

THE OLD STOA ON THE TRUTH-VALUE OF OATHS

Recent works on Stoic logic report that among complete λεκτά only a sub-class was regarded as capable of being true or false: by contrast with statements (ἀξιώματα), such other sentences as questions, orders and oaths do not bear a truth-value.¹ But the situation is a good deal more complicated than that, at least in the case of oaths, which I propose to examine.

In characterising all such utterances as ‘sentences’ I do not wish to beg questions which will be discussed below. Surface grammar, with its distinctions of indicative, imperative, interrogative and optative, can mislead us as to the real force of an utterance. In the case of oaths there seems to be no preferred form of expression; and it is a matter for deeper philosophical probing to determine their true relation to other speech-acts.

The standard view derives its best support from a passage in Diogenes Laertius, which expressly denies truth-value to non-statements.² But a similar report in Sextus Empiricus is not so clear. After giving a scheme of complete λεκτά which sets the declarative (ἀποφαντικόν) co-ordinate with the questioning, cursing etc. types, he says that only some of them – namely ἀξιώματα – were regarded as bearing truth-values.³ Although the passage may suggest that the declarative λεκτά are identical with the ἀξιώματα, it does not actually say this, and thus leaves it unclear which types of complete λεκτά do not bear a truth-value. Ammonius’ report of the topic says that the non-statement types ‘are all bearers of falsity and truth and might be subsumed under the declarative’;⁴ but the grammar of his sentence makes it uncertain whether this is his or the Stoic view.

On the specific matter of oaths Simplicius tells us rather more. He reports as Stoic: ‘swearing cannot be true or false, rather it is appropriate in the case of oaths that one should swear well (εὐορκεῖν) or amiss (ἐπιορκεῖν); but it is not possible in these cases to speak truly or falsely, even if one swears about what is true or false’.⁵ Here it is claimed that even though oaths have something to do with what is true or false, this is not the proper category by which to evaluate them, but rather that of εὐορκεῖν and ἐπιορκεῖν.⁶ This idea is prominent, finally, in a little-noticed passage in Stobaeus which, unlike the preceding, distinguishes individual Stoics. Cleanthes maintained that everyone who swears does so either well or amiss at the time when he swears: whether it is done well or amiss depends on the presence or absence of an intention to fulfil the oath.⁷ Chrysippus seems to have amended this, by distinguishing swearing

¹ See Benson Mates, *Stoic logic* (Berkeley, 1961), pp. 18–19; W. and M. Kneale, *The development of logic* (Oxford, 1962), pp. 144–5.

² *Stoicorum Veterum Fragmenta*, ed. J. von Arnim (photoreprint, Stuttgart, 1964), vol. II. 186 [henceforth, *SVF* II etc.].

³ *SVF* II. 187.

⁴ *SVF* II. 188.

⁵ *SVF* II. 192.

⁶ I translate these words ‘swear well’ and ‘swear amiss’ to avoid begging questions which will be discussed below.

⁷ *SVF* I. 581.

truly (ἀληθορκεῖν) from swearing well and swearing falsely (ψευδορκεῖν) from swearing amiss.¹ True or false swearing² must characterise the oath at the time of its utterance. But oaths the content of which relates to a time other than when they are uttered are not sworn well or amiss at the time of their utterance: rather they take on this character at the time for their fulfilment. He compares the situation with contracts. The keeping or failure of a contract (εὔσυνθετεῖν, ἀσυνθετεῖν)³ occurs not at the time it is made but at the time for fulfilment specified within it.

As a source Stobaeus may lack the credit of the other reporters. But in the present case the circumstantial detail of his testimony, as well as its careful preservation of terminological distinctions, entitles it to be set beside the reports of Diogenes, Sextus and the Aristotelian commentators. We must now try to evaluate the total of this evidence. Diogenes, Sextus and Simplicius all maintain that swearing sentences are good or amiss, rather than true or false, although Simplicius notes that they bear a close relation to sentences with truth-values. Ammonius suggests the contrary, but tentatively and in such a way as to leave it open that the view is his rather than his source's. Cleanthes' position, as reported by Stobaeus, makes no mention of truth-values and explicitly assigns to every oath one of two excellence-values:⁴ this is assigned to the oath at the time of its swearing. By contrast, Chrysippus assigns truth-value to the oath at the time of its swearing and excellence-value to it at the time for its fulfilment. This is the position which seems most at variance with the others reported. But it should be noted that while Chrysippus does indeed speak of true and false swearing, he introduces a novel terminology to express these notions and reserves the expressions ordinarily used in the theory of swearing – εὔορκεῖν and ἐπιορκεῖν – for a different use. It looks as if his purpose was to introduce a subtlety into the earlier theory, rather than to recast it radically. He could agree that what matters about oaths is whether they are sworn well or amiss, and yet maintain that this view distorts the case when it goes to the extreme of denying them a truth-value. To do this is to ignore the purely predictive element in swearing, which is a feature of the exercise, though by no means its most important feature. Moreover, the two modes of valuing oaths are not in competition, since the times relevant to their truth-value and their excellence-value are not necessarily the same.

In this, as in so many detectable Stoic debates, there is evidently a good deal of background which is now irrecoverable. But some light can be thrown on the question by a passage in Aristotle's *Sophistici Elenchi*.⁵ He is discussing the resolution of refutations which turn on failure to distinguish absolute and qualified uses of a word; and he considers under this head a nest of cases which seem to run counter to the principle of non-contradiction. These cases involve self-referential propositional attitudes; and a paradigm is supplied by a version of the Liar puzzle – 'If a person says truly that he says falsely, does he say truly or falsely?' The other cases are analogous

¹ *S/F* II. 197.

² ἀληθορκεῖν appears to have been coined by Chrysippus; ψευδορκεῖν is found elsewhere only once in Aristophanes (*Ecc.* 603), without any intention to mark the sort of distinction here employed by Chrysippus.

³ These words too appear to be Chrysippean coinages.

⁴ Note ἦτοι εὔορκεῖν ἢ ἐπιορκεῖν.

⁵ *S.E.* 25. 180a 34–b 7.

ones about obeying an order to be disobedient, and swearing well that one will swear amiss. We know that Chrysippus was considerably concerned with the Liar paradox. It may be that in his discussion of swearing he drew a comparison with contracts because Aristotle had drawn one with orders.

Aristotle treats the problem about swearing as analogous with – rather than as an instance of – the problem about saying; and he seems to regard the solution of the former as less troublesome than that of the latter. On swearing he says: ‘It is not necessary that if someone swears this or in this way well, he also swears well’ (180a 38–9). What follows (180a 39–40) is subject to textual difficulty and may be interpreted in different ways. It is commonly construed as saying: ‘For he who swears that he will swear amiss swears, in his swearing amiss, this alone well; but he does not swear well.’ But we get a different version if we follow the strongest manuscript evidence¹ and the natural construction of the grammar:² ‘But he who swears that he will swear amiss swears well in swearing this alone amiss; but he does not swear well.’ The first version construes the man as swearing well in virtue of his fulfilment of the oath to swear amiss. The second version describes as swearing well a man who *fails* to fulfil such an oath. Both versions deny that such men simply swear well, because in each case what is principally involved is the failure to fulfil an oath.

The second version is a better reading of the Greek, but it is also at first sight the philosophically more difficult alternative. For it might be felt that the man who swears amiss to swear amiss is a case of unqualified good swearing, rather than of the qualified good swearing which Aristotle declares it to be. If what were involved were predicting rather than swearing, this comment would hold good; and the first version gains its plausibility just because it portrays a case where the excellence-value of the oath to swear amiss corresponds with the truth-value of the prediction contained within it. According to this version the man does (simply) swear amiss, and so his oath to do so comes out true and must, in a qualified way, be counted good. But the second version runs strongly counter to this tendency to assimilate the truth-value and the excellence-value of an oath; and in this it is surely right. The man who breaks his oath to swear amiss should not be reckoned, by a process of double negation, simply to swear well. For if we attend to the element of intention, as opposed to that of prediction, in swearing, the man cannot be said to swear well in respect of either of his oaths. On the other hand, his abstention from breaking the oath which he swears to swear amiss is, just to this extent, a case of swearing well. In a closely related type of case, the man who breaks a promise to break a promise shows by this not that he is a keeper of promises, but rather that it is not simply the case that he is a breaker of promises.

If we construe 180a 39–40 according to the second version, we get a richer and more complex treatment of the problem of swearing. It would be wrong to regard the first version as incompatible with Aristotle’s whole account of the matter: it is, I believe, naturally suggested by what is said at 180a 38–9. 180a 39–40 will then represent the application of the analysis to a different type of case of swearing about swearing. The whole set of remarks bequeaths the problem of determining the relation between the

¹ Reading δὲ in 180a 39, instead of γὰρ which is printed in most modern editions but has inferior manuscript support. ² Construing τοῦτο μόνον as object of ἐπιτορκῶν, not of εὐορκεῖ.

predictive and the intentional elements in the logic of oaths.¹ The general Stoic position seems to have been (i) to insist that the proper category for the estimation of oaths is excellence-value rather than truth-value, and yet (ii) to allow that truth-value does not, for that reason, have nothing to do with the case. Chrysippus' distinctive contribution was an attempt to make precise the relation between these two factors.

I hazard the suggestion that this thought may have followed the lines along which John Austin was later to travel in his analysis of the distinction between constative and performative utterances. Austin initially argues that in many cases where the linguistic form of an utterance makes it look like a description of fact, capable of being true or false, the utterance *is* the fact (which appears to be described in it): such utterances are to be judged not true or false but rather happy or unhappy, according to the appropriateness in the circumstances which surround them.² As the analysis of the distinctive criteria for performatives develops, Austin distinguishes within sentences two elements, the locutionary and the illocutionary – roughly, the saying of the words and what is done in the saying of them.³ This provides a general theory of speech-acts, with the pure performative being an utterance where the illocutionary force is all-important, and the pure constative one where the locutionary force is all-important. But these are hardly attainable abstractions; and typically sentences contain elements of both types.⁴

Austin's theory of the 'infelicities' which can attend performative utterances, as well as his recognition of the close connection between these and considerations of truth-value which affect those utterances, provide a parallel for Chrysippus' view of the relation between swearing well and swearing truly.⁵ Admittedly Chrysippus differs from Austin in attaching the excellence-value of the oath to the time for its fulfilment rather than that of its utterance. But the recognition that oaths possess both types of value, and that these are distinct from each other, accords with Austin's insight that the connection between a performative utterance and subsequent action related to it must be closer than the mere correspondence of fact and statement of it. If a man makes an oath, inappropriately and insincerely, and yet subsequent circumstances contrive to bring it about that he does what is proclaimed in the oath, this does not make the oath good, even though it has now been shown to be true. At the same time, our valuation of an oath, however sincerely sworn, may be affected by the fact that events show it to be false. Aristotle indicated the complexity in the logic of swearing; and there are signs that the earlier Stoics, particularly Chrysippus, developed this into a subtle account of this type of λεκτόν.⁶

SIDNEY SUSSEX COLLEGE, CAMBRIDGE

J. D. G. EVANS

¹ Aristotle's classic denial that all complete utterances have a truth-value comes, of course, at *De Int.* 4. 17a 2–7. But the type of utterance there specifically exempted – prayers – have a clear grammatical differentiation from statements, which oaths do not.

² *How to do things with words* (Oxford, 1962), pp. 14–19.

³ Pp. 98–102.

⁴ Pp. 144–6.

⁵ For a different type of explanation see A. A. Long, *Problems in Stoicism* (London, 1971), pp. 100–1, who appeals to much more general features of Stoic thought. I have restricted myself to more narrowly logical considerations. But it may be that both approaches would finally lead in the same direction.

⁶ I have been helped by comments from Dr Geoffrey Lloyd and Miss Rosemary Ellis.