ask how we actually *communicate* with (eloquent) silences. As Tanesini (2018, 115) points out, we have seen that "the same action – being silent – can constitute a plethora of different illocutions with very different contents." *Because* of this, however, it is still "hard to fathom", as Tanesini writes, "*how* silent agents can make publicly manifest one among many different possible commitments. It is equally mysterious how audiences are able to recognize agents' intentions in keeping silent. Yet, silent communication regularly succeeds." (ibid., my emphasis). According to Tanesini the best explanation is that we understand eloquent silences based on the fact that they are often "either elicited or a way of resisting elicitation" (ibid.). I'll discuss how to understand this in what follows.

Elicited Silences and Silently Resisting Elicitation

If we were to call Goldberg's account of silences the "assent interpretation" of silence, an adequate name for Tanesini's arguments would be "the elicitation model" of silence. As mentioned above, Tanesini writes that it's compelling to think of silent illocutions being produced "either in order to fulfil at least some [of] the intentions of the speaker whose speech elicits them, or to resist such elicitation" (ibid., 116), especially considering that "by themselves all silences are the same" (ibid.). If we want to account for the varied nature of silence and hold that silences are, as Tanesini argues, illocutions in their own right, we need to think of them "as an element within a structured sequence of illocutions" (ibid.). Of special interest here are *adjacency pairs*.

Adjacency pairs are "pairs of illocutions in which the second element is a response to the first which precedes it" (ibid.). Tanesini quotes Searle (1992, 8-10), who discusses the adjacency-pair groupings of questions and answers, requests and their responses, and bets and their refusal or

acceptance. The point is that if an illocution is part of such a pair, the second one is somewhat *elicited* by the first. And, according to Tanesini, many eloquent silences fit this constellation. As such, silences that come in such adjacency pairs are instances of *elicited silences*, and communicate *in virtue* of being part of this adjacency pair. To explain this further, Tanesini refers to Rachel McKinney (2016), who discusses elicitation in her paper *Extracted Speech*. There, she defines "elicited speech as speech that is uttered in order to fulfil a special set of intentions of an interlocutor, or a procedure that functions as such" (ibid., 267).[66] The point is: If elicited speech is produced in order to *fulfil* the intentions of an interlocutor, we need to understand communicative silences in a similar way. According to Tanesini, silent illocutions are often produced to *fulfil* some of the intentions of the speaker whose speech elicits them or are *refusals* of such elicitation (see Tanesini 2018, 116). An example of elicited silence would be silence *fitting* a certain adjacency pairing, where the silence takes on the conversational function the otherwise expected spoken adjacent speech act would have. And silence as an act of *resisting* elicitation, could look like this: When *B* says to *A* "Are you still mad at me", and *A* remains silent, *A* fulfils *B*'s perlocutionary and communicative intentions in *exploiting* the structure of elicitation where an answer would be adjacent to the asked question. E.g., by resisting a police interrogation in remaining silent, one also resists the fulfilment of certain communicative and perlocutionary intentions that are directed towards the person being interrogated (see ibid.): "In this case the nature of A's commitment is specified by the refusal to fulfil at least some of B's intentions; B is able to recognize A's intentions because he has knowledge of his own intentions and of A's apparent commitment not to fulfil them" (ibid.).

This is, in short, Tanesini's answer to the question of *how* we communicate with silence. Now, of course, a proponent of the assent-interpretation of silence might still say that resisting to fulfil certain communicative or perlocutionary intentions is still quite an uncooperative move. And, since we generally expect people to be cooperative, refusing to fulfil such intentions could still suggest

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[66] McKinney's focus in her paper is specifically on the pernicious effects of elicitation, or rather *extraction* of speech: She focusses on the Central Park Five, the wrongful prosecution and conviction of five black and Latino teenage boys, who were accused of raping and assaulting a white woman in New York Central Park in 1989 (see McKinney 2016, Stratton 2015). Amid the wrongful conviction and injustice done to the accused, it's of special note that, in the course of the investigation, false testimonies were *extracted* from the five teenagers. As McKinney highlights, they were *forced to produce speech* in the form of testimonies that incriminated them, and as such they were *harmed in their status and capacities as communicative agents* (see McKinney 2016, 258). Police and investigators failed to treat them "as people capable of choosing when to speak and what to say […]", robbing them "of the intentional agency normally required for communication" (ibid.). According to McKinney, then, "[e]xtracted speech […] is speech that an agent is (in some sense) made to produce. *Unjust extracted speech* is speech that an agent is made to produce that also wrongs her" (ibid., 259).

assent rather than dissent – or it could be a signal that some defeating condition applies. Tanesini, however, has an answer to this. Let me explain her ideas regarding cooperative silences in the next section.

Cooperative and Uncooperative Eloquent Silences

Given what we've heard so far about eloquent silences, Tanesini maintains that they have the capacity to be cooperative sometimes, and uncooperative at other times. Three points are important here: *First*, Tanesini highlights that, even when eloquent silences *end* a period of cooperation, they can be cooperative. She acknowledges that silence as a response to an attempt at elicited speech *can* frustrate certain perlocutionary intentions to *elicit* speech (see Tanesini 2018, 117). But, as such, they communicate their dissent in *cooperatively* pointing out that something is going wrong in the conversation, meaning that the silent individual does not want to engage any further. And this also might be an effective way to signal dissent – e.g., that one doesn't want to engage any further *because* they disagree with what has been said. This goes back to Grice's Cooperative Principle we're already familiar with – that we should make our contributions "such as is required, at the stage at which it occurs by the accepted purpose or direction of the talk exchange" (Grice, 1989, 26) we're engaged in. So, while Tanesini doesn't deny that eloquent silences do sometimes *announce* an end to cooperation, she holds that they do so in a *cooperative* way (see Tanesini 2018, 116). *Second*, she points out that silences can be "maximally informative, relevant and unambiguous" (ibid., 117). E.g., remaining silent to request more time to speak could satisfy the Cooperative Principle, rather than doing so with words (see ibid.). And "[e]ven the silence of the person who is still mad at one is cooperative since it unambiguously and effectively communicates one's annoyance" (ibid.). Finally, *third*, there *are* uncooperative silences, such as "the silence of the dissident and of the protester in the face of attempts to extract information, promises, or other commitments out of them. In these cases the silent objector patently attempts not to make her contribution informative and she resists the speakers' attempts to place some obligations on her" (ibid.).

All these points are crucial: they complicate the picture of how we *practice* conversational silences, extending the picture Goldberg suggests. Moreover, Tanesini's *first* and *second* point in particular allow us respond to Goldberg's claim that silent rejections are uncooperative (and give our audience the moral entitlement to expect No Silent Rejection).

In the next and final section of my reconstruction of Tanesini I want to dedicate some more attention to dissenting and resistant silences specifically.

As indicated, much of what we've heard so far already functions as a response to some of Goldberg's claims. In the last part of her paper, Tanesini (2018, 117) makes these arguments even more explicit, stating "that even if we grant that audiences have a defeasible obligation to make their dissent manifest, it does not follow that such disagreement cannot be communicated by means of silence." It follows that eloquent silences don't have a default of assent, and so this will function as a response to Goldberg's central claim, that somebody who remains silent in the face of another person's assertion will be taken to *assent* to that assertion.

To start with, recall Goldberg's example of the tacit acceptance procedure: According to Tanesini, "[w]e should not, however, draw any general conclusion based on these examples alone since they essentially rely on speech acts known as directives" (ibid.). This means that, in cases like the tacit acceptance procedure (or a priest during a wedding ceremony), an utterer instructs an audience to either speak up or have their silence mean a particular thing. According to Tanesini, such an instruction is a *directive*, trying to get an audience to *do* something (see ibid.). These silences are forms of assent *primarily* because they respond to specific directives, but they "provide no evidence for the view that silence following an assertion also communicates acceptance" (ibid., 118). There are silences, however, that respond to an assertion and clearly communicate *disapproval*. Just think of Grice's example where a guest at a party states "Mrs. X is an old bag", followed by appalled silence (see Grice 1989, 35). As I pointed out in *Chapter 1*, while Grice focusses on the act of changing the subject, the silence itself *also* communicates something – at the very least, that the comment does not merit a response (see Tanesini 2018, 118). As we heard above, this silence is not necessarily a violation of the Cooperative Principle. According to Tanesini, the original speaker who makes the inappropriate remark (in this case about Mrs. X) is the one who violates the Cooperative Principle (this is similar to what Ephratt 2012 argues, as we heard in *Chapter 1*). *They* are the one who doesn't adhere to the general maxims of conversation. The group responding in silence is trying to be cooperative in making it clear that what has been said is unacceptable and that they all ought to move to a different topic of conversation (see ibid.): "Hence, at times, pointed silence is the clearest, most coherent, and helpful way, of communicating to a speaker that some remark of his is beyond the pale" (ibid.). This is relevant in the context of Tanesini's challenge to Goldberg, and in particular the idea that silence cannot be a rejection of an assertion.

The possibility of dissident silences is ignored, according to her, due to two unargued but related assumptions:

> "One is the assumption that silence may indicate something but says nothing. This neglect of
> eloquent silences makes it difficult to recognize the difference between keeping silent and not

remarking upon a claim. Yet, whilst keeping silent is an act, not remarking upon a claim is best thought of as an omission. This second assumption that silence is always an omission rather than an act generates the tendency to conflate what are clearly distinct phenomena: one is omitting to say anything about a claim, often by saying something which continues the conversation; the other is keeping silent when one is invited to speak or is at least in a position to do so" (ibid., 119).

The silences in those two cases needs to be assessed differently. Somebody in the first case might indicate their assent – their willingness to continue the conversation. In the second case, however, the opposite applies: "The person who is deliberately keeping silent, instead, indicates that something is amiss with the conversation which, therefore, cannot continue as normal" (ibid.). Indeed, as Tanesini maintains, silences are *often* markers that something has gone wrong in a conversation, rendering the assumption that silence indicates assent implausible (see ibid.). As such, silences can be tools to "express overtly, and make public, one's dissent" (ibid.):

> "One of the reasons why the prevalence of dissenting silence might have been overlooked is the focus on disagreement understood as having doubts about the truth of a claim, or believing it to be false. But disagreement may take different forms. One may object to an assertion because of the discriminatory vocabulary it deploys. One's censure of slurs or hate speech is not primarily based on their falsity but on the harms they cause (and perhaps constitute). Thus, when confronted with such speech one may want to contest the legitimacy of uttering the words, rather than challenge the veracity of the assertion. That is, one may wish to reject that the oppressive speech contributes to the conversation, rather than to respond to it as a legitimate move which is epistemically defective." (ibid.).

Pointed silence conveying the thought that a speaker is entirely out of order can be an effective way of distancing oneself from a speaker, and making it clear to them that the comment is unacceptable, rather than entertaining them further in a discussion (see ibid., 120). To make this more clear, consider Tanesini's "non-exhaustive and partially overlapping taxonomy of eloquent silences as ways of expressing dissent" (ibid.), which includes the following features:

(a) *Silences in the face of directives demanding speech of someone.* Such silences can be understood as refusals to comply and resist elicitation or extraction of speech. As such, they constitute all kinds of illocutions, including defiance, refusal, resistance, protest, and withdrawal (see ibid.).

(b) *Silences in contexts where speech is invited or expected in an ongoing conversation.* Silences like this are "as varied as the speech that attempts to elicit them" (ibid., 121). They can be reactions to questions, or appalled silences. They also include "silences in response to queries that are intended to show that one should not be expected to be able to answer that question" (ibid.), often adopted by subordinated individuals as a survival strategy. One might keep

silent to give the impression that they shouldn't be addressed because they don't know anything, to remove oneself from a harmful conversational context that might result in verbal attacks if one speaks their mind. But it can also include silences by privileged individuals, who want to communicate that them not knowing anything about a topic is not a problem (e.g. white silence in context of discussions of racism) (see ibid.).

(c) *Silences in contexts where there is a standing expectation that speech will be present, without the specific solicitation to speak.* Silences in these cases can be protests, create surprise, and draw attention to "features of the usual speech that go unnoticed until it is replaced with silence" (ibid.).

Silence as protest is not without it limits, as Tanesini (2018, 122) rightly points out: "It is not a coincidence that it is primarily used by those who are powerless and as a weapon of last resort." Nonetheless, according to her, silent protest can be effective, and she looks in more detail at two more forms of silent dissent.

One observation she makes is that "since silence often shows what it communicates, its success as an illocution does not require that its target audience trusts or is especially attentive to the intentions of silent individuals" (ibid., 120). These silences still "communicate because they involve the intention to have an effect on an audience as well as the intention to make the agent's commitment to a content manifest and to make this very intention also publicly observable" (ibid., 123). But, as such, silences *enact* what they want to communicate (see ibid.). E.g., "the person, who is silent meaning that she is still mad, shows her annoyance. Her interlocutor can see that she is mad at him, as well as being aware of her intention to make it manifest that she intends to make it publicly accessible that she is still mad at him" (ibid.). And a person who "keeps silent to highlight the fact that he has been silenced shows what he means. He intends to make public his protest that he has not been allowed to speak, and to also make it manifest that this is his intention" (ibid.). Tanesini argues that "showing" is so effective because, unlike telling, it doesn't entail the requirement for the audience to *trust* the speaker. While (successful) acts of telling require that an audience takes the speaker to be competent and sincere, this doesn't go for *showing* something. She holds that, especially since members of marginalised and subordinated groups often aren't seen as competent or sincere, showing is a better option because it doesn't require the same kind of communicative success – that is to say, in *showing*, communicative success doesn't need to be based on the recognition of a speaker's intentions or an evaluation of their sincerity. As such, it can bypass the negative effects of identity-prejudice that undermine the testimonies of subordinated speakers (see

ibid.).[67] Moreover, Tanesini holds that, at times, "silence is more effective than verbal criticism at expressing censure of oppressive claims" (ibid., 120) and "can be more powerful than speech in expressing dissent" (ibid. 121) because it indicates that the comment shouldn't even be treated as a point of discussion (see ibid., 122). Silence might force a speaker to take back what they said, or compel them to abandon the claim they just made if they want to keep up the interaction. "This kind of silent treatment can be used to silence those whose views are at odds with those of the majority", but can also cancel out some of the effects of oppressive speech (ibid.).

Alignments and (Some) Disagreements

I think that Tanesini's arguments function as a persuasive response to Goldberg. I especially think that understanding some silences as *cooperative announcements* that one will opt out of a conversation, or is not willing to further participate, is an important insight, and can allow us to understand a number of cases of silent implicature that would otherwise be difficult to make sense of.[68] While, of course, understanding (eloquent) silences as illocutions requires us to draw on a different theoretical framework (i.e. that of speech act theory in the tradition of Austin and his followers) than if we analyse them as implicatures, Tanesini and I arrive, largely, at similar outcomes in terms of what conversational silences can do: What silences mean can vary from context to context; they don't communicate assent as a default; they can communicate dissent, and so on. For now, however, I briefly want to critically assess two aspects of her account a bit further. I'll think about: (1) how the elicitation model of silence and the account of silent implicature align and depart, including a discussion of some cases that, I believe, silent implicature is better able to capture; (2) the power of silent dissent, including the idea that eloquent silences are so effective because they *show* and *enact* something; and (3) relate this discussion to some of Lackey's points.

Let me start by thinking about (1), the elicitation model, and adjacency pairs. Recall that Tanesini points out that it is surprising that silences (which are all one and the same action in some ways) can communicate such a large variety of contents (see Tanesini 2018, 115). It is therefore "hard to

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[67] I worry that the same limitations on marginalised people that arise for explicit verbal contributions to conversations also arise when they aim to *show* something, and that silence is not any less vulnerable to this. I'll discuss this a bit more further down.

[68] This, of course, still doesn't exclude the possibility that some silences are dissident but still cooperative – not because they cooperatively announce opting out, but because they are nonetheless performed with the intention to bring something across with the intention that the conversational partner will take up what has been communicated via silence and enter it into the conversation, etc.

fathom", as she writes, "*how* silent agents can make publicly manifest one among many different possible commitments. It is equally mysterious how audiences are able to recognize agents' intentions in keeping silent." (ibid., my emphasis). As we heard, according to her, the best explanation for this is to understand eloquent silences as "either elicited or a way of resisting elicitation" (ibid.), and as parts of adjacency pairs.

As we can recall, here Tanesini (2018, 116) draws on Searle (1992, 8–11), who considers the various possibilities that can arise within extended dialogues in response to the performance of a particular speech act. The overall point we arrive at is that adjacency pairs can do crucial work in our discourse. If we fail to perform a particular speech act which we know would be adjacent to some particular assertion or question, our failure will surely guide the interpretation of what we said instead, whether understood as an implicature or some other kind of speech act. Dennis Kurzon (1998, 25–33) applies this discussion to silence specifically in his book "Silence and Discourse", however only partially, since he focusses only on question-answer adjacency pairs. According to Kurzon, adjacency pairs can help us to address "how the interpreter of the silence – the addresser or questioner, or even the neutral observer (the linguist in the present case) – arrives at the meaning of the silence in a specific context, that is to say, what the assertion would have been, had the addressee spoken, or had replied to the question" (ibid., 26). What's important for now is that a "preferred second" (ibid., 32) is the *expected* act, "e.g. an answer as the preferred second of a question-answer adjacency pair" (ibid.), while a *dispreferred second* would be silence – at least in many situations, according to Kurzon. This deviates from Tanesini's assessment, who, as we've heard, holds that silence can also be the *preferred* second to an adjacency pair.

However, I do find it easier to come up with cases where silences resist the elicitation of speech, and therefore *resist* fulfilling the function of a given adjacency pair, than cases where silence *enacts* an adjacent pairing. For example, consider a case of greeting: You see somebody on the street and say 'Hello'. The adjacent speech act to a greeting is, quite straightforwardly, to greet back. If your interlocutor, who you just said 'hello' to, remains silent (while you *know* that they heard you), they resist the elicitation of a greeting, and therefore resist performing the adjacent speech act.

Now, applied to silent implicature, we might worry that many instances like this might be uncooperative silences. But, as we heard already, Tanesini gives us the instruments to interpret this in a new light: According to her, we can hold that *even if* such silences that resist elicitation somewhat cut off conversation, or announce opting out, they nonetheless bring across (i.e. cause the audience to realise that this is what they intend to bring across with their silence) a refusal to engage, or that something else is wrong. In general, this leads us to realise that a speaker's *knowledge about* adjacency pairs and their role in social interaction will surely be of great help when calculating a silent

implicature. As such, I believe that both of the interpretations of silences that are at play here – the refusal of elicitation and silent implicature – can function in combination and parallel to each other.

As I mentioned above, I find it more difficult to find cases where silence is an instance of elicitation and *fulfils* the expected function of the second part of an adjacency pair. Since our focus here is on silent dissent I will not labour this point as extensively. However, I do want to mention that, just as with silent implicature, agreeing and aligning silences will be context dependent, and this can be one way in which we make sense of silences as the "preferred second" of an adjacency pair. So, when you know that your interlocutor is largely in agreement with you, their silence as a response to your saying "This was horrible food, right?" will be the expected answer, namely "Yes it was, let's just forget about it" – or something along those lines. If you think that your dinner partner has really enjoyed the food, you might interpret their silence differently, namely as a refusal to elicit speech, resisting the expected adjacency pair to your question.

Overall, it seems to me that this is, indeed, not much different from calculating silent implicatures. However, I think silent implicature specifically gives us some more flexible instruments to interpret cases of communicating things silently (including agreement, dissent, and beyond) than adjacency pairs or elicitation. Silent implicature can, I think, explain both the cases elicitation and adjacency pairs *can*, as well as those that they *cannot* grasp. Let's look at this in a bit more detail.

First, it seems that, with silent implicature, we don't have to think about the adjacent pairing to our speech act or what kind of elicitation or refusal of elicitation is going on when calculating the meaning of a silent contribution. Reconsider the following example:

> **(11)** A group of co-workers have a meeting, and Berty is facilitating the discussion. They are going back and forth about who will solve some computational problem. During that exchange, Danny says something like "Women just aren't good at maths". Berty only responds with (conversational) silence and moves on to the next point in discussion.
> D: "Women just aren't good at maths."
> B: […]

This could fit with category (b) in Tanesini's taxonomy of dissident silences - *Silences in contexts where speech is invited or expected in an ongoing conversation.*[69] We can interpret this example in various ways, as

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[69] I understand this as falling into category (b) since, in meetings like this, speech is often generally invited, or even expected, without there being a directive to speak. In slightly modified contexts, this could also be a case of (c), but for now I'll treat it as falling into this last category – not least because *Danny's* comment doesn't directly ask or instruct anybody to say something, and it is the silence we are interested in here, after all. The difference between (a) and (b) lies in the fact that, in (a), speech is directly *requested* (e.g. via a question, interrogation or something similar), while in

I have done in previous chapters, and we can also apply varying theoretical interpretations of silence. I believe, however, that understanding the resulting silence with the elicitation-account, as well with adjacency pairs, leaves questions open. For one, it is unclear what the adjacent speech act to Danny's comment is. While we might want to hold that it makes sense to consider assent as the adjacent speech act (in the sense that this is what Danny expects), it is not clear to me if that is right, and if it is even possible to pin down an adjacent speech act for such a specific situation. But even if we assume that the adjacent speech act, the act Danny would expect, would be agreement (and so his "preferred second"), we will face difficulties here. Say that the silence is read as a refusal to the elicitation of speech by Danny, and thereby manifests itself as dissent. This cannot account for the varying scenarios I have worked out in *Chapter 2*. Recall again:

Option i.   Berty intends to communicate disagreement with Danny to everybody in the audience, including Danny.

Option ii.   Berty intends to communicate agreement to Danny, and disagreement to the rest of the audience.

Option iii.   Berty intends to communicate agreement to the entire audience (including Danny), but only Danny ends up understanding it as such.

Option iv.   *in new context*: Berty intends to communicate disagreement with Danny to everybody in the audience, including Danny.

While I believe that it is true that there might be a scenario where the silence of the audience unambiguously communicates dissent (*Option i*), there are other possible calculations – all influenced by further contextual features, interpersonal relationships, and background knowledge.

Let's consider another example, this time one from Tanesini's category (a) – *Silences in the face of directives demanding speech of someone*:

(24) Tom Parry: "You've been reluctant to comment on the words and actions of the US president, but we do have Donald Trump now calling for military action against protesters, we saw protesters tear gassed yesterday to make way for a presidential photo-op. I'd like to ask you what you think about that. And if you don't want to comment, what message do you think you're sending?"
Justin Trudeau: [remains silent for 21 seconds]
Justin Trudeau: We all watch in horror and consternation what is going on in the United States. It is a time to pull people together, but it is a time to listen, it is a time to learn what injustice is, continued, despite progress, over years and decades. But it is a time for us as Canadians to recognize that we too have our challenges. […]" (Guardian News, 2nd of June 2020, 0:00-01:07).

(b) there is a more informal expectation or invitation of speech, but not a direct attempt to *elicit* it in the sense as it happens with questions, for instance.

Initially, we might think that it will be clear what the adjacency pair is in this case: It seems reasonable to argue that Trudeau's silence is an (initial) refusal of elicitation; the adjacent speech act would be an answer to Parry's question. But note that, even here, the silence needs to be interpreted with a great deal of flexibility. Previously, I considered this case in the context of silence and deniability. This has already shown us that there are various possible interpretations of Trudeau's silence: He might remain silent in the first instance with the intention to silently communicate that he strongly disagrees with Trump's behaviour, but at the same time feel the need to maintain deniability, in the sense that he wants to be able to claim "I didn't say anything!". I believe that silent implicature is particularly useful for grasping these "levels" of silent acts. Especially our *disentangled* picture of silent implicature can afford us more flexibility in accounting for the diverse range of silent acts and, at the same time, explaining *how* they communicate.

The next point which I briefly want to assess is (2), the power of silent dissent, including the idea that eloquent silences are so effective because they *show* and *enact* something. Recall that Tanesini writes that "silence on some occasion can be more powerful than speech in expressing dissent" (Tanesini 2018, 121), because silence indicates that the comment shouldn't even be treated as a point of discussion (see ibid., 122). In a situation like this, a speaker might be forced to take back what they said if they want to keep up the exchange. As we heard before, indeed, "[t]his kind of silent treatment can be used to silence those whose views are at odds with those of the majority" – but it could, at times, also cancel out some of the effects of oppressive speech (see ibid.). While Tanesini does go on to make clear that silent protest has its limits (see ibid), I think that it is worth emphasising this here again. I don't want to contest the insight that *not* treating a harmful comment as a point of discussion can *sometimes* be very productive in rendering that comment ineffective. But I think it is worth making clear again that this is surely not always the case. There will be instances where not clarifying explicitly that a comment was beyond the pale will contribute to allowing the comment to go unchallenged. Indeed, some members of an audience might remain silent not because they want to dismiss the comment, but because they agree, or because they want to maintain deniability about their agreement (as I've discussed in some detail in the last chapter). Others might be too embarrassed or uncomfortable to have a complicated conversation and therefore let the harmful comment drop. Silent implicature – especially our disentangled picture of silent implicature which allows us to analyse cases where a different implicature than intended ends up being communicated – can capture cases such as these well, I believe. In short, it is important to stress that silence won't always be successful in communicating dissent. This brings me to the next point.

According to Tanesini, eloquent silences communicate by *showing* and *enacting* what one means by them, making one's commitment to a content manifest and publicly observable (ibid., 123).

According to her, this feature of "showing what one means" makes silences very effective. Unlike telling, it doesn't entail the requirement that the audience *trust* the speaker – allowing members of marginalised groups to show what they mean when acts of telling would obscure their meaning due to biases and so forth. Of course, we could elaborate quite extensively on the topic of trust and distrust in conversations, but I won't do this at this point. It does seem clear, however, that trust can benefit a conversational exchange, affording charity and openness, among other things. And silences, I think, will be affected by this *just as much* as explicit speech. While I do agree that silences can be very profound, and can make something clear in a way words might fail to do, I think that, on many levels, the same worries that arise for explicit verbal contributions to conversations from marginalised people arise when they aim to *show* something.

Biases and lack of charity also do their work when one is *shown* evidence. I think this becomes clear when we consider social media: We know that people repeatedly *see* videos, images, and documentaries about police violence, street harassment, or bullying because survivors and victims of these practices choose to *show* what is happening to them, precisely on the assumption that showing could be more effective than merely telling, if only because of the level of direct or visual proof it provides. But in these cases we also see how ineffective this often is: Just because people see these videos, they don't necessarily see them charitably or without bias. And I fear that (eloquent, conversational) silences are just as vulnerable to biases, misinterpretations, and indeed being ignored, as explicit speech or the showing of images, videos, or recordings. While it is surely true that showing can be effective, and that it *can* convince people, I'm not sure it would convince precisely somebody who might also reject the interpretation of the marginalised, even if they were watching the event in question happening before their eyes. E.g., we all know too well that a video of police brutality does not "show enough" for many people – after all, "the police could have been provoked". Recording of street harassment or cat calling are often not enough because, as people say, it might have "only been flirting", or the target's clothes might have been "too revealing".

Finally, (3), let's think back to what we learned from engaging with Lackey's account: Tanesini (2018, 122) correctly points out that silent dissent has its limits, and that it is often used by those who lack other means of protest. At the same time, we should keep in mind that there can be some situations where it's not *possible* or safe for somebody to object, while it is urgent for others, more privileged people, to do so. This can mean that silence might not be *enough*, coming from more privileged members of the discussion, conversation, and broader context, because the injustice happening *demands* something else of us. Yet other times, silent dissent from the marginalised might not be "heard" at all because they are *expected* to be silent. And, at the same time, there can *still* be circumstances where even the marginalised could use silence in directed ways that allow them to

draw attention to something crucial: E.g., black students might stage a silent sit-in in protest of racist behaviour on behalf of campus security guards, members of a queer action group stand in silence next to each other in front of a catholic church, forming a wall of silence to draw attention to the priests' comments about HIV/Aids, a group of political prisoners remains silent when interrogated by the police. Arguably, in some situations this silence could be more effective than words – as Tanesini (2018, 120-121) points out. However, we do need to consider what power dynamics and hierarchies are at play in a given situation, and how this allows people to make use of these silences. Reminding ourselves of Lackey's non-idealised approach can be helpful here: While I agree with Tanesini that silent dissent is *possible* in the ways described, it is important to remind ourselves that it will not be possible for everybody, and it will not be possible in every situation.

5.3.   Conclusion

This chapter had three overall goals: **a.)** to demonstrate some of the complex topics related to dissident silences; **b.)** to consider how Tanesini and Lackey deal with these issues and provide useful responses to Goldberg; and **c.)** to relate this to the topic of silent implicature. It was my overall goal to approach the discussion of silence and dissent from a different, yet related perspective to before.

I first reconstructed Lackey's (2018a) discussion on silence and objecting. After introducing the problems Lackey identifies with Goldberg's idea of cooperation, I discussed her arguments regarding a non-idealised duty to object. Lackey stresses how Goldberg's account, despite its inclusion of defeating conditions, interprets the ability to do things with silence in an idealised light, and reminds us that the discussion of silence and dissent should also take into account issues surrounding our duty to object. I briefly discussed three issues related to this – a.) how silent dissent is not always desired, b.) how, sometimes, privileged people should remain silent to allow others to be heard, and c.) how silent dissent is and isn't a possibility for the marginalised. Silent implicature, I hope, can account for these varying contexts and possibilities. As we saw, Lackey, however, does not provide an account of *how* to interpret silences. Tanesini (2018) presents such an account, which I reconstructed in the second part of this chapter. I discussed her interpretation of silences as illocutions, silences having speaker meaning, and her arguments regarding the relationship between silences and elicitation/the refusal of elicitation and adjacency pairs. While we've seen that Tanesini's account provides a fruitful response to Goldberg's assent interpretation, I did point out some alignments and departures regarding my own interpretation of silence: In particular, I have stressed that silent implicature can allow us a great deal of flexibility when it

comes to interpreting silences, including dissident silences – at the same time, we should not overestimate the power of silent dissent: while it is possible, there are times when explicit dissent is due.

The next, and final chapter, will put more focus on silence when employed by the marginalised and oppressed. Specifically, I will think about how what we want to communicate with silence can be structurally misinterpreted in various ways. In other words, I want to think about how our conversational silence can be *silenced*.

6. Being Prevented from Communicating with Silence

I have already mentioned in previous chapters that not everybody has the same access to silence as a communicative tool, e.g. in my discussions of silence and deniability, silence and assent, and silence and dissent. This chapter will add to this discussion by working out how we can sometimes be *prevented* from implicating with silence. More specifically, there are two connected questions I want to address over the course of in this chapter.

(1) How can silence be silenced?
(2) Can somebody audience-, utterer- and/or conversationally implicate with their "silenced silence", and if so, in what sense?

Regarding (1) I will argue that silence can be silenced in insofar as somebody can be *prevented from communicating* with it. Just as we would describe somebody as silenced whose speech is discredited, not heard, or outright not taken to be informative, we can describe somebody whose *silence* is never even considered to be communicative, or is structurally distorted in some ways, as being *prevented from communicating* with it, too. This is, in some ways, a new perspective on silencing, in that it shifts the discussion from focusing on *speaking* and *speech* to the broader notion of *communicating*, by putting more emphasis on "being prevented from (successfully) communicating". We'll also see a contrasting effect that can occur: in situations like these, somebody's (enforced) silence might well be taken as *communicative*, but in a way which distorts and misconstrues what is communicated. This issue provides the motivation for question (2): *Can somebody audience-, utterer- and/or conversationally implicate with their "silenced silence", and if so, in what sense?*. Silencing happens in complicated and sneaky ways, and it affects conversational silence in complicated and sneaky ways, too. I hope to address some aspects of this here.

So, the plan for this chapter is as follows: Since it would be impossible to summarise all of the important and ground-breaking accounts of silencing, **6.1.** will give a broad overview of some central issues when it comes to silencing and how I want to apply this issue to communicating with silence specifically. I will think about what it means to be prevented from communicating (with silence), and in doing so I will highlight a taxonomy of the kinds of cases I am interested in. In **6.2.** I then analyse three ways in which silence can be silenced:

(a) Somebody might *intend* to implicate something with their silence but *nothing* ends up audience-implicated (the silence is taken to be non-communicative).
(b) Somebody might *intend* to implicate something with their silence but *something else* ends up audience-implicated.

(c) Somebody *might not intend* to implicate something with their silence but something *still* ends up audience-implicated

For each case, I discuss an illustrative example, indicate the levels of utterer- and audience-implicature involved, and re-apply or contrast this with an existing theory of silencing to explain the harm that occurs in each respective case. I also briefly provide some answers to the two questions (1) and (2) mentioned above, before I conclude the chapter in **6.3.**.

6.1.   What Does it Mean to be Prevented from Communicating (with Silence)?

In her chapter *Speech and Silencing*, Ishani Maitra (2017, 279) points out a recurring concern within feminist philosophy of language, namely "the ways in which women (and others) are systematically disadvantaged qua language users." While this disadvantage has several dimensions, "one that has particularly interested theorists is *silencing*" (ibid.). But what is silencing? And, more pointedly, how does silencing relate to conversational silence and its communicative potential?

In *Silence and Institutional Prejudice*, Miranda Fricker describes silencing in quite general terms: "When a speaker should be heard, but is not heard, he is silenced." (M. Fricker 2012, 290). While silencing as a social and philosophical issue is surely more complex than this, there is something to this overall definition: You can be silenced by being prevented from uttering words *entirely*, but *also* by being prevented from *doing* certain things with your words (see Maitra 2017, 279). Philosophy offers different kind of tools to approach this issue: There are various accounts working with speech-acts, such as Rae Langton's (1993), who, following an Austinian (1962) approach, particularly focusses on *illocutionary silencing* (but also discusses locutionary and perlocutionary silencing[70]), that is, how we are prevented from doing what we want with our illocutions; Quill Kukla's (2014), which introduces the notion of *discursive injustice* to articulate how speech acts get changed into different *kinds* of speech acts in virtue of someone's identity; and Alessandra Tanesini's (2016), which connects issues of silencing with intellectual arrogance, exploring, among other things, the various ways in which arrogance can prevent people from speaking and cause assertions to misfire. Other authors draw on different resources, such as Maitra (2009), who uses a Gricean account of speaker meaning to make sense of silencing as a distinctive communicative wrong; Fricker (2007), who

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[70] "Locutionary silencing" means that no words are uttered – maybe because a person is intimidated, gagged or thinks nobody will listen anyways (see Langton 1993, 315). There is no locution at all, a person remains completely silent. "Perlocutionary silencing", or "perlocutionary frustration" means that somebody might speak "but what they say will fail to achieve the effect that they intend: such speakers fail to perform their intended perlocutionary act" (ibid.). The notion of locutionary silencing will briefly come up again later on.

approaches the issue of silencing from a social epistemological perspective as *epistemic injustice*, specifically in terms of testimonial and hermeneutical injustice; and Kristie Dotson (2011), who discusses *testimonial smothering* (a form of self-silencing caused by being confronted with an audience who doesn't appear capable of taking up your testimony) and *testimonial quieting* (where an audience doesn't take somebody to be a knower in the relevant way) as *epistemic violence*. Without going into more detail about these accounts (though some of them will be of relevance later on), we *can* draw from this that, overall, to be silenced means to be somehow *prevented from communicating what you want to bring across or achieving the goals you intended to achieve with your communicative act.*

It should be noted, however, that the above accounts are all concerned with *explicit speech:* To be silenced, somebody must be, for one reason or another, prevented from *doing what they want with their words*. These accounts show various ways in which power structures, oppression, and marginalisation have an impact on how we are able to use our speech, on how and when we are able to *say things*. And, of course, it might seem that cases of conversational silence are very different – after all, nothing is said. My point here, however, is that things are not that different at all: In virtue of silence being able to do *all kinds* of communicative things, sometimes what we want to communicate and *do* with our conversational silences can be distorted, ignored, or structurally misinterpreted, *too*, and can be impacted by power structures and hierarchies.

The literature has, so far, not really considered cases like this. I hope this chapter will show that "being prevented from communicating with silence" can, in many cases, be analysed in parallel ways to "being prevented from communicating with speech". At the same time, this will be an exploration of a whole domain of linguistic injustice that has, so far, been under-explored in the literature, which serves to show just how deep power structures run in our linguistic practices. Specifically, there are three kinds of cases I want to look at:

(a) Somebody might *intend* to implicate something with their silence but *nothing* ends up audience-implicated (the silence is taken to be non-communicative).

(b) Somebody might *intend* to implicate something with their silence but *something else* ends up audience-implicated.

(c) Somebody *might not intend* to implicate something with their silence but something *still* ends up audience-implicated.[71]

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[71] In cases of this last kind, the speaker in question wouldn't be *prevented* from *communicating* with their silence, strictly speaking, because they didn't want to communicate with it to begin with, but they would still *not be able to do* certain things with their silence (in this case, be non-communicative).

The three points of this taxonomy are all reflected in the literature in various ways, but only in relation to speech. In thinking about how they apply to conversational silence, I want to extend discussions on silencing, to show just how broad and far-reaching these issues can be.

It should be noted, however, that I am not the first to describe a taxonomy of this sort. In his paper *Epistemic Violence and Emotional Misperception*, Trip Glazer (2019a) discusses a similar typology to mine (adapted from Ekman and Friesen 2003, 141) in his analysis of the wrongful and harmful structural misreading of *emotions* (from body language, facial expressions, and gestures) in the context of *non-verbal communication*. E.g., in Glazer's terminology, an interpretation would be a *false positive* (what I've labelled **(c)** above) when a "woman did not speak in an emotional tone of voice, yet [her] interviewer heard her tone as subtly contemptuous" (Glazer 2019a, 60). According to him, *emotional misperception* occurs when "1. A misreads B's nonlinguistic expression of emotion, 2. owing to reliable ignorance, 3. harming B." (ibid.), drawing on Kristie Dotson's already mentioned concept of epistemic violence.

Glazer and I are interested in similar things. I want to stress, however, that the actual phenomenon we want to investigate is not the same. Let me first point out our similarities: For one, we're both interested in explaining cases with a similar taxonomy (the one indicated above). Moreover, unlike most accounts of silencing, we're not talking about any explicit speech that is involved but are instead interested in non-verbal communication (in Glazer's case, emotions communicated via tone of voice, gestures, or facial expressions etc.; in my case, conversational silence). Applied to an example, however, a central difference becomes clear: E.g., given the harmful stereotype of the "angry black woman",[72] a black woman's facial expressions might be vulnerable to emotional

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[72] Numerous black women have written about how, in Trina Jones and Kimberly Jade Norwood's (2017, 2021) words, "in an instant, a reasonable Black woman, who is just going about her business, gets transformed into the trope of the Angry Black Woman". Jones and Norwood's *Aggressive Encounters & White Fragility: Deconstructing the Trope of the Angry Black Woman*, provides an important overview and discussion of this topic, connecting historical insights with the contemporary situation and treatment of black women. Further analysis can be found in Rachel Alicia Griffin's (2012) article *I AM an Angry Black Woman: Black Feminist Autoethnography, Voice, and Resistance*, which, among other things, analyses black feminist thought and practice, as well as resistance, and applies her reading of influential texts autoethnographically, reflecting on her own experiences. Finally, we also see the pervasiveness of this in an example given by Nadena Doharty in her article *The 'angry Black woman' as intellectual bondage: being strategically emotional on the academic plantation* (2020), in which she writes about how apparent this racialised-gendered stereotype became to her in discussions of her dissertation: While her black examiner critically asked why she clearly *avoided* writing her own feelings into the thesis (see Doharty 2020, 548), her white examiner noted that she "felt [her] anger through the strength of [her] writing" (Doharty 2020, 548). Doharty writes: "Even in a context where my feelings were noticeably absent for the Black woman professor, I was still positioned as angry" (Doharty 2020, 557) by the white woman academic.

misperception and be read as passive-aggressive or angry from the outset, no matter what she actually says or thinks, as Glazer argues (see ibid., 71). Were I to analyse a similar example, I'd be interested in a case where a black woman's *act of remaining silent* is wrongfully (and harmfully) interpreted as passive-aggressiveness. As such, our most central difference is the *phenomenon* we're interested in: Glazer is not talking about *conversational silence* but rather emotions communicated through tone of voice, gestures, expressions, and body language as it occurs in exchanges and *alongside* speech. I'm specifically not interested in the interpretation of gestures but want to focus on the *act of remaining silent*, and how that act and what is taken to be communicated by it, is misinterpreted.

It should be noted as well that the cases of *silenced silence* that I'm interested in here are concerned with "practices of silencing", rather than "instances of silencing" (see Dotson 2011, 241). While the first are repetitive, structural, and reliable occurrences of audiences failing to uptake other speakers' utterances and testimonies (see ibid.), "instances of silencing" (ibid.) are "a single, non-repetitive instance of an audience failing to meet the dependencies of a speaker" (ibid.).[73] In our context, this means that for many people it will be a structural occurrence to not be able to implicate what they want with their silence. I will use three accounts to explain exactly what is happening in these situations and why it is harmful:

Category **(a)** in our taxonomy (somebody might *intend* to implicate something with their silence but *nothing* ends up audience-implicated), will be analysed by drawing on Kristie Dotson's (2011) notion of *testimonial quieting*, which describes cases where an audience fails to perceive somebody as a knower owing to reliable, pernicious ignorance. Her account will allow us to identify the *harm* that is happening in cases where somebody's silence isn't taken to be communicative at all. To capture category **(b)** (somebody might *intend* to implicate something with their silence but *something else* ends up audience-implicated), I will draw on the kinds of cases Quill Kukla (2014) analyses in their account of *discursive injustice*: According to them, somebody suffers discursive injustice when their speech acts, in virtue of their identity, get transformed into a *different kind of speech act*. Of course, I am working with an account of implicature rather than speech acts, so, while I draw on

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[73] It's important mentioning here that Dotson's claim goes deeper. According to her, what makes the difference between the two is *the kind of ignorance* that brings about a failure of the linguistic exchange. While *practices* of silencing are caused by reliable, structural, and strategic ignorance, understood as a kind of counterfactual incompetence towards certain domains of knowledge, *instances* of silencing aren't caused this way, but might be the result of some trivialities of a situation, or might even be unintentional side effects (see Dotson 2011, 241). I will pick up a broader notion of Dotson's account of testimonial smothering and quieting (which does include a perspective on ignorance in itself) later on in this chapter.

cases similar to Kukla's, I analyse them in different ways: I don't argue that an implicature gets changed into a different kind of implicature *entirely* in these cases, but rather that somebody's contribution communicates something different at the level of *audience-implicature*. Finally, for category **(c)** (somebody *might not intend* to implicate something with their silence but something *still* ends up audience-implicated), I will make use of Goldberg's (2016, 2020)[74] arguments regarding the double-harm of silencing: According to Goldberg, the silence of the silenced will often be understood as further *endorsement* of their very oppression by the (ignorant) oppressor. While this account could, theoretically, neatly map on to what I aim to argue, I will suggest some amendments to Goldberg's interpretation of these cases, which will allow us to grasp a broader spectrum of instances where somebody's non-communicative or silenced silence is misinterpreted. We'll hear more on this below.

6.2. Silencing Silence

I will now discuss various examples of "silencing silences", and apply the just introduced accounts of silencing to show how the harm happening in these cases can be explained. It should be noted that there might be *other* accounts that correspond to and explain what is happening in these cases of silencing, and I don't want to suggest that Dotson's, Kukla's, and Goldberg's are the only ones that can help us illustrate the silencing happening in the cases below. I do think, however, that they are, given their respective features and focusses, specifically interesting in illustrating the various examples I have identified – as I hope will become more clear in the following. I will now apply each of these accounts to some examples corresponding to categories **(a)**, **(b)** and **(c)** in our previously identified taxonomy, with each of the following sub-headings indicating one part of the taxonomy.

Silent Implicature that is Intended to Communicate but Not Taken to be Communicative

To start, let's take a look at the following example:

> **(31)** It is common practice in many medium to larger groups and organisations to make use of the "tacit acceptance procedure": If a point requires a decision, your silence will signify acceptance. Now, imagine Dragana, a woman of colour who takes part in her largely white neighbourhood community meeting – a neighbourhood she only recently moved to. She has been involved in community work before, and

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[74] I'll primarily refer to Goldberg (2020) in this discussion, but it should be noted that the chapter in his book, to which I will be referring to, is based on an earlier article entitled *Arrogance, Silence and Silencing* (Goldberg 2016).

already made some good points in this and the previous meeting, so it *should* be clear that she knows what she is talking about.

Later that evening, a proposal is brought forward for decision, and the group uses the tacit acceptance procedure. Indeed, all of the 32 attendees remain silent, implicating agreement to the policy. Dragana, who has volunteered to double-check the minutes, realises later that the secretary noted "all 31 agree". She's puzzled, and points out that the numbers don't match up – after all, she agreed too. The response from both chair and secretary is that they didn't think that she had any opinion about this matter. They didn't put her down as having voted. They took her silence to not be communicative at all.[75]

We can see that, even though a lot of people are implicating with silence throughout the meeting (which is a sign that silently communicating is a common practice in this community meeting), they do not take Dragana's silence to be communicative. She isn't able to communicate assent (or anything else) with her silence because she is met with the general assumption that she doesn't know anything relevant, and therefore can't have anything relevant to share. In this case, this assumption is so far-reaching that she's unable to cast a vote in this case. To explain how this kind of case functions, I first want to consider how different levels of implicature are involved here, and then think about how to explain the *harm* that results, by drawing on Dotson's notion of *testimonial quieting*.

In our example, Dragana intends to *conversationally implicate* agreement in remaining silent, so we can say that something like "I agree" is her utterer-implicature. As we've heard in *Chapter 2*, in order to utterer-implicate, a speaker doesn't *need* to be presumed to be cooperative, and their audience isn't required to *actually* suppose that they believe whatever they utterer-implicated: It's enough that a speaker *thinks* that the audience needs to suppose that they believe it (see Saul 2002, 235). This means that Dragana, who is, in a sense, not even thought of as being part of the discussion, can still utterer-implicate (with her silence):

By remaining silent, *P* may be said to have silently *utterer*-implicated that *q*, provided that

(1*) *P thinks* that they are to be presumed to be observing the conversational maxims, or at least the Cooperative Principle

(2*) *P thinks that* the supposition that *P* is aware that, or thinks that, *q* is required to make their *conversational silence* consistent with this presumption.

(3) *P* thinks (and would expect the hearer to think that they think) that it is within the competence of the hearer to work out, or grasp intuitively, that the supposition mentioned in (2*) is required.[76]

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[75] In this example, we might say that Dragana is attempting to implicate with silence by *following* the maxim of Quantity.

[76] This involves changes of clauses (1) and (2) in Grice's (1989, 30-31) original definition of conversational implicature.

Dragana thinks that she, like everyone else who is present, is to be presumed to be cooperative. She thinks that her audience (in this case the chair and secretary) will assume that in this context her silence means agreement, as this works to make it consistent with the assumption that she is cooperative. Dragana therefore thinks that her audience will manage to understand what she wants to implicate. However, she has *only* managed to utterer-implicate. Her audience doesn't, in fact, presume her to be doing *anything* with her silence – they *expect* silence from her. What she intends to implicate *remains* utterer-implicated, but she doesn't succeed in *audience-implicating*.

At this point, recall our notion of audience-implicature: Again, according to Saul's (2002) extended taxonomy, audiences have a certain kind of "authority" over what counts as audience implicated. The most important point is, that an audience implicature describes the content a certain audience *takes to be implicated* (see ibid., 242). This is how we can extend her characterisation to accommodate cases of silent implicature:

> By remaining silent, *P* may be said to have silently *audience*-implicated that *q*, provided that
>
> (1) *P* is to be presumed to be observing the conversational maxims, or at least the Cooperative Principle
>
> (2A), *The audience believes that* the supposition that *P* is aware that, or thinks that, *q* is required to make their *conversational silence* consistent with this presumption.
>
> (3A), *The audience takes P to think* that it is within the audience's competence to work out that the supposition mentioned in (2A) is required.[77]

In our case with Dragana, there is no audience-implicature generated at all. One explanation for this could be that the audience presupposes that there's no knowledge, no input, to be given by her. This would mean that (2A) fails because the audience doesn't have to assume anything at all to make sense of the silence. When Dragana wants to communicate something with her silence, she is not recognised to be audience-implicating or communicating something.

To offer another layer of analysis, I want to draw on Dotson's (2011) concept of *testimonial quieting*, put forward in her paper *Tracking Epistemic Violence, Tracking Practices of Silencing*, in which she introduces her influential account of *testimonial smothering* and *testimonial quieting*, both understood as forms of epistemic violence. Let me explain what this means in the following.

Dotson draws on Gayatri Spivak (1988), who argues, among other things, that a method of executing *epistemic violence* is to "damage a given group's ability to speak and be heard" (Dotson 2011, 236). According to Dotson, "to give a reading of epistemic violence in circumstances where silencing occurs can help distinguish the different ways members of oppressed groups are silenced

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[77] This involves changes of clauses (2) and (3) in Grice's (1989, 30-31) original definition of conversational implicature.

with respect to testimony" (ibid., 237). And to understand epistemic violence in testimony, we need to identify, according to her, a fundamental feature of linguistic communication, namely "the relations of dependence speakers have on audiences" (ibid.). She draws on Jennifer Hornsby's (1995, 134) understanding of reciprocity in conversations, who stresses that "an audience who participates reciprocally does not merely (1) understand the speaker's words but also, in (2) taking the words as they are meant to be taken, satisfies a condition for the speaker's having done the communicative thing she intended." But to the extent to which people are *denied* this linguistic reciprocation, this constitutes *epistemic violence* – it is "a refusal, intentional or unintentional, of an audience to communicatively reciprocate a linguistic exchange owing to pernicious ignorance" (Dotson 2011, 238). So, according to her, a notion of epistemic violence can help us to understand the contextual role and consequences of silencing (see ibid., 237).

Of further relevance here is the notion of pernicious ignorance, understood as "a reliable ignorance or a counterfactual incompetence that, in a given context, is harmful" (ibid., 242). It is a result of epistemic gaps in belief-forming processes and the reproduction of knowledge within the context we are talking about (see ibid., 238). Pernicious ignorance *becomes* specifically harmful when groups of people repeatedly fail to take up other speakers' utterances, testimonies, or dependencies in the communicative exchange, and fail to account for context-relevant power dynamics (see ibid., 239). This means that pernicious ignorance is pernicious to the extent to which it *causes or contributes* to harmful practices such as silencing and testimonial oppression (see ibid.). And, according to Dotson among practices of pernicious ignorance we find *testimonial smothering* and *testimonial quieting* – two notions that will be crucial in the following.

The notion of testimonial smothering has already come up in earlier chapters: Somebody *testimonially smothers* their conversational contribution when they decide not to make that contribution, or alter their testimony, because an immediate audience is perceived as unwilling or unable take up the testimony or contribution by the speaker – it is the "truncating of one's own testimony in order to insure that the testimony contains only content for which one's audience demonstrates testimonial competence" (ibid., 244). This typically happens as a result of three background conditions: *First*, "the content of the testimony must be unsafe and risky" (ibid.); *second*, the audience must display some kind of testimonial incompetence with respect to what the speaker wants to utter; and *third*, this incompetence must be, or appear to be, a result of the kind of pernicious ignorance identified previously (see ibid.). As such, testimonial smothering is a form of silencing and testimonial oppression (and violence).

At this point, it's relevant to specify what we mean by *testimonial incompetence*. According to Dotson (2011, 245) an audience of a speaker demonstrates *testimonial competence* with respect to a domain of

knowledge "when they demonstrate the ability to find proffered testimony clearly comprehensible and defensibly intelligible." They are *testimonially incompetent* when these features are absent – that is, when they not only fail to understand the given testimony, but *also* fail to realise that they haven't understood the testimony in question.[78] Now, if a speaker finds their audience unable to absorb their testimony in accurate ways, this might lead them to *smother* it to prevent a potentially dangerous, uncomfortable, or stressful situation, which could include ridicule, being ignored, or even verbally or physically attacked (see ibid., 248).

Testimonial smothering will be relevant again for the last category in the above introduced taxonomy. But to assess Dragana's case (example **(31)**), the notion of *testimonial quieting* is crucial: In cases of *testimonial quieting* a certain audience does not recognise a speaker as a *knower* or as having the status of a (reliable) knower – because of this that they cannot successfully offer testimony (see ibid., 242).[79] Dotson (2011, 242) draws on Patricia Hill Collins, who points out how "by virtue of her being a U.S. black woman she will systematically be undervalued as a knower." Moreover, "[t]his undervaluing is a way in which Collins and other black women's dependencies as speakers are not being met. To undervalue a black woman speaker is to take her status as a knower to be less than plausible" (ibid.). As Dotson points out, Collins specifically draws on how certain "controlling images" that stigmatise black women as a group (see ibid.). Controlling images include sets of stereotypes about black women, serving to make the unfair and negative treatment and assessment of black women appear "natural, normal, and inevitable parts of everyday life" (Collins 2000, 69). These controlling images, then, contribute to, or even cause, a given audience's failure to "communicatively reciprocate black women's attempts at linguistic exchanges by routinely not recognizing them as knowers" (Dotson 2011, 243), and render the social identity "black woman" an epistemically disadvantaged identity (see ibid.). It's important to note, however, that this "epistemic disadvantage exists only because of the dependency every speaker has on an audience to be recognized as a potential testifier or knower" (ibid.). To identify the harm at stake when it comes to testimonial quieting, one needs to look at "the juncture where an audience fails to accurately identify the speaker as a knower, thereby failing to communicatively reciprocate in a linguistic exchange due to pernicious ignorance in the form of false, negative stereotyping" (ibid.). For example, "[u]nderstanding certain social groups according to stereotypes that strip them of the

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[78] Dotson (2011, 145) calls this ability of an audience to understand a given testimony "accurate intelligibility".

[79] It should be noted that I'm understanding testimony in a broad way here. In this particular circumstance, by casting her vote, I take Dragana to be giving some kind of testimony about her beliefs regarding the discussed policy. I take *testimonial quieting* to apply here, at least in some form, because – and very crucially – Dragana is not recognised as a *knower*, and is therefore not able to make her beliefs and opinions count.

ability to be "uncontroversially" identified as knowers results from and facilitates a type of reliable ignorance" (ibid.).

Much more could be said about Dotson's account. For now, let me point out how I will use it here: I think that the account of *testimonial quieting* can help us explain cases where conversational silence that is *supposed* to be communicative is not *perceived* as communicative because of harmful preconceptions, assumptions, and stereotypes.

Recall what is happening in our case: Everybody in the neighbourhood meeting, except for Dragana, is able to implicate something with their silence. Dragana is presumed, due to her belonging to certain social groups, *to not have done anything communicative*. Dragana is a woman of colour; she is new in the neighbourhood. All of these categories, though some more than others, will come with certain stereotypes and (possibly[80]) harmful preconceptions which could be taken reflect on how knowledgeable, competent, or intelligent Dragana is, and they will work in combination with each other. In this context, this means that Dragana is not identified as a *knower*. Her audience, the people taking the votes and administering the meeting in question, entertain a certain form of *reliable* and *pernicious ignorance*, which distorts the way in which Dragana's epistemic and communicative capacities are evaluated. While all *other* people who are present *are* able to make their silence count as a vote, her silence is not registered as communicative at all. She experiences *testimonial quieting*, and her silent conversational contribution is turned into something non-communicative. All of this means that Dragana is *silenced*. Her silent conversational contributions, and what she intends to communicate with those contributions (which others *are* able to communicate with their silence in the same context), are stifled as a direct result of her audience's harmful evaluation of her epistemic capacities. Dragana's silent implicature is ignored; there is no audience-implicature generated at all.

So far, then, we have covered the first category in our taxonomy. I now want to come to an assessment of the next set of cases: Sometimes, somebody might attempt to implicate one thing with silence, and instead of *nothing*, something else (something that could be somewhat harmful to them, or arise because of harmful pre-emptive assumptions) ends up being the audience-implicature.

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[80] I say "possibly" because there can, of course, be circumstances where Dragana is not stripped of her epistemic capacities in the way she is in this meeting: E.g., the identity "woman of colour" will likely have different effects in some white neighbourhoods than it will in a racially diverse community, or a neighbourhood where most people are of colour.

Let's start with another example:

> **(32)** Lucas and Chris have been assigned as partners in a project. Lucas is straight, Chris is gay, and they both know that about each other. Chris has no interest in Lucas. When they meet up, Lucas starts talking about how he couldn't do the preparation because his girlfriend just broke up with him, and they have a bit of a conversation about it. Then the following exchange happens:
>
> Lucas: "I know, we should start working, but honestly, I just hate this, I don't like being single".
>
> Chris wants to be understanding and remains silent, intending to communicate something like *I understand and I'm sorry, but I really think we should get started here.*
>
> Lucas responds, sounding worried: "Oh no, I didn't mean it like *that*, I'm really not gay at all!"

This case involves some more or less subtle expression of homophobia. Lucas is, quite literally, *afraid* that Chris might think that he, Lucas, is attracted to him, and therefore makes sure to clarify that none of what he said should indicate this to Chris. He's worried that his going on about his breakup might have indicated to Chris that he is "now available", and takes his silence, which is intended to bring across something different entirely, to be an expression of "coming on to him".

It should be noted that this hyper-sexualisation of queer people is a well-known phenomenon. As Zach Howe (2014), stresses, "men in America have grown up learning to be scared of gayness. But not only for the reasons we typically think […]. The truth is, they're afraid because heterosexuality is so fragile" – a point that is surely applicable beyond the American context. As such, comments like the one in our example are not rare. Most queer people will hear them at some point (and too often the fragility of heterosexuality even leads to grave or deadly violence). Here, in our case, some misinterpretation is going on, on the basis of some harmful background assumptions. Again, let's consider the levels of implicature to then understand the harm involved in this structural misinterpretation.

Chris intends to implicate something like *I really think we should get started on our project here.* This is his intended silent conversational implicature, and what he intends to audience-implicate. However, Chris' is not *able* to *audience*-implicate this: What he intended to bring across *remains* utterer implicated, and his communicative intentions get unrecognised. So, what Lucas *takes* to be implicated, is something different entirely. While in our case with Dragana, no audience implicature got generated *at all*, here we *do* have an audience implicature, but one that is beyond Chris' control.

According to our definition of audience-implicature, Chris must be presumed to be observing the conversational maxims or Cooperative Principle. Lucas *believes* that Chris is aware that he needs to assume something along the lines of *I'm coming on to you* in order to make sense of Chris' silence, and Lucas thinks that Chris thinks that Lucas is able to work this out. Lucas, however, assumes the wrong thing – motivated by some of his harmful assumptions about gay men. Because of this, what

ends up audience-implicated is an expression of sexual or romantic interest, which is not what Chris intended to convey. But, in virtue of his identity as a gay man, Chris is not able to do with his silence what he'd be able to do if a.) he was straight, or b.) Lucas didn't know that he was gay. While Dragana's silence is not understood as communicative because she is not assumed to be a knower in the relevant way, Chris' silence ends up communicating *something*, it's just not what he wanted to communicate, illustrating the effects of a certain kind of homophobia. So, how can we further describe the harm that is happening in this case?

As mentioned earlier, Quill Kukla analyses cases similar to this one. As we heard before, according to them, it can so happen that somebody's speech act, in virtue of their identity, can get transformed into a different speech act entirely. They describe this as *discursive injustice*, a "specific sort of discursive incapacity" (Kukla 2014, 441) that takes place when an individual's recognisable membership in a disadvantaged or marginalised social group distorts the performative force of this individual's utterances in a way that enhances their disadvantage. In such cases there is some harm taking place: It's more difficult, if not impossible, for them to develop and draw on certain discursive conventions in a way other people can (see ibid.). In their paper, Kukla focusses specifically on gendered subject positions, in particular how women aren't able to perform certain speech acts of strong, truth-bearing *assertions*, orders, or commands, and how their speech acts get transformed into non-truth-bearing acts of *expression* (see ibid., 450-452):

> "[S]ometimes being a woman (or having some other relatively disempowered social identity) throws this process off the rails: I might intend to perform a speech act of type A; I might have the entitlement to perform it according to standard discursive and social contentions; I might use the conventionally appropriate words, tone, and gestures to produce it in my current context; and yet – because of my gender – my performance may not receive uptake as a speech act of type A" (ibid., 445).

As a woman, for instance, your speech act might be *out of your control*, in the sense that there is a "pragmatic breakdown" (ibid.) happening: You "cannot marshal standard conventions in the standard way, in order to act autonomously as a discursive agent" (ibid.). To illustrate this, Kukla (2014, 445-446) introduces the following example:

> **(33)** "Celia is a floor manager at a heavy machinery factory where 95% of the workers are male. It is part of her job description that she has the authority to give orders to the workers on her floor, and that she should use this authority. She uses straightforward, polite locutions to tell her workers what to do: "Please put that pile over here," "Your break will be at 1:00 today," and so on. Her workers, however, think she is a "bitch," and compliance is low. Why? One possible explanation is that the workers are just being blatantly sexist and insubordinate. They are refusing to follow her orders, which is still a way of taking them as orders. This sort of direct transgression is relatively straightforward. However, a subtler and more interesting explanation is that even though Celia is entitled to issue orders in this context, and

> however much she follows the conventions that typically would mark her speech acts as orders, because of her gender her workers take her as issuing *requests* instead."

In this case, Celia's speech act gets transformed into something *different* altogether. It doesn't matter what Celia intended to communicate, in a way, because what gets taken up by the floor-workers is something else: The speech act Celia ended up performing is one of request, and not one of command. Note, at this point, that Kukla's notion of uptake is a normative one: "The uptake of a speech act is others' enacted recognition of its impact on social space. Intentions in speaking are part of the story that gives a speech act the performative force it has, but they are not privileged or definitive; The speaker may only discover, in how her utterance is taken up, what sort of speech act it really was" (ibid.). Uptake isn't "passive recognition", but "part of the set of events setting the conventional context for the speech act" (ibid.). And it is within this setting that particular speech acts, performed by certain subjects, *become* different kinds of speech act (see ibid., 442). This, then, is a sort of silencing. E.g., when performed by a woman, even though she is using the conventionally appropriate words and gestures, a speech act of command might come out as a request – a speech act of much "weaker" status and force. As such, a woman who attempts to perform a command may not be able to do so. She realises that her commands are not understood as such – or, in Kukla's words, she only *then* discovers "how her utterance is taken up, what sort of speech act it really was" (ibid.). And this, according to them, is unjust. As Kukla (2014, 441) points out:

> "When members of any disadvantaged group face a systematic inability to produce certain kinds of speech acts that they ought, but for their social identity, to be able to produce – and in particular when their attempts result in their actually producing a different kind of speech act that further weakens or problematizes their social position – then we can say they suffer a *discursive injustice*."

The kind of cases Kukla discusses are interesting for various reasons, among others because they address how silencing doesn't just *prevent* people from communicating, but how it limits agent's pragmatic capacities, and makes it so that they end up performing an entirely different speech act altogether.

But of course, Kukla is working with an account of speech acts, where I am working with an account of implicature – which means we have different philosophical starting points and will therefore analyse these kinds of case in different ways. So, while case **(32)** I am interested in here is structurally similar to the kind of cases Kukla discusses, the claim about *misinterpretation* I want to make in regards to Chris and Lucas is a bit different, and weaker, than Kukla's. Most importantly, I do not think that in case **(32)** the implicature gets changed *entirely*, since Chris' communicative intentions are still *registered* with his utterer-implicature. However, his audience-implicature does get

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changed – he is *understood* to be implicating something he didn't utterer-implicate and didn't intend to conversationally implicate: Recall, that what counts as audience-implicated is somewhat up to the audience. So, in example **(32)**, the audience-implicature *does* get transformed. As we've already discussed, Chris is known to be gay by Lucas, his project partner. Lucas' fear of having accidentally made Chris think that he's interested in him stems from some deep-seated homophobia, expressing itself in assumptions like *Chris must be interested in me if he knows I'm available*, and *all gay man are hyper-sexual and always looking for a hook-up*. As I mentioned above, these are, of course, harmful and stereotyping assumptions. As such, they can have a significant effect on our conversations – an effect that also extends to our conversational *silences*. Here, we see this to the extent to which the performative force of what Chris wants to implicate for this audience with his silence is distorted. He is not able to draw on a certain sensitivity on behalf of Lucas to interpret him as nudging that they should go on. He is not able to make Lucas think that he is primarily just interested in getting the project done.

This, then, fits with category **(b)** in our taxonomy: Somebody's silence is intended to communicating one thing, but in virtue of their identity it is understood as something different *on the level of what the audience takes to be implicated.* This, we see, is crucially different from what is happening in case **(a)**. There, while we are also dealing with misperception, the relevant silent implicature is not understood as communicative *at all*, crucially because the person intending to use their silence a certain way is not perceived as a knower, a perception which is influenced by structures of ignorance. Here, something *does* end up communicated by silence, but what gets understood *by the audience* is transformed. We see, then, that this is different from Kukla's case, where somebody ends up performing a different speech-act altogether, with conversational intentions not playing a role.

It's worth noting, moreover, that my approach via disentangled implicature is not vulnerable to a particular concern raised in regards to Kukla's account: Some respondents have stressed that, if we apply Kukla's account to cases of sexual encounters in which somebody's refusal is ignored or misinterpreted (e.g. a "no" is taken as "coyness" and to actually mean "yes"), it would be a problem to think of the refusing party's "no" as *actually being a different kind of speech act altogether* (see e.g. Hesni 2018; this point is also discussed in detail in Harrison and Tanter 2021, manuscript). As, e.g., Samia Hesni (2018, 963) argues, on Kukla's framework, such a speaker trying to refuse sex would not, in fact, refuse. Rather, the speech act performed entirely depends on the *addressee's interpretation*.

I think that these responses to Kukla raise important issues, and they are more nuanced than I can discuss here. It is worth pointing out, as Rebecca Harrison and Kai Tanter (2021, manusript, 16) argue, that when a subject's discursive agency is "not only restricted by the addressee, but is also

co-opted – her own words are *turned against her*", there *is* still a harm going on, even on Kukla's account. Harrison and Tanter stress that "[t]his co-option has two dimensions: first, the speaker is alienated from the very action she performs; second, the action the speaker is made to perform deeply harms her" (ibid.). This is because "the addressee can co-opt and distort a capacity which would normally be part of the speaker's agency […]. In this sense, by being made to perform a speech act of consent, the speaker is forced into an alienated kind of 'participation' in her own violation" (ibid.). This is, of course, one way to address the illustrated issue. But it's worth noting that, on the weaker analysis I want to apply to the example I raised, this problem does not arise in the same way. Rather, what we do see with the approach of contrasting utterer- and audience-implicature is that the communicative *intention* was not to bring across one thing rather than another (in our case **(32)**, it was Chris' intention to communicate "let's get on with work" rather than "I'm attracted to you").

On my account, communicative intentions *do* matter. Looking at our example, were we to reconstruct how exactly Chris intended his silence to be calculated, and took into account what made Lucas calculate it in a completely different way, we could also illuminate how this shifting process works: By taking into account Chris' utterer-implicature, we can show how his discursive capacity is misconstrued – and this might just lead to his *audience*-implicature coming out as something that he didn't plan. But even *if* a different audience-implicature ends up being generated, we can still draw on the fact that Chris was intending to do something different, which helps us point out the harm that is happening here (and that we do not have a case of "simple" misunderstanding).

This point is further illustrated by another example, which I'll introduce before moving on to the next category:

> **(34)** According to the 2018 EMRIP report "Free, prior and informed consent", authored by *The Expert Mechanism on the Rights of Indigenous Peoples* (2018) and presented at the 39th session of the Human Rights Council, "[f]ree, prior and informed consent is a manifestation of indigenous peoples' right to self-determine their political, social, economic and cultural priorities. It constitutes three interrelated and cumulative rights of indigenous peoples: the right to be consulted, the right to participate, the right to their lands, territories and resources. Pursuant to the Declaration, free, prior and informed consent cannot be achieved if one of these components is missing." In an input to the report by the *Kaurareg Aboriginal Land Trust*, Kaurareg addresses "the peculiar situation where consent is constantly sought by Australia to validate its prior decision to integrate colonized dependent populations, continually resident on their own non-self-governing territory. That decision by Australia was made without our knowledge, without free prior and informed consent" (Kaurareg Aboriginal Land Trust 2018, 1). Later in the report they specifically remark on one way in which the Australian State seeks out consent of Kaurareg in less than genuine ways: "In the Settler State, Australia where the decision was made to integrate Aboriginal peoples and Torres Strait Islanders, the key objective is to obtain our consent by overt and covert means.

> When we examine these means, we find the policy language and programs of persuasion to gain our consent are 'wiped clean' of clues pointing back to Australia's decision to integrate us without our consent. **They are for the most part cunningly engineered so that our known cultural norms of silence are interpreted by non-native rules of debate and majority votes, duly registered as our agreement. Despite our cultural norms of silence being well-known to the social sciences, where our silence indicates respect and/or disagreement and/or matters of discomfort, our silence is turned against us and used to indicate our consent**" (ibid., 8, my emphasis).

It should be clear that the treatment described by the Kaurareg Aboriginal Land Trust constitutes an injustice that goes beyond the linguistic injustice I'm discussing here. But it also illustrates what we've been seen over the course of this section: how a silence, intended as a particular communicative act, can be perniciously misconstrued on the level of audience-implicature. In the illustrated case, silence was taken as consent, and, even though they did not intend to consent with their silence on certain issues, it got taken up in the precise way consent *would* have been taken up if it had been given unambiguously, which brought on the corresponding *consequences* on the level of legal decision-making. There is a sense in which Kaurareg's silence, as they write, "got turned against [them] to indicate [their] consent" (ibid.). None of this is to say that this manipulated consent is genuine, nor that the Australian State was justified in taking the silence to mean assent. I think, grasping this silence with utterer- and audience-implicature in mind can allow us to illustrate why.

Silence that is Not Intended to be Communicative but Taken to be Communicative

For the last category I want to consider, let me refer to one of the examples Dotson brings up in her paper.

(26) "In her article, "Conversations I Can't Have," Cassandra Byers Harvin expresses her reluctance to engage in conversations about race in a U.S. context due to the ways "race talk" has been framed in U.S. public discourse. […] She describes one encounter in a public library with a white woman, "early-50s-looking" who asks Harvin what she is working on. Harvin responds by indicating that she is researching "raising black sons in this society" (16). The white woman promptly asks, "How is that any different from raising white sons?" Harvin notes that it is not only the question that is problematic, as it indicates a kind of lack of awareness of racial struggles in the United States, but also the tone of the question that indicated the white woman believed that Harvin was "making something out of nothing" (16). Harvin explains that in response to the question she politely pretended that she was running out of time in order to extricate herself from the situation. This is a situation where the audience of potential testimony demonstrated, through a racial microaggression, testimonial incompetence" (Dotson 2011, 247).

There is, of course, much to be said about this and the ways in which it applies to Dotson's broader framework of testimonial smothering, the idea of unsafe and risky testimony, and reliable

ignorance. So far, it doesn't involve the kind of explicit silence I'm interested in. But it's not hard to imagine that silence of this sort might come up. For example, imagine Harvin responded to the question, or the two of them had a bit of a back and forth, and Harvin's interlocutor keeps up her harmful behaviour. At some point, Harvin remains literally silent, not to communicate something specific, but because she realises that her testimony is not safe in this context and she feels that she *has* to remain silent in order to not be attacked further or positioned as "the angry black woman" – in Dotson's (2011) words, she *smothers* her conversational contribution. So, how does silent implicature become relevant here? At least for this case, I assume that Harvin does not intend to produce any kind of direct *implicature* with her silence. There is no intended concrete message or audience-implicature that she is trying to generate (in contrast to our previous cases **a.)** and **b.)**), but rather she just *doesn't know what to say any more* and remains silent *in order to protect herself from more attacks*. In short, we don't have an utterance-implicature. However, it might just happen that an audience-implicature gets generated anyway. For now, I want to consider two options.

Option i: The woman Harvin is talking to thinks that the silence means that Harvin has now changed her mind and actually *agrees with her* that there *isn't* something special about raising black sons in the US. She thinks that Harvin's silence means that she has *convinced* her. This ends up as the audience-implicature, even though no such implicature was intended by Harvin.

Option ii: the woman Harvin is talking to draws on harmful stereotypes and assumes that the silence means "this woman is angry at me". Here, this ends up as the audience-implicature, even though no such implicature was intended by Harvin (even though anger would, of course, actually be quite a justified reaction to the conversation).

In both of these cases, due to some harmful assumptions on the part of her interlocutor, Harvin's ability to do *nothing* with her silence is taken out of her control. This, I think, is crucially different from the cases we've already discussed. In the case of Chris and Lucas, Chris intends to communicate something *specific*, which ends up being misinterpreted in prejudiced ways. Similar things happen in the Kaurareg case. And in Dragana's case, *nothing* ends up audience-implicated. Here, however, Harvin *doesn't intend* to do something with her silence in the direct way we've talked about in this thesis, yet something *still* ends up audience-implicated.

Now, Dotson's (2011) work on testimonial smothering shows how particularly marginalised people will sometimes self-censor and suppress their contribution or testimony because the immediate audience is perceived as unwilling or unable to take up the testimony or utterance by the speaker, and because they might fear that the audience will twist their contribution against them (see ibid., 244). It's important to note that, in such cases, where somebody feels silenced along these lines, they might not want to bring across anything *specific* with their silence. If anything, they might want

to *use* their silence to opt out of a conversation and withdraw. While this *does* communicate something, of course, it is not the same as bringing across "I vote yes" or "Let's get on with work", as we have seen in the two previous cases. In cases of *locutionary silencing* or *self-silencing*, that is, where we end up saying nothing at all anymore, we are already harmed. However, this is not the primary harm I want to focus on here. Testimonial smothering alone cannot explain the misinterpretation of the silence and the distorted audience-implicature in case **(26)**. Rather, I'm interested in how the choice to do nothing *directly* communicative with one's silence can be taken away.

Let's think about this a bit more by starting with *Option i* from above: As we heard, Harvin testimonially smothers her potential contribution and remains silent – a silence that gets misinterpreted in harmful ways. On a theoretical level, I think a discussion put forward by Goldberg (2020) can help here.

I have already discussed Goldberg at length in this thesis (see *Chapter 4*): In short, his account of "No-silent-rejection" (NSR) argues that "insofar as we are entitled to expect cooperation in conversation, we are entitled to expect that silent audiences have not rejected the assertion" (Goldberg 2020, 152) and that "one is entitled to expect that one's partner will not remain silent in rejection" (ibid.). Goldberg stresses that the interpretation that silence during a conversation will not indicate dissent is highly psychologically, socially, and normatively salient, but it is *defeasible* (see ibid., 175-180).[81] *Defeasibility* here means that, under conditions of oppression, coercion, etc., the entitlement to assume that silence means assent is defeated. That is, if somebody is intimidated, threatened etc., the normative, psychological, and social salience of NSR diminishes.

What does Goldberg's account say about cases where somebody remains silent because they are *silenced*, but the one doing the silencing (or a broader audience) do not *realise* that this is happening (maybe because they are oblivious to power structures, perpetrating some harm without being aware of it)? Here, we are thinking of a community where some people are completely *ignorant* of the practices of silencing going on. That is, they aren't initially *aware* that they are silencing others, and that others remain silent because of their behaviour. And to the extent that they do not *realise* that a defeasibility condition applies, they do not realise that there is no entitlement to assume that the resulting silence means assent. When this happens, "these oblivious individuals not only participate in the silencing-constituting oppression itself, but also harm the silenced victim a second

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[81] It's *psychologically* salient, because "faced with the task of explaining another's silence in the face of a mutually observed assertion, the assent interpretation is typically one of the first to be considered" (Goldberg 2016, 97). It's *socially* salient, because "it is a mutually familiar part of the social practice of many speech communities that silence is standardly interpreted as indicating assent" (ibid.). And it's *normatively* salient, because "speakers enjoy a default (albeit defeasible) entitlement to assume that silence indicates assent" (ibid., 98).

time over; they do so by interpreting the very effects of that oppression (the victims' demoralized silence) as indicating the victims' acceptance of the assertion" (ibid., 194).[82] This is the double harm of silencing – on top of being silenced, one now also has their silence mis-interpreted.

Now think about the *Option i* variation of our example from above: Goldberg's discussion indeed seems to fit with the description of the white woman's behaviour: Not only does she demonstrate testimonial incompetence, but she also demonstrates ignorance – pernicious and reliable ignorance at that. She doesn't seem to be aware that she is silencing Harvin, and ends up thinking that Harvin's silence means that she actually agrees with her, and now also thinks that there is, in fact, no difference between raising black and white sons in the US. And this, of course, is a harmful thing to happen. If this happens, not only is Harvin forced to censor herself, her silence is also misinterpreted as endorsing the statements of the person silencing her.

I think that, by recognising this double harm of silencing, Goldberg makes quite an important point. However, it's worth noting that, although Goldberg's notion of the double harm of silencing does apply to some cases, there will be cases he will have difficulty accounting for. He assumes, for one, that if the silencing party is unaware of the effects or phenomenon of silencing, they will by default take any resulting silence as assent, because they will implicitly assume that NSR applies. But what if they do not, in fact, take silence to indicate assent, as in *Option ii*? Given the racist stereotypes white women often hold towards black women, it's perhaps not unreasonable to assume that a white woman who shows testimonial incompetence, as Harvin's interlocutor does, might see anything Harvin does as anger and dissent. So, much along the lines of what I discussed in *Chapter 4*, I believe that there are cases where we might still want to say that a *double harm of silencing* is taking place, but it's not because the silence is taken to mean assent. While Goldberg's illustration can help us to assess some cases (e.g. *Option i*), others will push the limits of his account.

We'll see this by further considering *Option ii*: Here Harvin's interlocutor takes her silence not to indicate assent, but rather to communicate that Harvin is *angry* at her – this is what ends up audience-implicated, due to some racist assumptions made by the white woman, which led her to misinterpret Harvin's silence (which carried no intention of being communicative). Goldberg's assessment of the double harm of silencing, however, cannot explain this kind of instance.

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[82] This, of course, is different from situations where to silence was somebody's *intention* in the first place. If you want to make somebody silent and you are aware of this, the other party not being able to communicate is what you *wanted* to achieve. In such cases, the silencing party will hardly take the arising conversational silence as anything *conversational* or *communicative* at all.

As has become clear previously, my overall interpretation of silence differs from Goldberg's. I don't think that NSR is the relevant feature that we need to be worried about in cases where silence resulting from silencing is misinterpreted. This is to say: While it is surely possible that somebody silences you, and then wrongfully takes your silence to mean assent, this is not the only relevant misinterpretation that can happen here. Your silence, arising from an instance of silencing (be it locutionary silencing or testimonial smothering), could also be taken as dissent, as anger, as passive-aggressiveness – and in virtue of this could contribute further to the ways in which you are discriminated against. To draw on an already mentioned issue: if a black woman's silence, arising from self-silencing in order to protect herself, is taken to mean anger, even though she's not trying to implicate anything specific with her silence, this further harms her (in addition to having had harmful and racist stereotypes applied to her). And this is essentially what happens in *Option ii*. As we saw in our extended example, Harvin might not want to implicate anything specific with her silence – she might testimonially smother her contribution; she might just not *know* what to say any more, given the testimonial incompetence her interlocutor is demonstrating. But this silence could nevertheless be understood as communicating something. And what ends up communicated in this case can further contribute to her overall discrimination.

Both of these misinterpretations of the silence of the silenced constitutes, I believe, what Goldberg calls "the double harm" of silencing. This is not only the wrong of silencing, but also the wrong of having one's silence – already enforced in this way or another – misinterpreted, turned against you, or even made to represent an endorsement of the view of the oppressor is another harm *on top of* the silencing itself. Only focusing on the assent-aspect, however, is too narrow, and the latter example can show this. Both interpretations of Harvin's silence in this situation are very much possible.

There are surely many more examples that would fit this taxonomy. I hope that the discussion in the previous section has put a spotlight on various things which I so-far haven't addressed in this thesis: Even though we have already seen in *Chapters 4* and *5* that implicating with silence, e.g. in the context of injustice, is not always an option, and even though *Chapters 2* and *3* have highlighted that what we intend to *conversationally* implicate doesn't necessary end up being *audience*-implicated, the examples in this chapter work to show how somebody might be structurally *prevented* from doing certain things with their silence. In discussing this chapter's taxonomy of cases, I have addressed question (1) from the beginning of this chapter: *How can silence be silenced?*

But what this discussion has also shown is that *even when* we are *prevented* from communicating with silence, somebody can still be said to have utterer-implicated something with their silence (as in the cases discussed in category **(a)**). Moreover, something can also end up being *communicated* – but in

cases of "silenced silence", what *ends up* as the audience-implicature just wasn't the *intended* audience-implicature (as discussed in category **(b)**), or was arrived at in the absence of any intended audience-implicature at all (as discussed in category **(c)**). The point is that, in the cases we've discussed here, the relevant individuals are prevented from implicating *what they want with their silence.* As we've seen, even in situations where somebody is silenced in this or that way, an unintended audience-implicature can arise. And, after all, it seems clear that, in these circumstances, whatever ended up communicated, didn't get communicated "freely". This, then, can be seen as a response to question (2): *Can somebody audience-, utterer- and/or conversationally implicate with their "silenced silence", and if so, in what sense?*

What the discussion in this chapter has shown is that *even though* we have this possibility of silent conversational implicature, just like with speech, it isn't a possibility that's open to everybody in the same way. And just like with speech, somebody can be prevented from implicating with silence. So, if you are forced into silence, and your silence is taken to communicate something that supports the very act of oppression that silences you, this is unjust. If the contents you want to communicate with your silence are constantly twisted and turned because of some harmful identity prejudice and pre-emptive judgment, this is unjust. If you simply cannot implicate with silence in certain contexts because you aren't perceived as a knower, this is unjust.

A broader point here is that silent implicature is not a one-way street. There are audience-dependencies to take into account – contextual features of exchanges, background knowledge, and so on. Just because you want to communicate one thing with your silence, that doesn't mean that you will actually be successful in doing so. The fact that the people in our examples didn't succeed in implicating what they wanted to implicate shows that something in the communication process went wrong, and in our particular cases, to the detriment of those attempting to communicate something. What we can see from the discussions in this chapter is that there is another *level* of silencing, a level that affects aspects of our communicative aims that aren't explicit speech. We've seen how silent conversational implicature, just like other forms of communication and speech, needs to be captured in ways that are sensitive to oppression, power structures, and marginalisation.

6.3.   Conclusion

Two questions have guided my discussions in this chapter:

(1) How can silence be silenced?
(2) Can somebody audience-, utterer- and/or conversationally implicate with their "silenced silence", and if so, in what sense?

In order to address these, I have discussed a taxonomy of ways in which somebody might be prevented from doing certain things with their silence: **(a)** Somebody *intends* to implicate something with their silence but *nothing* ends up audience-implicated (that is, the silence is taken to be non-communicative); (**b)** Somebody *intends* to implicate something with their silence but *something else* ends up audience-implicated; and **(c.)** Sometimes, somebody *might not intend* to implicate something with their silence but something *still* ends up being audience-implicated. I did this by highlighting the "levels" of implicature involved in each case, and by drawing on an account from the silencing literature that can help to explain the harms going on in these cases. As such, *silenced silence* can be a form of oppression: it can oppress somebody's communicative advances and potentials in harmful and unjust ways, and limit their opportunities to communicate (or do) with their silence what they want.

In a way, it should not be surprising that conversational silences, in virtue of their potential to communicate, can also be *silenced*. I hope that this chapter has illustrated in some more detail the ways in which this can happen.

Conclusion

> Experience teaches us that silence terrifies people the most.
>
> – Bob Dylan

To bring this thesis to a close, let's reflect on some of the key results we have established.

My aim in *Chapter 1* was to develop the notion of *silent conversational implicature*, the key framework used to analyse conversational silences going forward. To this end, I defined conversational silence as an active conversational contribution, where (i) somebody doesn't utter anything *explicitly*, i.e., remains silent, and (ii) they remain silent *in order to* bring something across. Drawing closely on Grice's discussion of conversational implicature in *Logic and Conversation*, I next worked through each of Grice's maxims (Quantity, Quality, Relation, and Manner), applying them to cases of silence. I further showed how, unlike Grice's original notion, our new definition can fully accommodate cases of remaining silent. However, many of the examples I considered in this first chapter were more or less straightforward. That's why *Chapter 2* was set on complicating this picture: Here, I worked on "disentangling" (silent) implicature, following Saul (2002), by introducing utterer-implicature (what was intended as the implicature), audience-implicature (what was understood as the implicature) and stressing the role of *implicature as a normative notion*. The goal was to show the usefulness and importance of analytical tools that help us pick apart different "levels" of implicature – specifically for analysing complex and political cases of conversational silence.

While both chapters *1* and *2* analysed a good number of cases, my central goal was to develop some tools that would allow us to understand how silence can communicate in nuanced ways. In *Chapter 3*, I put these tools to further use by discussing the issue of silence and deniability. The aim was to analyse sneaky uses of silence, in particular how it can allow us to avoid conversational accountability and liability. Discussions surrounding deniability go, of course, far beyond cases of conversational silence. However, there are a few neglected aspects to this discussion, which I identified in the first step (and which I related to silence): (1) the role of *implausible* deniability, (2) cases where people make use of the deniability features of their conversational contribution despite this *not* being their plan all along (inadvertent deniability) vs. cases where denial *is* the intention all along (deliberate deniability), (3) how we can *counter* denials, and (4) cases where people make use of silence's deniability features in order to *protect* themselves in the context of injustice. All this is highly relevant to silent implicatures: As I hope to have shown, conversational silences do, indeed, allow for a large interpretational leeway that can be utilised in various ways to maintain deniability.

However, there are also ways to challenge and counter denials in effective ways. I showed this by drawing on Camp's discussion of pedantry – making clear that there are times where pedantry is more than due.

In *Chapter 4* I focussed on silence and assent by discussing, and refuting, Goldberg's account of how we communicate with conversational silence. According to his argument of "No-Silent-Rejection" (NSR), we have (absent defeating conditions, like oppression, or simply being preoccupied), an *entitlement* to assume that somebody who remains silent in a conversation *does not reject* what has been said. I rejected Goldberg's view by establishing the account of silent conversational implicature as a version of what Goldberg calls a "disaggregation view", according to which silence cannot be explained via a universal claim about the nature of conversational silence. I showed that conversational silence is much more multifaceted than Goldberg allows, by identifying various counter examples to his interpretation. *Chapter 5* followed a similar line of discussion by putting more emphasis on silence and dissent specifically. Here, I introduced two accounts which are critical of Goldberg's view: Lackey (2018a) and Tanesini (2018). We first heard about Lackey's non-idealised approach to silences. While I pointed out that I believe we need to take these issues seriously, I also stressed that Lackey does not introduce an account of *how* we can communicate with silence. Tanesini, on the other hand, develops an alternative interpretation of silences to Goldberg, which specifically focusses on eloquent silences as illocutions, speaker meaning, adjacency pairs, and discussions of how eloquent silences can be *dissenting*. While I think Tanesini's response to Goldberg is persuasive, I argued that there are some cases of conversational silence which my account of silent implicature seems to be able to make sense of in clearer ways.

The last chapter introduced yet another perspective on conversational silence. Here, I showed that *silence can be silenced* insofar as somebody is *prevented from communicating* with it. Specifically, I discussed the following taxonomy, relating each category to a familiar discussion from the silencing literature: (a) Somebody might *intend* to implicate something with their silence but *nothing* ends up audience-implicated; (b) somebody might *intend* to implicate something with their silence but *something else* ends up audience-implicated, and (c) somebody *might not intend* to implicate something with their silence but something *still* ends up audience-implicated. (For category (a) I referred to Kristie Dotson's (2011) account of testimonial quieting, for (b) to Quill Kukla (2014), and for (c) to Goldberg's (2020; 2016) discussion of the "double harm of silencing").

With these discussions I hope to have addressed some central questions and domains in relation to the issue of conversational silences. I do not claim, of course, that the analysis put forward in this thesis is exhaustive. Surely, there are many more questions to explore. Future research could focus, for instance, on some of the following points:

For one, while I do think that silent conversational implicature is a far-reaching explanatory tool, it could be useful to explore how other theories in philosophy of language could contribute to our understanding of conversational silences as well. Candidates would be, among others, the role of the common ground (Stalnaker 2002), scoreboard (Lewis 1979) and presuppositions more generally. How exactly does a shared (or diverging) common ground contribute to the possibility of silence being understood accurately? How can presuppositions shape our understanding of silence, and how can this operate in particular in cases where silence is used in misleading ways? Can silence update the conversational scoreboard?

Second, it would be interesting to explore the role of silence in cases of sexual encounters specifically. There have been plenty of discussions on how *only yes means yes*, maintaining that just because an explicit "no" is absent, this doesn't mean that this silence indicates consent to sex. It would be fruitful to explore how silence is not just the absence of consent, but can function as active sexual refusal – connecting this with insights from *Chapter 5* on silence and dissent and *Chapter 6*, where I talked about how silence can be silenced. In contrast, it would be worth exploring if and how silence can have a different communicative function in sexual encounters between intimate partners, where people might know each other well enough to interpret each other's silences in ways strangers could not. This is not to argue that explicit consent is not necessary in existing relationships, but rather to ask about the role of conversational silence in connection with sex, intimacy, refusal, and consent more generally.

Third, again building on discussions from *Chapter 5*, it would be worth exploring further the communicative potential of large-scale group-silences: By this I don't mean remaining silent *about* issues, like when we omit things *while* we are speaking (what I called *omissive silences* in *Chapter 1*), but rather large-scale silent protests (e.g. silent marches or silent sit-ins). Can we, in such cases, understand the general dissenting silence as made up of individual silent implicatures, or do we need a more "collective" understanding of such silences? Is there a parallel to be drawn between the effects of silences like this and the pragmatics of protest slogans?

Finally, another arena to explore would be the domain of *online silences*. There are already some discussions on this, e.g. by Alexander Brown (2019) in *The Meaning of Silence in Cyberspace* or Jennifer Saul (2021) in *Someone is Wrong on the Internet. Is There an Obligation to Correct False and Oppressive Speech on Social Media?*. What could be explored further are the many layers of silence in online spaces, how it functions in private vs. public conversations, and whether the distinction between conversational and omissive silences that I have drawn for in-person conversations can be upheld in online spaces where a lot of conversations take place in written form.

These are just some topics that could be explored further. There are, without a doubt, many more questions to answer. What I hope to have done with this thesis is opened up a discussion about an often under-appreciated conversational phenomenon, by showing that silences can communicate and do all kinds of things and that they have a great political scope. Recall the story I began this dissertation with: 12-year-old me, walking home from school, thinking about the play on words in the festival name "Stummer Schrei". One of the, almost banal, conclusions I came to back then, was that silence is not "just" silence. If nothing else, I hope that this thesis at least substantiates that insight. The festival, by the way, is not advertised with giant letters on a hill any more, but even many years later *stummer Schrei* remains. I still think it's a clever name.

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arrative.

Index of examples

No.	Example	Pages
(1)	I sit in a café with my friend Thomas, who has a half-eaten piece of chocolate cake in front of him. Thomas hasn't taken a bite in several minutes, instead talking to me about his love for phenomenology. At some point he says "And this is the first issue with Merleau-Ponty's understanding of intersubjectivity" and then stops talking, clearly expecting me to give him some kind of indication of my uptake. I, however, don't respond, but remain silent, looking straight at him. Thomas, who knows that I absolutely live for chocolate cake (but also that I'm usually interested in his takes on Merleau-Ponty), realises that he hasn't offered me a bite yet, so he asks "You want some cake?". I agree, and after having some I say "Yes, it's a fascinating discussion, go on!"	7
(2)	I am having lunch with my friend, but I got mad at him the day before for eating my cookie without asking. I've raised this with him, and we seemingly have figured it out, but secretly I am still holding a grudge. So during lunch he asks: T: Are you still upset with me? A: […] T: Okay, I see you are. What else can I do to make it better?	10; 11; 29
(2*)	T: Are you still upset with me? A: […] T: Okay, I see that you *are* still mad at me. I'm sorry! What else can I do? A: I don't know! You know how I am. Buy me a cake and we're even. T: And you'll stop holding a grudge then? A: Yeah, I promise.	30
(3)	In a scene in the TV-show *Dear White People*, Samantha White and Troy Fairbanks, a young couple, visit Troy's father Walter Fairbanks in his office to tell him they are planning on taking a trip over their break. The following exchange happens: Troy: So… We were thinking of taking a four-day weekend and heading up Toronto. See the sights. Do a little legal Canadian wine tasting. Walter: […] Troy: looks resigned	10; 11; 116; 117; 118; 120-122

	Samantha: Wait, what just happened? Are we still going?	
	Troy mumbles: We're not going.	
	(see Season 1 *Dear White People*, Episode 3, min 1:32-1:58)	
(3*)	Troy: So… We were thinking of taking a four-day weekend and heading up Toronto. See the sights. Do a little legal Canadian wine tasting.	122
	Walter: […]	
	Troy: looks resigned	
	Samantha: What just happened? Are we still going?	
	Troy mumbles: We're not going.	
	Walter: There's great things to do here right on campus – where you can't legally drink. For another 3 years.	
	Troy: I'm not sure what's on this weekend if I'm being honest.	
	Walter: Why don't you hit the local theatre? I hear they have a great Romeo and Juliet interpretation going.	
	Troy: Ahm, yeah. Sure, dad. Sounds like a good idea.	
(4)	Maggie and Remi, who are a couple, just had a fight. Things calm down and Remi asks: Maggie, do you still love me?	10; 11
	Maggie: […]	
	Remi: I see. I will get my things and stay at a friend's house for the next couple of days.	
	Maggie doesn't object.	
(4*)	Maggie and Remi are in a relationship and have one of their fights. Things calm down a bit after a while, and Remi says: "We'll be able to work through this, because we love each other!"	115; 116-117; 117; 119
	Maggie looks at Remi, remaining silent.	
	Remi: "Right, okay. I think I finally see where the problem lies…."	
(5)	I'm in a restaurant with my friend Thomas, who forgot his glasses and can't read the menu board, so he asks me if I can tell him if the restaurants serves sweet potato chips.	14; 15; 28
(6)	It is a very rainy day, and I'm a person who can't stand bad weather (just like many other people). Still, I say to Olivia, "Great weather today, isn't it?".	19-20
(7)	"I am meeting a woman" (Grice 1989, 37).	20-21

(8)	Lawyer: "… I won't say anything about Haldeman … not ever …" Bernstein: "Alright, and we won't want you to do that, we know it's against the law for you to say anything [about Haldeman and the Grand Jury]. If there's some way to warn us to hold on the story we'd appreciate it" Lawyer: "I'd really like to help you but I can't" Bernstein: "Look, I'm gonna count to ten, alright, if there's any reason we should hold on the story hang up the phone before I get to ten, if the story's alright you'll just be on the phone till after I get to ten, alright?" Lawyer: "Hang up, right?" […] [Bernstein counts to 10] Lawyer: "You've got it straight then? Everything OK?" Bernstein: "Everything's fine." (see min. 1:59:08-2:00:10).	31; 32; 46; 47; 48
(9)	"She is probably deceiving him this evening" (Grice 1989, 34).	31
(10)	Two people are getting married. As part of the ceremony, the priest says: "If anyone can show just cause why this couple cannot lawfully be joined together in matrimony, let them speak now or forever hold their peace. Everybody remains silent.	32
(11)	A group of co-workers have a meeting, and Berty is facilitating the discussion. They are going back and forth about who will solve some computational problem. During that exchange, Danny says something like "Women just aren't good at maths". Berty only responds with (conversational) silence and moves on to the next point in discussion. D: "Women just aren't good at maths" B: […]	33; 34; 61; 62-68; 68-69; 126; 128; 148; 149
(12)	Lara is visiting her friend Cari, bringing her 4 year old, quite curious, daughter with her. They are having tea and gossip about some old school friends. Lara wants to tell Cari that somebody they know has hooked up with somebody else they know, but she also knows that her daughter, who's drawing a picture at the same table, will immediately ask "what's sex?", and Lara is not ready to have that conversation with her. So she says: "And then, Marcus and Gale had, you know, S-E-X!"	35
(12*)	Lara is visiting her friend Cari, bringing her 4 year old, quite curious, daughter with her. They are having tea and gossip about some old school friends. Lara wants to tell Cari that somebody they know has hooked up with somebody else they know, but she also knows that her daughter, who's drawing a picture at the same table, will	35-36

| | immediately ask "what's sex?", and Lara is not ready to have that conversation with her.

So she says: "And then, Marcus and Gale had, you know, […]!"

Cari: What? What did they do?

Lara: […]

Cari: Oooh. I see! | |
|---|---|---|
| **(13)** | In speaking of "what he perceived as the Iranian regime's threat to Israel and the world" (Ephratt 2017, 200), Netanyahu's aim was to justify Israel's refusal to embrace this nuclear deal (see ibid.). What was remarkable about his speech, especially in the context of my considerations, was the 44 seconds in which Netanyahu pauses in the middle of his 45-minute long speech (see ibid.). These 44 seconds of silence were widely interpreted and were talked about on social media and the news. More concretely, they came up in the following way, when Netanyahu says (as quoted by Ephratt): "Iran promises to destroy my country. And the response from this body and from nearly every one of the governments represented here has been nothing. Utter silence! Defeating silence." He then paused for 44 seconds and added: "Perhaps now you can understand why Israel is not joining you in celebrating this deal" (see Ephratt 2017, 201). | 36 |
| **(14)** | Ursula says to her sister Phoebe "I want apple cake for my birthday". She says this, because her birthday is coming up and she wants to remind everybody of her favourite kind of cake. This means (1) she says this, because she wants Phoebe to actively believe that she, Ursula, wants apple cake – she hence has the intention to form a certain effect or belief in Phoebe, namely the belief that Ursula wants apple-cake for her birthday. But this is not all. Ursula also intends Phoebe (2) to recognise that Ursula intends for her, Phoebe, to form this believe about Ursula's desire for apple cake. It's not just that Ursula wants to tell Phoebe, she also intends her to recognise the intention that she wants her to recognise her wish for apple cake. And (3), Ursula doesn't want her to be deceived about these intentions. She doesn't want Phoebe to think that she actually doesn't want apple cake, or that she intends her to not believe that she likes and wants apple cake. If all this is true, then Ursula really *means I want apple cake for my birthday* with her utterance. | 41-42 |
| **(14*)** | Ursula says "I love apple cake" to Phoebe when they talk about Ursula's upcoming birthday. Ursula intends to implicate *I wish for apple cake for my birthday.* (This is the utterer implicature). Phoebe, however, is a really bad listener and her memory about the cake preferences of her friends has serious gaps. Hence, Phoebe formed the false belief that Ursula doesn't like apple cake. So, she takes the information her friend puts out there to be implicating something else, maybe "How ridiculous would it be if you | 51 |

	got me apple cake, since you know that I don't like apples", or something like that (this ends up being the audience implicature).	
(15)	Imagine Phoebe saying to her sister "I'll get you some apple cake for your birthday." Ursula remains silent as a response – because she really doesn't like apple cake, and is under the impression that Phoebe should absolutely know this. Ursula remained silent, then, (1) intending Phoebe actively to believe that Ursula is not amused with the information that she'll have to eat apple cake for her birthday. (2), Ursula intends Phoebe to recognise that she intends her actively to believe that herself, Ursula, doesn't want apple cake for her birthday, and, moreover, doesn't like apple cake at all. Finally, (3) Ursula doesn't remain silent because she wants to mislead Phoebe. E.g., she doesn't want Phoebe to think that she'd be excited about apple cake, and the absence of any positive reaction – remaining silent – should be enough, in that context, for Phoebe, to realise this. Maybe she'll find it odd that Ursula didn't say anything, and remember Ursula's cake preferences.	42
(16)	In German (particularly in Austrian-German dialect), if you want to say that you are afraid of a test or exam, you can say "Ich bin aufgeregt" and mean "I am nervous, I am anxious, I am afraid". However, you can also say "Ich bin aufgeregt" when you are really looking forward to something, which then can be translated to "I am excited". Obviously, these things mean something quite different, but if you say it in the correct context during a conversation, it will be clear what you mean. When I had just moved to the UK, I was somehow ignorant of this difference, until I had a conversation with a high-school student who was complaining about her upcoming maths exam. I wanted to be sympathetic, and said "I understand, I always got really excited before math exams". The student was quite surprised how I could have taken her complaining as excitement, and seemed annoyed that I was, apparently, not paying attention to anything she was saying or even mocking her fear of the exam.	45-46
(17)	In the show *Shameless* (US-version), Fiona, the oldest sister of a dysfunctional, working class family living on the South-side of Chicago, aspires to become an entrepreneur, and gets a loan to buy a laundromat, using as collateral the house her family lives in (and fought hard to keep over the years). She tells her family about it, and especially her brother Lip responds with hostility, telling her that she is making a mistake, which leads to a fight between them. Later on, the following conversation takes place between them: Lip: "Heading home?" Fiona: "Patsies." [the restaurant where she's working]. Lip: "Well, it's not too late." Fiona: [looks at him]	57-58

	Lip: "You can still back out of that loan."	
	Fiona: [remains silent, looking at Lip.]	
	Lip: [sighs and walks off]	
	(Shameless, Season 7, Episode 6, 56:34 -57:08)	
(18)	My friend Zed and I are ready to go out. At one point they say to me: "Are you sure about those shoes?".	73-74; 75; 77
	I might interpret this as a slight towards my fashion sense, or a subtle hint that my outfit would be better with different shoes. Or I might get a bit upset with them, after all, I thought about this outfit all afternoon and think it works well. Say Zed notices my irritation, so they add: "No I don't mean *that*, just that it's going to rain later, and those sandals will not only get ruined, but you will be cold!"	
	This, implicitly, is a denial of the implicature I understood from the original question. They didn't mean that my shoes look bad, just that I might get cold wearing them in this weather! Notice, however, that Zed could have said the same thing whether or not they intended the original implication I understood. *Even if* they thought, initially, that they just had to get me to notice how bad those shoes are, once they realise that I would get annoyed about this, they claimed that their question was intended to convey a completely different message.	
(19)	Samira comes home with a new haircut. She comes into the living room where her sister is watching TV, and asks: "What do you think about my new haircut?"	74; 77-78; 80
	Her sister looks at her and remains silent.	
	Samira, visibly upset, says "Oh god, no, is it really that bad!"	
	Her sister responds: "No no, I didn't mean *that*! I was just distracted by the TV."	
	Samira might believe her sister, or she might not. But her sister's response is a denial of the implicature she generated by remaining silent – namely that she thinks that Samira's haircut looks bad. Samira's sister's silence, in this case, affords her deniability: Say the sister first thought Samira wanted honest feedback, but upon realising Samira was just looking for an (even if superficial) compliment, she can try to convince her sister that her silence didn't mean *that*.	
(20)	Betty produces the utterance "You know Obama's middle name is 'Hussein'. I'm just saying". This sentence has a proposition (Obama's middle name is 'Hussein'), and a certain illocutionary force (she intends to be recognised as asserting that Obama's middle name is 'Hussein'). However, additionally to that, Betty *also* intends to present some other proposition, something like *Obama is a Muslim* or "Even though Obama claims it's not true, having the middle name 'Hussein' indicates that somebody is Muslim". This mode of communication is successful if Betty's audience recognises	78-79

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	that it's her intention to get them to entertain the thought *Obama is a Muslim* by her saying "You know Obama's middle name is 'Hussein'". That is, her audience doesn't only recognise that Betty wants to inform them about Obama's middle name being 'Hussein' and that it could mean that he is a Muslim, but she wants them both to *entertain and believe* these messages. However, if her audience, Clare, doesn't agree with Betty and detects the problematic aspect of her message, Betty is able to deny that she meant *Obama is a Muslim*, because the presuppositions she draws on remain merely implicit.	
(21)	B says something very sexist, and A agrees. However, there's a larger group present, and A doesn't know where they stand on the issue, and doesn't want to do anything conversationally risky. Hence, A remains silent, with the intention to implicate agreement with B's comment – but hoping that should he get challenged by anyone, he could easily deny that he meant agreement. In fact, some other people disagree with A, but B continues to remain silent. So, when C comes up to B saying "Why did you agree with this sexist thing?" A says "Oh no, I didn't agree, I was initially communicating shocked disagreement with my silence, and then agreeing with *you* guys!". C believes A. In that case, A's plan to *deliberately* maintain deniability with silence worked out.	82
(22)	B says something very sexist, and A agrees. With his silence, he wants to communicate agreement with B. However, there's a larger group present, and they see B's statement for what it is – an offensive, sexist comment, and explicitly challenge B on it. When C addresses A afterwards, who remained silent throughout, about why he didn't say anything against B's comment, A can now make use of the deniability features of his silent contribution and say something like "No no, I was trying to bring across disagreement, like you guys!" C believes A. In that case, A made use of *inadvertent deniability*.	82
(23)	Ruth and Charly sit around the dinner table with Ruth's family, including her mother, father, and sisters. Ruth and Charly have been together for a while, but, Helmut, doesn't quite think Charly is the right fit for Ruth. However, this evening, Ruth and Charly make an announcement: Ruth [to the family]: We wanted to tell you something – we decided that we want to get married. We don't have a date or anything yet, but that's something we want to do. Father [alongside the whole family] looks at Ruth and Charly for a very long and uncomfortable time, but doesn't say anything. After what feels like an eternity, he finishes the last bites on his table, gets up and walks away. The rest of the family remain silent, and then returns to the conversation from before Ruth made her announcement. Nobody speaks of the engagement ever again.	85; 115; 116; 117; 119; 136

(23*)	Ruth is speaking about where Charly and her had dinner for their anniversary. Her father, who grew quite fond of Charly over the last years, says the following: "I always knew he was a good guy, does everything for his family, you surely picked well there." Ruth, who loves a chance to tease her father, responds: "I know you like him now, but please, don't pretend you were okay with him from the start. You made it perfectly clear that time we announced we'd get married that you didn't like the idea of that." Her father, who doesn't like to be proven wrong, responds this: "What, I never said anything! I remember well. I was happy for you, I was speechless! Of course a father will be worried, but I never said anything bad!" They keep talking about this, and while Ruth and everybody else knows that what Helmut is saying isn't true, he sticks with his denial: He never meant to communicate disapproval, his silence meant something else, and he claims how upset he is that they wouldn't believe him that he never had disapproving intentions.	85-86; 87
(24)	Tom Parry: "You've been reluctant to comment on the words and actions of the US president, but we do have Donald Trump now calling for military action against protesters, we saw protesters tear gassed yesterday to make way for a presidential photo-op. I'd like to ask you what you think about that. And if you don't want to comment, what message do you think you're sending?" Justin Trudeau: [remains silent for 21 seconds] Justin Trudeau: We all watch in horror and consternation what is going on in the United States. It is a time to pull people together, but it is a time to listen, it is a time to learn what injustice is, continued, despite progress, over years and decades. But it is a time for us as Canadians to recognize that we too have our challenges. […]" (Guardian News, 2nd of June 2020, 0:00-01:07).	87-88; 89; 149
(25)	"*Example 1*: An Arab woman is on a subway car crowded with people. An older white man walks up to her, and says "F***in' terrorist, go home. We don't need your kind here." He continues speaking in this manner to the woman, who doesn't respond. He speaks loudly enough that everyone else in the subway car hears his words clearly. All other conversations cease. Many of the passengers turn to look at the speaker, but no one interferes" (Maitra 2012, 100-101).	92-93
(25*)	Jaz and Hanna are both on the subway-car as well. They sit in the same aisle as the woman, and, for the sake of the argument, imagine that Jaz did indeed speak up (e.g. told the man to shut up and go away, said that he was horribly racist, and turned to the woman to ask her if she was okay etc.). Hanna, Jaz's classmate, said nothing. In fact, unbeknownst to Jaz, Hanna thinks that the man isn't wrong: While she wouldn't get up and shout at somebody herself, she does agree with general (racist) sentiment he is expressing overall.	93-94

	The man leaves the subway car at the next stop, and Jaz and Hanna exist soon after. Jaz challenges Hanna now – he thinks it was problematic that Hanna didn't speak up, and that a failure to do so is part of the injustice taking place. So he asks: "Why didn't you say anything? Did you agree with him or what?". Hanna, however, denies that her silence meant agreement, or, in fact, anything problematic at all: "My silence didn't mean to communicate agreement, I just didn't think that I *needed* to say anything else!"	
(26)	"In her article, "Conversations I Can't Have," Cassandra Byers Harvin expresses her reluctance to engage in conversations about race in a U.S. context due to the ways "race talk" has been framed in U.S. public discourse. […] She describes one encounter in a public library with a white woman, "early-50s-looking" who asks Harvin what she is working on. Harvin responds by indicating that she is researching "raising black sons in this society" (16). The white woman promptly asks, "How is that any different from raising white sons?" Harvin notes that it is not only the question that is problematic, as it indicates a kind of lack of awareness of racial struggles in the United States, but also the tone of the question that indicated the white woman believed that Harvin was "making something out of nothing" (16). Harvin explains that in response to the question she politely pretended that she was running out of time in order to extricate herself from the situation. This is a situation where the audience of potential testimony demonstrated, through a racial microaggression, testimonial incompetence" (Dotson 2011, 247).	98; 170; 172; 171-174;
(27)	Charly and Burcu talk to each other about their mutually favourite band Queen. Charly makes the assertion "Queen's best-selling single was *Killer Queen.*" Burcu knows, however, that Queen's best-selling single was *Bohemian Rhapsody.* What is expected of Burcu in this situation?	105-106; 107
(28)	Consider Berty and Amy who talk about yesterday's office party. Berty says that it was Cloe who put the glasses in the dishwasher. Amy, who is really tired because she stayed at the party till the very end, knows that it wasn't Cloe, but Ali, who put the glasses in the dishwasher. However, Amy remains silent in the face of Berty's assertion – simply because speaking up and correcting Berty isn't worth the effort to an incredibly tired Amy.	110
(29)	After finishing a long comment about the most recent Volvo on the market, Li says to their partner Angie: Hey, do you think I talk to much about cars? Angie: […]	114
(30)	Suppose a tenured professor makes a sexist remark. There is another tenured male professor present, but also his black female junior colleague with less job security and authority. His duty to object is greater than hers, and her silence should not be taken to have the default of dissent. Their silences mean something different.	129

(31)	It is common practice in many medium to larger groups or organisations, to make use of the "tacit acceptance procedure": If a point is up for decision, your silence will signify acceptance. Now, imagine Dragana, a woman of colour who takes part in her largely white neighbourhood community meeting – a neighbourhood she only recently moved to. She has been involved in community work before, and already made some good points in this and the last meeting, so it *should* be clear that she knows what she is talking about. Later that evening, a proposal is brought forward for decision, and the group uses the tacit acceptance procedure. Indeed, everybody of the 32 attendees remain silent, implicating agreement to the policy. Dragana, who has volunteered to double-check the minutes, realises later that the secretary noted "all 31 agree". She's puzzled, and points out that the numbers don't match up – after all, she agreed too. The response from both chair and secretary is that they didn't think that she had any opinion about this matter. They didn't put her down as having voted. They took her silence to not be communicative at all.	159-160; 160; 163-164
(32)	Lucas and Chris have been assigned as partners in a project. Lucas is straight, Chris is gay, and they both know that about each other. Chris has no interest in Lucas. When they meet up, Lucas starts talking about how he couldn't do the preparation because his girlfriend just broke up with him and they have a bit of a conversation about it. Then the following exchange happens: Lucas: "I know, we should start working, but honestly, I just hate this, I don't like being single". Chris wants to be understanding and remains silent, intending to communicate something like "I understand and I'm sorry, but I really think we should get started here." Lucas responds, sounding worried: "Oh no, I didn't mean it like *that*, I'm really not gay at all!"	165; 167; 168; 169
(33)	"Celia is a floor manager at a heavy machinery factory where 95% of the workers are male. It is part of her job description that she has the authority to give orders to the workers on her floor, and that she should use this authority. She uses straightforward, polite locutions to tell her workers what to do: "Please put that pile over here," "Your break will be at 1:00 today," and so on. Her workers, however, think she is a "bitch," and compliance is low. Why? One possible explanation is that the workers are just being blatantly sexist and insubordinate. They are refusing to follow her orders, which is still a way of taking them as orders. This sort of direct transgression is relatively straightforward. However, a subtler and more interesting explanation is that even though Celia is entitled to issue orders in this context, and however much she follows	166-167

	the conventions that typically would mark her speech acts as orders, because of her gender her workers take her as issuing *requests* instead" (Kukla 2014., 445-446).	
(34)	According to the 2018 EMRIP report "Free, prior and informed consent", authored by *The Expert Mechanism on the Rights of Indigenous Peoples* (2018) and presented at the 39th session of the Human Rights Council, "[f]ree, prior and informed consent is a manifestation of indigenous peoples' right to self-determine their political, social, economic and cultural priorities. It constitutes three interrelated and cumulative rights of indigenous peoples: the right to be consulted, the right to participate, the right to their lands, territories and resources. Pursuant to the Declaration, free, prior and informed consent cannot be achieved if one of these components is missing." In an input to the report by the *Kaurareg Aboriginal Land Trust*, Kaurareg addresses "the peculiar situation where consent is constantly sought by Australia to validate its prior decision to integrate colonized dependent populations, continually resident on their own non-self-governing territory. That decision by Australia was made without our knowledge, without free prior and informed consent" (Kaurareg Aboriginal Land Trust 2018, 1). Later in the report they specifically remark on one way in which the Australian State seeks out consent of Kaurareg in less than genuine ways: "In the Settler State, Australia where the decision was made to integrate Aboriginal peoples and Torres Strait Islanders, the key objective is to obtain our consent by overt and covert means. When we examine these means, we find the policy language and programs of persuasion to gain our consent are 'wiped clean' of clues pointing back to Australia's decision to integrate us without our consent. **They are for the most part cunningly engineered so that our known cultural norms of silence are interpreted by non-native rules of debate and majority votes, duly registered as our agreement. Despite our cultural norms of silence being well-known to the social sciences, where our silence indicates respect and/or disagreement and/or matters of discomfort, our silence is turned against us and used to indicate our consent**" (ibid., 8 [highlights mine]).	169