



# On Disavowal

Grace Paterson<sup>1</sup>

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## Abstract

This paper discusses the speech act of disavowal, focusing in particular on disavowals of prior speech acts. It is argued that disavowals are often used when speakers wish to distance themselves in certain ways from some past speech act, but cannot (or should not) retract it. An account is offered according to which disavowals involve three components: an admission of having performed the target act, a denunciation of that act, and an accounting for the act. Disavowals are compared to the related speech acts of denial, retraction, apology, as well as the use of figleaves in political speech.

**Keywords** Speech acts · Disavowal · Denial · Retraction · Apology · Figleaves

## 1 Introduction

In 2022, a woman named Melissa Lucio was scheduled to be executed by the state of Texas on the charge of murdering her young child. As the date of execution approached, one of the jurors from Lucio’s trial came forward and published an article entitled “I voted to sentence Melissa Lucio to death. I was wrong.” (Jr 2022). In this opinion piece, the juror made an argument for Lucio to be granted clemency by detailing serious issues with the trial and arguing that his own vote had been based on bad information and influenced by peer pressure. Unable to actually cancel or modify this kind of institutional speech act, he nonetheless made clear that it was not really representative of his actual beliefs about the case, nor for that matter, did it accurately reflect what he would have believed at the time had the trial been fair. The juror’s article provides a powerful example of a *disavowal*.

Disavowals allow speakers to distance themselves from their own past speech acts, marking those acts as defective or abnormal. They are useful especially in scenarios where a stronger speech act such as retraction is—for whatever reason—not a viable option. The juror, for instance, lacked the power to actually take his vote back. Of course, not all cases are this extreme. In some cases, speakers find that the social costs associated with fully retracting a speech act

they regret are too high. In other cases, enough time may pass that the original conversation is no longer active. Disavowal, being *about* actions from the past, may be used to comment on the contents of these old conversational scores. Frequently a disavowal of this kind will rest on a claim that either the speaker or her circumstances have, in important ways, changed. The speech act may have reflected “who she was” back then, but not today.

This paper is concerned with providing an analysis of this sort of disavowal: disavowals of prior speech acts. It is worth noting that not all disavowals are disavowals of this kind. In fact, very many disavowals take other sorts of objects entirely. One may, for instance, disavow another person, an organisation, or an ideology. Thus, in 2018, when Donald Trump’s presidential run was endorsed by former KKK leader David Duke, Trump was asked to disavow not just Duke himself (a person), but implicitly as well the KKK (an organisation), and white supremacy (an ideology).

Given the prominence of cases like that of Trump, a focus on disavowals of a speaker’s own prior speech acts may seem somewhat parochial. My background conjecture, however, is that the requirements for disavowal may vary in important ways depending on the object taken which makes starting with an analysis of disavowal in general extremely difficult as there are simply too many variables at play. Disavowals are, perhaps, best treated as a family of related speech acts rather than as a singular kind of speech act. Once we have spent some time with a specific subtype, we will be better equipped to tackle other kinds of disavowal as well.

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✉ Grace Paterson  
grace.paterson@univie.ac.at

<sup>1</sup> Department of Philosophy, University of Vienna,  
Ebendorferstraße 10/13, 1010 Vienna, Austria

We will proceed as follows. In Sect. 2, I will discuss some of the ways in which disavowals differ from other speech acts such as retraction, denial, and apology. In Sect. 3, I will present an account of disavowal as a complex speech act having as its parts three more basic speech acts: an admission, a denunciation, and an accounting. In Sect. 4, I will consider some of the more striking kinds of infelicities that may attend disavowals. In Sect. 5, I will explore some of the distinctive uses of disavowal.

## 2 Situating Disavowal

Disavowals are among those speech acts that exist to deal with situations where something has gone wrong. They therefore have much in common with speech acts such as denial, retraction, and apology. Indeed, it is unsurprising that one of the most detailed taxonomies of speech acts, that of Bach and Harnish (1979), places denial, retraction, and disavowal all in the same family (retractives). Similarly, Kukla and Steinberg (2021) locate disavowals, retractions, and apologies in a new taxonomical family they call “reparatives”. Whatever the underlying taxonomy, it is difficult if not impossible to talk about them in complete isolation from one another. Thus before we turn our attention to the details of disavowal in particular, it will be helpful to spend some time considering the similarities and differences between disavowal and other speech acts in this family.

A simple story nicely illustrates how some of the speech acts in this family compare: a Bad Host is having a grand party and sends off a stack of invitations. Inadvertently included in the list of invitees is their arch nemesis. The day of the party comes and the nemesis arrives. Shocked, the Bad Host rebukes them: “I didn’t invite you!”. Their nemesis responds by holding up the invitation they received. The host realises the error and, enraged, tears up the invitation “well obviously I didn’t *mean* to invite you. You can’t come!”. At this, some of the other guests start to protest Bad Host’s bad hosting and the Bad Host is convinced to back down. “Fine. Since I foolishly sent you an invitation, you can attend. But don’t go thinking this changes anything between us. It was a clerical error and that’s all.”<sup>1</sup>

Here we have three ways of responding to communicative mishaps. The first response is denial: the host claims that they did not issue the invitation in question. When this is shown to be incorrect, they move to the second way of responding which is retraction: they attempt to take back the invitation, reversing its permissive force. When the audience fails to be responsive to this move, the host moves to the

third kind of response, the disavowal: the speaker allows the invitation to stand but they flag it as, in an important sense, defective.

Note that the picture drawn by this story diverges from that found in Kukla and Steinberg (2021). There disavowal is described as, in essence, a kind of denial wherein the speaker acknowledges that the action happened but insists that it wasn’t really them who did it:

This [common discursive move] is the move of disavowing an act by insisting that it was not really one’s own act at all, because it was not the kind of thing one would do. We have in mind statements of the form, “That’s not who I am” or “This was not the real me.” In these speech acts, the person tries to undo what they did, not by undoing the *act* but by undoing that it was *they* who did it. Such disavowals are often attached to attempted apologies or retractions, but they are fundamentally at odds with the pragmatics of both. (Kukla and Steinberg 2021, p. 235, emphasis in original)

On this analysis, disavowals involve denying agency over and hence responsibility for the disavowed act, strikingly implying that they are actually incompatible with apology and retraction. To support this view, Kukla and Steinberg consider four different ways of understanding a “claim that an action that your body performed was ‘not really you’ or ‘out of character’” (235). The potential explanations are: that the agent has a mysterious “inner self” that is somehow not beholden for what they actually do, that the action did not live up to their ideals, that it broke from their usual pattern of behaviour, or that they “had no agency at the time” (236). These interpretations are, they observe, at best irrelevant to projects such as acknowledging and repairing harms (apology) or undoing the action’s effects (retraction). More pointedly, Kukla and Steinberg argue that all four interpretations serve the aim of denying one’s own agency, albeit in different ways. This “divesting oneself of the action altogether” (note 17) would appear to be what they consider the core component of disavowal as a move.

There is much in Kukla and Steinberg’s discussion with which I concur. I agree that disavowals often appeal to the idea of an action as out of character (or something of this nature), and that this claim does concern whether or not the action reflects the speaker’s values, ideals, and even patterns of behaviour (though not, of course, a spooky and undefined “inner self”). However, I disagree with the claim that this is a proper denial of agency—a complete “divesting” of oneself from the action. This strikes me as a philosophical over-interpretation of the idioms that sometimes accompany our disavowals. It is true that phrases such as “that’s not who I am” frequently attend these speech acts, but I think that Kukla and Steinberg are wrong to take this literally.

<sup>1</sup> This story is loosely based on the Talmudic tale of Kamsa and Bar-Kamsa, although that version has a very different ending.

To be clear, there are situations in which agents can and do deny agency over an action. These are instances of extreme impairment and loss of control, such as sleepwalking and psychosis. In these cases, the person may not be properly conscious while acting, and may have no subsequent memory of the events. They are, consequently, genuinely alienated from the action attributed to them. You will often hear those who experience these disconnects describe them in impersonal language, for instance by saying something like “I found that I had done X” rather than “I did X”.

But such events are relatively rare and exceptional, while “that’s not who I am” type claims are quite common. It could be that all such declarations are meant in the sense Kukla and Steinberg describe and are therefore almost always dishonest. But before we make such a sweeping claim, we ought to consider whether more moderate interpretations of these speech acts are viable. I think it is much more likely that these idioms are used to mark places in which the agent experiences a lapse in judgement or makes a mistake that results in them doing something that they regret and perhaps even believe they would not have done in ordinary circumstances.

This interpretive point can be illustrated by examining in more detail one of the cases Kukla and Steinberg themselves reference. In 2018, Roseanne Barr made an obviously racist tweet comparing Valerie Jarrett, a former advisor to Obama, to an ape. After being taken to task for this, Barr issued a number of followup tweets on the topic, including the following:

guys I did something unforgivable so do not defend me. It was 2 in the morning and I was ambien tweeting-it was memorial day too-i went 2 far & do not want it defended-it was egregious Indefensible. I made a mistake I wish I hadn't but...don't defend it please. ty<sup>2</sup>

I agree that this tweet is an example of a disavowal. Or at least, I agree that it is an example of an *attempted* disavowal. That said, despite her appeal to the impairing effects of Ambien (a sleeping medication), I do not agree with a reading of this tweet as involving Barr denying her own agency.

To be fair, doing bizarre things in one’s sleep is a reported, albeit rare, side effect of Ambien. Like other kinds of sleepwalking, this involves performing unconscious actions that the person typically does not remember when

they awaken.<sup>3</sup> So it is certainly possible that Barr could have meant her reference to Ambien to imply the sort of complete loss of control that in theory would entirely absolve her of blame for her actions.

But Ambien’s side effects also include decreased inhibition like other intoxicants such as alcohol, and this fits much more closely with how Barr speaks of her experience with the drug. Reading through Barr’s twitter timeline from that period reveals no references to anything like acting unconsciously or not having memories of what she’s done,<sup>4</sup> although she does describe having “odd ambien experiences on tweeting late at night-like many other ppl do.”<sup>5</sup> Moreover, Barr repeatedly describes her tweet as a “mistake” and “bad joke”. She insists that she blames herself and is at fault. Indeed, far from a strategy of denial, she strikes me as pursuing a strategy of performative self-blame. The aim seems to be to convince the audience that she is not racist but instead just a hapless comedian who got a bit high on Ambien (like “many other ppl”) and missed the mark this once.

If Barr’s infamous tweet was indeed an attempted disavowal then it does not fit very well with a model of that speech act based around denial. Instead, Barr’s speech act seems to be acting as what Jennifer Saul has termed a *figleaf*: an additional utterance that “provides cover for what would otherwise have too much potential to be labeled as racist.” (Saul 2017, p. 103). The main point of using a figleaf is to prevent your audience from forming the belief that you are a racist, even as they are presented with clear evidence that you are. This, I suspect, was Barr’s actual goal with her tweet.<sup>6</sup> She did not attempt to deny responsibility for what she had done. Insofar as there was a denial of anything, it was a denial of being a racist.

There is one final point to keep in mind about the relationship between disavowal and other speech acts. Contrary to Kukla and Steinberg’s claim that disavowals are incompatible with apologies, I think disavowals, when performed with care, can complement apologies. It is true that there are

<sup>2</sup> As quoted in BBC (2018) and numerous other venues, although the original tweet has since been deleted (an attempted retraction, perhaps?).

<sup>3</sup> Barr was likely assuming her audience had some prior knowledge of Ambien’s side effects. Indeed, the drug had already had something of a reputation in both the popular media and the courtroom. Teacher (2010) discusses some of the attempts to use Ambien in legal defences, including, interestingly, arguments about the defendants’ speech acts while under the influence of the drug: “a defendant claimed that his use of Ambien blocked his mind, left him confused, and that the statements he made to the authorities in his statutory rape case were not made voluntarily. The court rejected this defendant’s assertions and held that defendant’s Ambien intoxication did not render his confession inadmissible.”(133)

<sup>4</sup> It is possible that they were deleted, although they are also not to be found on internet archive snapshots from the period.

<sup>5</sup> <https://twitter.com/therealroseanne/status/1001805789583953925>.

<sup>6</sup> This case demonstrates how an attempted disavowal can essentially collapse into a figleaf. Below we will also see cases of infelicitous disavowals that themselves make use of figleaves.

many instances of disavowal-apology combinations that are obviously disingenuous, but these cases follow a pre-existing discursive script. Moreover, the account of disavowals I will present has some strong structural similarities with apology. Like disavowals, apologies involve multiple more basic parts such as an acknowledgement of one's wrongdoing and some kind of explanation.<sup>7</sup> These speech acts should, I think, be considered kin rather than rivals.

Let us summarize this landscape of speech acts. *Denials* deal in refusing or releasing one from responsibility, essentially declaring that attributions of the action to the speaker are false. They can take a number of forms including denying the action occurred at all, denying that you were the person who did it (it was really Jones), or, in certain extreme cases, denying that you had agency over the action attributed to you. Disavowal differs from denial by having the speaker take responsibility for having performed the action now being disavowed.

*Retractions* involve not denying but rather undoing a past speech act by effectively reversing its illocutionary effects. Moreover, as Caponetto (2020) has noted, there exist as well at least two siblings of retraction: *annulment* and *amendment*. Annulment involves making void a speech act that had been thought to be successful but was in fact infelicitous. Amendment involves adjusting the illocutionary force or content of a past speech act. These are all second order speech acts which function by taking back or modifying a previous act. However, disavowal is not a second order act. It does not actually modify or reverse the act being disavowed but rather adds something new to the record, casting the disavowed act in a new light.

Finally, *apologies*, like disavowals, are about past actions without actually changing those actions. Indeed, apologies will sometimes occur alongside disavowals. But Apology deals specifically in the taking of responsibility for *harms*, while disavowal does not have this focus. Indeed, disavowal can be felicitously performed with respect to prior acts that were desirable to the addressee rather than harmful—the example of the wayward invitation exemplifies this.

<sup>7</sup> For a detailed account of this kind, see Lazare (2005). Tirrell (2013) also paints a picture of apology that shares elements with disavowals. In particular she argues that apologies have, as a main component, the giving of an “account” which includes “an explanation of the precipitating situation and the perpetrator’s motives”(170). However, there remain important differences between the two speech acts such as the fact that while apologies are, as Tirrell puts it, “other regarding”(162), disavowals are largely self-regarding.

### 3 What is Disavowal?

Let us return to the case of the juror disavowing his vote. His article contains a number of illustrative passages:

When we took our initial vote on the sentence in the jury room, we were evenly divided. When we took the second vote, I was the lone holdout for a life sentence. The other jurors looked at me and I felt the peer pressure to change my vote. I remember one saying we would be there all day if I didn't. If I had known all of this information, or even part of it, I would have stood by my vote for life no matter what anyone else on the jury said.

[T]here were so many other details that went unmentioned. It wasn't until after the trial was over that troubling information was brought to light.

I am now convinced that the jury got it wrong and I know that there is too much doubt to execute Lucio. If I could take back my vote, I would. (Jr 2022)<sup>8</sup>

The Juror tells us that he believes his decision was incorrect and states that, even given the pressure he felt from other jurors, he would have voted differently had he been provided with relevant information that was withheld from the jury. More than this, however, the full article goes into detail about precisely what information was withheld from the jury and why it mattered. At no point in this process, does the juror try to shirk responsibility for his vote and its role in a generally flawed process. Instead, he lays this out in honest detail. Following this example, we'll give disavowals the following schema:

Speaker S *disavows* speech act A only if she:

- i Admits to A: S accepts responsibility for A. *I voted to sentence Melissa Lucio to death.*
- ii Denounces A: S expresses disapproval of A. *I am now convinced that the jury got it wrong and I know that there is too much doubt to execute Lucio. If I could take back my vote, I would.*
- iii Accounts for A: S provides an explanation of what went wrong or what has changed. *[T]here were so many other details that went unmentioned. It wasn't until after the trial was over that troubling information was brought to light.*

<sup>8</sup> This was published in the Houston Chronicle, but it can also be found, along with sworn statements and other supporting documents, in Lucio's Clemency file. Lucio has been granted a stay of execution, although it is not yet clear if she will get a retrial.

As the juror's disavowal demonstrates, these can be demanding speech acts. As a rule, they do not unfold in a single utterance. Sometimes what went wrong is sufficiently obvious or the stakes sufficiently low to allow for a fairly terse disavowal (one, perhaps, where most of the accounting is left tacit). But many disavowals are long, detailed, and carefully crafted. Even those on the more casual end of the scale involve three component acts. Let us unpack these elements in more detail.

### 3.1 Admission

A disavowal involves admitting to having performed the speech act in question. In doing this, the speaker takes responsibility for any illocutionary commitments she thereby made, as well as the perlocutionary fallout of her act.

The speaker's specific responsibilities differ based on what kind of illocutionary act is being disavowed and what consequences it actually had. In some cases, for instance, it means upholding commitments the speaker has made. Thus, the Bad Host honours, however reluctantly, the permissions granted to the recipient of his accidental invitation. Similarly, disavowing a promise requires the speaker to follow through on her promissory obligations. If I have promised to water your plants while you are on vacation, but later learn that you live in a place that is very hard for me to reach, I might disavow the promise by saying "Oh gosh, I should have checked when we first spoke! This is a really long commute for me. Don't worry, I will still do what I promised. You just will need to find someone else for next time."

In the case of a speech act such as assertion, the speaker must take up her epistemic responsibilities, although this too may appear different in different cases. It may even be that the assertions are false but the speaker has reasons to neither retract nor amend them. For instance, in later editions of classic academic texts, it is not at all uncommon to see statements of this kind: "I now know that some of these claims are false; however I consider it important that they remain on the record as a part of the ongoing dialectic." The author here might choose to supplement the false material with, for instance, a bibliography of critical works or a new chapter revisiting the ideas. But acknowledging something is false while letting it continue to play a role in the conversation is very different from attempting to take it back.

On the other hand, there are also times in which an assertion may be disavowed despite being, in fact, true. Imagine a guest professor starts to give an undergraduate level lecture

for what she has forgotten is mostly high school students. After a little while she sees the blank stares and says "Oh no! I forgot you are just in high school. You probably don't understand any of this. I would never have started in this place if I had known. Well, don't worry about all this yet ... we will get to it later. But first, let's go over some important groundwork." Here there is a disavowal because the (attempted)<sup>9</sup> assertions were inappropriate to the occasion rather than false.

The guest professor's assertions are not the only kind of speech act that may be disavowed for being inappropriate in a particular context rather than strictly speaking incorrect. A different teacher who is taken to task for heaping praise on one particular pupil might say something similar: "I was just so overcome by excitement about Sally's preternatural talent with the oboe that I failed to take into account how my praising her so heavily would make the other children feel bad. I don't usually play favourites like that and will avoid doing so in the future. She is *very* good though." Here taking responsibility involves acknowledging that the act was inappropriate and even harmful (to the other students). And notably, since it was also harmful, it might call for some kind of apology as well.

### 3.2 Denunciation

The second part of a disavowal is a denunciation of the speech act. I take a denunciation to be a public expression of disapproval of your own past action. Unsurprisingly it may be accompanied by expressions of regret, guilt, or embarrassment. Those are, after all, appropriate emotions to feel upon realising that you have acted in a way that you believe you should not have behaved.

The denunciation establishes the speaker's act as not merely defective, but defective in a manner that is, from the speaker's perspective, negatively valenced. If the party host were to proclaim "oh, I didn't mean to invite you but I should have! I'm glad you're here!", this would not be a disavowal. If the juror had argued only that Lucio's trial was flawed and said nothing about his own role in the affair, this would not be a disavowal either. Indeed, the juror could, in this way, condemn the trial while still defending his own vote. That makes little sense if we think that he had issued a disavowal. Simply put, disavowal is pragmatically incompatible with

<sup>9</sup> According to many speech act frameworks, the professor's assertions *misfire* because the students do not properly take them up. On these views it is more proper to speak of the professor's *attempt* at asserting as the subject of the disavowal. More generally, when a speech act is so defective that it misfires, one may disavow the *attempt* at performing that speech act but not the speech act itself since it doesn't actually go through. My thanks to an anonymous referee for drawing my attention to this point.



reaffirming the disavowed act and it is the denunciation that generates this incompatibility.

Because the target action here is something the speaker herself did, it makes sense that many such denunciations also involve a description of the action as, in some sense, out of character. We can take character as short hand for an agent's overall values, policies, dispositions. Actions, in general, express or reveal these aspects of our agency in various ways. I therefore take a description of an action as *in character* to mean that it accurately expresses the agent's values, policies and general dispositions. It is, in other words, the kind of thing the agent tends to do in situations like the one under consideration. By contrast, when an action is *out of character* that means that it conflicts with relevant aspects of the speaker's agency.<sup>10</sup>

Such a claim serves to block the audience from forming certain beliefs about the speaker and the speech act. The underlying thought is that an in character action can be considered representative enough of the agent in question to be the basis of these kinds of beliefs while an action that is out of character cannot. This is grounded in a more general observation: people are entitled to expect one another to behave in a relatively consistent manner over time, and, in particular, in similar ways in similar circumstances. After all, we are all subject to basic norms of rationality. The practical challenges that accompany social interactions also lend importance to this assumption. Predictability greatly facilitates coordination between individuals so that too much unpredictability comes across as erratic and unreliable.

If we were all perfect agents with perfect information, free from lapses in judgment and misunderstandings, and never falling victim to circumstantial bad luck, all our actions would flawlessly reflect our character. Alas, this is not our lot. We do all sometimes act in ways that are out of character, that are poor reflections of who we are. A disavowal helps in these cases, essentially making the case that the disavowed action should be treated as an anomaly and that we should not expect the agent to behave in a like manner in the future. A disavowal tells the audience that the action in question should be taken at face value only.

### 3.3 Accounting

It is easy enough to denounce something you've done, proclaiming it a mistake or aberration. A disavowal calls for more. The speaker must actually account for what has occurred. More specifically, she must be able to provide a

plausible explanation of how it came to be that she performed the disavowed action given that she so strongly disapproves of it. A claim that an action is exceptional in some regard requires a particularly strong defence that addresses the anomaly head on, and that is what this part of a disavowal is for.

Although there are certainly situations in which the underlying explanation is sufficiently obvious within the context to be left unspoken, or where the stakes are low enough that the requirement is easily satisfied, in higher stakes cases, the account given will need to be both explicit and detailed. Moreover, it bears emphasis that it is not enough to merely provide evidence *that* the speech act is out of character. The explanation must account for *why* the agent did something that, by her own lights, she should not have done.

There is no simple explanatory formula a speaker might follow in these situations. Depending on how the act is supposed to have been unrepresentative, the explanation will have to take a different form. For instance, if the claim is that the speech act was a kind of practical mishap such as an accident or a mistake, then the explanation will take the form of an excuse. If the claim is that it was an error resulting from some kind of epistemic lapse, then they will have to provide a diagnosis of that error and its source. If the claim is that the speaker herself has changed, then it will have to include sufficient autobiographical details about the nature and reason for the change. Let us consider these three common kinds of explanation in more detail, beginning with excuses.

Excuses are sometimes defined as fully exculpatory, entirely absolving the individual of responsibility for the excused action. However, I will instead follow Sliwa (2020) in viewing responsibility and blame as gradable, and excuses as modifying how one is responsible. Even so, excuses are a delicate thing when they participate in disavowals; there is a fine line between explaining what went wrong and denying responsibility entirely. The speaker must provide an explanation which does not undercut their own acceptance of illocutionary responsibility. The host of the party does this by describing the action as a mistake while also accepting responsibility for it. The source of the mistake, he explains, is a clerical error. The deviation from normal procedure such errors represent makes it clear why the action should, indeed, be considered unusual.

Note that excuses in this context must be relevant to the problematic features of the speech act and more specifically how the action deviated from the norm for them. The excuse offered by the Bad Host doesn't have to explain why he issued an invitation—he issued many invitations he could stand behind—it's about why he issued an invitation to his nemesis.

<sup>10</sup> Note that an action *not being in character* is weaker than it being properly *out of character*. An action not being in character might not actively conflict with the speaker's agency in the ways an out of character action does. Something could be neither in nor out of character.

A very different kind of explanation is required when there has been an epistemic failing. These are cases such as when the speaker misunderstood the context of utterance, or was otherwise misled or misinformed. Here the speaker must make clear what they did and did not know, and how this affected their judgement. Our juror provides precisely this sort of account by listing the various kinds of information he was not provided with in the trial and which were relevant to the judgement he had to make. His explanation paints a picture of an agent acting in good faith in an epistemically deficient environment where vital facts “went unmentioned” and the jurors were “lead to believe” things that were not true (for instance, that abuse was only one possible medical explanation for the victim’s injuries).

Finally, when a speech act is disavowed in part because it is too long past to be retracted, there must be an explanation that shows how *now* is different from *then*. Since this usually relates to how the speaker has undergone a meaningful change in that time, this explanation may have a very autobiographical quality. It should show how even if the speech act may have reflected who she was when it was performed, it is no longer an accurate reflection of her character. These disavowals require an explanation of the ways in which the speaker has changed and how these changes came about.

## 4 Kinds of Infelicity

With a better sense of what a disavowal entails, we can properly understand the ways in which they may be infelicitous. Following Austin, there are broadly two ways in which a speech act can go wrong. The first is that it may be a *misfire*, meaning that it is “disallowed” or “botched” and consequently does not, in fact, go into effect. Such events get spoken of as mere attempts. The second category of infelicity is an *abuse*. In these cases, the act is considered effective albeit non-ideal, as when the speaker is insincere (Austin 1975, p. 16).

Unsurprisingly, many of the ways in which disavowals can be infelicitous are derived directly from the felicity conditions of the more basic speech acts that they involve. This is particularly true with those that are abuses. Thus the speaker ought to *disapprove* of the speech act they denounce, *believe* their own explanation, and *intend* to act in accordance with the responsibilities that they have accepted. If the Bad Host had not actually made a mistake and instead just wanted to humiliate his nemesis while shielding his reputation behind a disavowal, then we would think this insincere. Likewise, if the juror, motivated by a desire to appear virtuous rather than a genuine concern with justice, believed nothing was actually wrong with the trial he participated in, his disavowal would have been insincere.

More interesting is the fact that there are a number of possible ways a disavowal may misfire in virtue of how well its parts fit together. One, which also often afflicts apology, occurs when the speech act is either incomplete or vague to the point of emptiness. Just as the formula “I’m sorry” is ineffectual without at least making clear *for what* and plausibly much more besides (e.g. what you will do to repair the harm), a formula such as “X does not represent my real views” is, on its own, ineffectual as a disavowal.

Consider, by way of example, the scepticism obvious in this news article:

...Nicole Mooney disavowed remarks attributed to her in a religious newspaper four years ago, saying that they do not match her current opinions. The statement did not include a detailed explanation for the shift. (Heydari 2018)

Here there is an attempted disavowal where the underlying reason for the act no longer being representative of the speaker is the passage of time. Mooney is claiming that even if what she said was in character at the time, that is no longer the case. Fair enough; however, as we discussed in the last section, this puts her on the hook for explaining, as the headline succinctly notes, how and why she has changed. Her disavowal misfires because it omits this component entirely.

So a disavowal may misfire by lacking a core element. A different but related way in which disavowals sometimes misfire is when the explanation given is irrelevant. For instance, a speaker caught saying something racist might take the time to enumerate what they consider their non-racist credentials without ever addressing the actual event that is at issue. Simply put, the account provided must actually support the denunciation made. These attempts at disavowal will often make use of common figleaves such as “I have many black friends” (Saul 2017). Since they do not actually address the speech act at issue, these claims are distracting rather than explanatory. As a disavowal, these statements are incomplete. Contrast such approaches with what the juror does. He provides a detailed explanation of how he ended up voting the way he did. The explanation is relevant and on topic: it gives a plausible description how the regretted speech act came to be made in spite of violating the speaker’s own principles.

The more general point is that a disavowal misfires if the admission, denunciation, and accounting are not actually on the same topic. This is not always obvious, and sometimes speakers claim or even believe that they have performed a disavowal when closer inspection reveals that this was simply not the case. Recall Roseanne Barr’s attempt at disavowing her racist tweet. She offered a number of excuses: she was on Ambien, it was 2am, and it was memorial day. But these are not *good* excuses because they do not actually address the real problem with what she said, which of course

was the racist content. There is a kind of equivocation where she accounts for the fact that she tweeted impulsively and foolishly, but not for the fact that *what* she so impulsively and foolishly tweeted was *racist*.

Barr is hardly alone in having a disavowal misfire in this way. The high-school basketball announcer Matt Rowan was recorded going on a racist rant, including the use of slurs, when the members of one team chose to kneel during the national anthem as an act of protest. Following the event and its backlash, Rowan issued a statement attempting to disavow the remark in much the same way as Barr, except in his case the explanation given was that he was diabetic:

I will state that I suffer Type 1 Diabetes and during the game my sugar was spiking. While not excusing my remarks it is not unusual when my sugar spikes that I become disoriented and often say things that are not appropriate as well as hurtful. I do not believe that I would have made such horrible statements absent my sugar spiking.<sup>11</sup>

This has the same underlying flaw as Barr's excuse: the explanation does not even begin to account for the content of the act, when this is the main cause for concern. The excuse given is *at most* sufficient to explain why Rowan spoke when he did, but it does nothing to explain why he chose to say something racist.

The claim is not that it is impossible to successfully and felicitously disavow a racist speech act. But the kind of account that could felicitously accompany a disavowal of racist speech would have to do something such as explain why the speaker was not aware that something was a slur or had racist connotations. For instance, I once was at an event in which a person whose first language was not English and who had never been to North America used a slur for a native woman that he had picked up from reading the book *Pocahontas*. When this was pointed out to him he was mortified and, while slurs are difficult or impossible to retract, did, I felt, manage a successful disavowal in virtue of the plausible explanation of his ignorance. So it can be done. But, of course, the more commonly known the racist nature of what was said is, the more unlikely it is that such an explanation is available (or true).

## 5 What Disavowals Do

As many of the infelicities reveal, disavowals can be used to help speakers recover face in the light of speech acts they have come to regret. A disavowal can be used with the aim of preserving one's good name in the face of an error, or to

reverse a backward slide in public opinion. Unsurprisingly, disavowals with this as their goal frequently follow a speech act that was deemed in some sense morally problematic. A speaker who has committed a gaffe may attempt to use a disavowal to save face, hoping that once the action is established as being out of character, the audience will not think less of her.

Similarly, since our expectations for an individual's future actions are at least partially shaped by what we have observed her doing in the past, a disavowal is sometimes used to stop the audience from forming expectations based on the disavowed action. This need not be infelicitous or disingenuous. Some disavowals allow the speaker to preserve a relationship of trust by honouring their past word while at the same time avoiding creating an expectation or precedent that cannot reasonably be met. This is particularly important for group speakers such as institutions and companies. Airlines, for instance, will sometimes experience technical errors resulting in them offering airfares for abnormally low prices. While many airlines will cancel the tickets sold at the mistaken price, you will sometimes see airlines acknowledge and fix the error but also honour whatever sales were made while their offer was live. Here a disavowal serves to show the company may be relied on not to renege on its word even when it has the option to do so.

A more subtle function of disavowal relates to how others reference the speech act in question. Disavowals may help prevent a problematic speech act from being appealed to, quoted, or otherwise used as though it were a normal instance of its kind. This was one of the main drivers behind the Texas juror's disavowal. Unable to actually cancel or modify this kind of institutional speech act, he nonetheless made clear that it was not really representative of his actual beliefs about the case, nor for that matter, did it accurately reflect what he would have believed at the time had the trial been more fair. The disavowal, then, was not about preserving the speaker's own reputation so much as preventing his vote being taken as giving a reason to think Lucio was guilty. The move was powerful since a jury's verdict can act as a kind of indirect testimony to the public about such things as the guilt or innocence of the accused. The jury is, in theory, privy to all relevant information on the case, including information that the public at large lacks. They are supposed to be placed in as strong an epistemic position as possible when they make their judgement. The juror's disavowal makes clear that this was not the case and it thereby undermines the quasi-testimonial effects of the jury's verdict. In forcefully

<sup>11</sup> Matt Rowan, quoted in Burke (2021)



disavowing his own vote, he raises doubts about the legitimacy of the trial itself.

Finally, one of the most important uses of disavowal is in reinforcing certain norms that the disavowed speech act might have undermined. For instance, when a speech with racist content goes unchallenged it makes it that much more easier for future speech acts of the same sort to be performed. It alters, in other words, what is considered permissible.<sup>12</sup> This can occur whether or not the speaker is themselves aware of the racist content, and the effect is further amplified if the speaker is in a position of relative authority. Thus, when a political leader repeats a dogwhistle or shares a racist meme, they are contributing to making such speech acts acceptable. But a sincere and well executed disavowal can mitigate some of the harms caused by such errors. It can put the brakes on, or even reverse, a normative shift in the conversational score to which the disavowed speech act contributed,<sup>13</sup>

Disavowals help clarify the speaker's position on a topic when their own speech has generated confusion or misunderstanding. They effectively reassure (or warn) an audience that what was said was anomalous and therefore should not be expected to happen again. Moreover, they allow the speaker to prevent the normalisation of pernicious speech acts, even as they admit to being guilty of them. It makes sense, in light of these points, that disavowals are sometimes explicitly demanded from someone who has said something that raises alarm bells. When a speech act is made that is misleading or threatens to shift the discursive norms in an undesirable direction, a disavowal may be called for.

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## Declarations

**Conflict of interest** There is no conflict of interest to report.

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<sup>12</sup> See McGowan (2019) for a detailed account of how “conversational contributions routinely enact changes to the bounds of conversational permissibility.”(34)

<sup>13</sup> Note the contrast with how a figleaf “allows explicitly racist utterances to be made, without objection.” (Saul 2017, 109). Compare also with *blocking* a move open to bystanders (Langton 2018).