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Human Testimony

Learning from other human beings cannot be equated with learning from things. The clouds indicate rain and thereby give us a basis for believing that it will rain, but the statements of others are not *mere* indications of the truth of what they say. Human beings have reasons for what they think and their assertions are (standardly) expressions of what they think. This gives these assertions an epistemological significance different from either the rain clouds in the sky or the fuel gauge in my car. We learn from the utterances of others in a distinctive fashion, and this is so because our fellows have reasons for their attitudes and actions. But is it *purely* because they are rational creatures that we can learn from our fellows in the ways that we do? Human beings have an emotional psychology that other rational creatures might not share. As I shall argue, such creatures would be unable to learn from one another as we do.

An assertion is expressive of belief. This fact alone has been thought to ground a *prima facie* entitlement to believe what you hear to be asserted. In taking advantage of this entitlement one need not be deploying some background belief about the reliability of such assertions. Nor need one have moralistic thoughts about trust, obligation, truthfulness, and so forth. One need only accept what one hears in order to benefit from the knowledge of others. I agree that human beings acquire knowledge from each other in something like this fashion and furthermore that this is a fundamental way in which we learn from one another. However, I doubt that this entitlement to believe what another speaker tells us rests purely on our being addressed by a fellow person, by a rational believer. Rather, it depends on distinctive features of human psychology, on what Reid called the instincts of veracity and credulity, our tendency to express our own beliefs and our tendency to adopt the beliefs others express to us.

Our topic here is the epistemology of testimony, and testimony involves the transmission of knowledge, but my main focus will be on the transmission of justification, of an entitlement to believe. Given that, as I assume here, knowledge involves justification, the difference often does not matter, but where the

distinction needs to be made, it is the issue of transmission of justification or entitlement on which we shall focus. (The relationship between justification and entitlement will be addressed below.) The distinctive and puzzling feature of testimony is that my belief in *p* can be justified by someone else's belief in it, even where I have no idea why they believe that *p*. Accepting testimony that *p* involves thinking that one can learn that *p* (i.e., acquire knowledge of *p*) from the speaker, but whether one actually comes to know the proposition depends on all sorts of other factors not specific to the epistemology of testimony. Thus, the question of the transmission of knowledge is, from this point of view, a secondary issue.

I'll begin with Burge's attempt to ground the authority of testimony in our nature as rational persons. In the second and third sections I'll formulate and defend an 'inheritance' model of testimony partly inspired by Reid, a model which places the emphasis on our emotional psychology.¹ In the final section, I turn to consider the recent wave of assurance theories and the difficulties they face in basing an epistemology of testimony on the ethics of assertion. I conclude that we don't learn from the speech of others *qua* conscientious agents or fellow reasoners but under a more specific guise.

10.1 The Rational Entitlement Model of Testimony

Let's start with the following fact: people tend to believe what they hear from other people. Human life would be impossible in anything like its present form were this not so. One might ask by what right people believe what others say, but we should first ask by what mechanism people believe it. Then we can assess whether the mechanism is one on which they ought to be relying. One possible mechanism here is inductive inference. In the past, clouds have been followed by rain and the statements of John about Jane have turned out to be accurate. So, you infer, this cloud is a good indication of rain, and John's statement is a good guide to how it is with Jane. The statements of others are often used as the basis for such inferences, but a fair number of writers now agree that this cannot be the only way in which we learn from them.

On this point, Burge can stand in for many:

When we ask someone on the street the time or the direction of some landmark or when we ask someone to do a simple sum, we rely on the answer. We make use of a presumption of credibility when we read books, signs or newspapers or talk to strangers on unloaded topics. We need not engage in reasoning about the person's qualifications to be rational in accepting what he or she says, in the absence of grounds for doubt. (Burge 2013: 238)

¹ I borrow the 'inheritance' label from (McMyler 2011: Chapter 3).

So what mechanism of belief transmission is at work here? In this section and the next, I'll contrast the *Inheritance* model of testimony with the *Rational Entitlement* model.

In defending what I'll call the Rational Entitlement model, Burge enunciates the *Acceptance Principle*: 'A person is entitled to accept as true something that is presented as true and is intelligible to him, unless there are stronger reasons not to do so' (Burge 2013: 237). The Acceptance Principle contains two elements. First, if you understand some event (e.g., a speech act) as presenting *p* as true, you are entitled to presume that you have understood correctly. Second, if *p* is presented as true to you, you are entitled to presume that it is true.

The Acceptance Principle is not a principle of reasoning: you don't come to believe what you are told by using the Acceptance Principle as the basis for a (non-inductive) inference. Rather, 'We are entitled to acquire information according to the principle—without using it as a justification—accepting the information instinctively' (ibid.).

Burge then grounds the Acceptance Principle in a more general claim:

A person is *a priori* entitled to accept a proposition that is presented as true and that is intelligible to him, unless there are stronger reasons not to do so because it is *prima facie* preserved (received) from a rational source, or resource for reason; reliance on rational sources—or resources for reason—is, others things being equal, necessary to the function of reason. (Burge 2013: 238)

Burge compares reliance on the word of others with the faith we all place in the deliverances of what he calls 'preservative memory'. Such memory preserves the beliefs we have acquired in the past, usually without preserving the grounds on which we acquired them:

A person clearly *can* be entitled to believe a theorem she believes because of preservative memory even if she cannot remember the proof she gave long ago, and even if she cannot remember that she gave a proof. Most of what one is entitled to believe from past reading, past interlocution, past reasoning or past empirical learning derives from sources and warrants that one has forgotten. (Burge 2013: 300–1; see also 303–4)

Since preservative memory is a 'resource for reason', it falls under Burge's more general claim, and so we are entitled to rely on it in much the same way and on much the same grounds as we are entitled to rely on testimony.

In any testimonial mechanism there are two crucial elements: the speaker's statement and the hearer's reaction. How are these to be understood on the Rational Entitlement model? What it is for the speaker to present something as true (in the context of testimony) and what it is for their audience to accept what is said?

Let's start with a speaker's 'presenting a proposition as true' to their audience. Burge clearly intends us to think of the speaker as asserting that *p*: the

comprehension presupposed by testimony is comprehension of statements, not of general behaviour. In the course of summarizing his view, he says that ‘the intelligibility of an assertion is *a priori* related to the assertion’s having an origin in a being with reason’ (Burge 2013: 229). I agree with Burge that assertion is the crucial notion here: for the audience to learn that *p* by taking the speaker’s word for it, the speaker must assert that *p*. But it is worth asking exactly why it is assertion on which we should focus, for there are other ways in which a being with reason might ‘present *p* as true’.

You can present *p* as true by saying ‘I suspect that *p*’, ‘I’d guess that *p*’, ‘I fear that *p*’, or ‘I hope that *p*’. All of these statements will have to be withdrawn (just like an assertion) if *p* turns out to be false (Chapter 2: pp. XX–XX and Chapter 4: pp. XX–XX), but none involves asserting that *p*, in that none implies any belief in *p* (i.e., any claim to know that *p*). And, except in special circumstances, the audience would not be inclined to base a belief on these utterances, though they might come to share the speaker’s hopes, suspicions, and so forth.

To assert that *p* is to present *p* as true in a special belief-involving way. For the audience to accept the speaker’s (sincere) assertion that *p*, the audience must come to believe what the speaker believes on this matter and must base their belief on the speaker’s belief.² But we are not yet done, for you can get someone to believe that *p* by letting them know that you believe it without actually asserting that *p* and so without their being in a position to base their belief on yours in the relevant way. For example, suppose a colleague is going around the room asking to borrow a valuable tool. By declining their request in my presence you can (deliberately and openly) communicate to me that they shouldn’t be trusted with the tool, something I come to believe by interpreting your behaviour in just the way you intend. Here, you communicate the fact that they are untrustworthy and that is the basis on which I believe that they are not to be trusted, but you do not assert this and so I cannot take your word for it. In this case I come to believe that *p* because you present yourself as believing that *p* with a view to getting me to believe that *p*, but I don’t come to believe it in the way relevant to testimony.³

² (Lackey 2008: 47–59) maintains that a good source of testimony need not believe what they are saying. Some of the examples she offers in support of this claim can be dealt with by carefully identifying the source of the testimony (Burge 2013: 254–64). Others depend on Lackey’s operating with an insufficiently discriminating notion of testimony (McMyler 2011: 80–7).

³ Your behaviour does, in Grice’s terms, (non-naturally) mean that *p* since you intend that my recognition of your intention to get me to believe that *p* be my reason for coming to believe that *p* (Grice 1957). But there is no assertion of *p*. Indeed you may engage in this performance precisely to communicate that *p* without asserting it, so as to preclude my taking your word for it.

The point will be missed if we equate ‘taking someone’s word for it’ with ‘trusting them by accepting what they are trying to communicate’.⁴ There are various ways of communicating information without offering testimony on the point. A disguised St Athanasius famously told his pursuers who asked him where Athanasius was that he had seen him in a different place only a few minutes earlier. Here Athanasius did not assert his own absence but he did communicate this information to his pursuers and thereby misled them. Clearly, he felt entitled to mislead them in this way though not by asserting ‘Athanasius is not here’ because he didn’t wish to offer them his word on the point.⁵

For the purposes of the Acceptance Principle, why does it matter whether the speaker asserts that *p*, given that they can present *p* as true in all these other ways? For example, why aren’t I *prima facie* entitled to believe that our colleague is not to be trusted simply because you (a rational source) let me know that you regard them as untrustworthy? Indeed, why should it matter exactly how I learn that you believe it: your belief in *p* presents *p* as true, I have no reason to doubt it (we may suppose), so can’t I learn that *p* from you when you make me aware of your belief in it? Perhaps I can, but, if so, I’m not learning from you in the special way that concerns us here, namely, by relying on your testimony.⁶

Consider memory once more. When I claim to know the date of my birth, I do not base my claim to knowledge on facts about what I already believe. It is not merely that I don’t infer the truth of my belief from the fact of my belief in it. I don’t make any movement of thought at all, whether by inference or by instinct. I simply continue to believe what I believed all along with the aid of (preservative memory). As Burge puts it: ‘Purely preservative memory introduces no subject matter, constitutes no element in justification, and adds no force to a justification or entitlement. It simply maintains in justificational space a cognitive content together with its judgemental force’ (Burge 2013: 235). Modeling testimony on preservative memory, one might propose that when you accept someone’s assertion that *p*, you actually inherit their (token) belief in *p*, but it is enough

⁴ (McMyler 2011: 107–9 and 2013: 1070–3) argues that testimony involves the open communication of information. McMyler also wants to explain reliance on testimony in terms of the prior idea of ‘trusting a person’. I would argue that the order of explanation runs in the opposite direction, that the nature of testimony (or assertion) must be grasped before we can explain trust in an assertion (Owens 2017).

⁵ Burge denies that the Acceptance Principle applies to such conversational implicatures (Burge 2013: 248 n.21).

⁶ Perhaps one can learn from others by attributing beliefs to them and charitably presuming that those beliefs are true (unless one has grounds for doubt), but to do so is not to learn from them by taking their word for it (Moran 2005b: 3–4). Even though you base your belief on theirs, their assertion plays no essential role, for you could have done the same having learnt of their thoughts on the matter from a third party.

for my purposes if the audience simply base their belief in p on the speaker's belief in p in a way that enables the hearer's belief to inherit the speaker's justification for it. The crux of analogy between memory and testimony is that both are mechanisms for the inheritance of justification, and we can leave it open whether the beliefs at each end of the process are the very same belief. So how does assertion, and assertion alone, ensure transmission of justificational status from a belief in the mind of the speaker to one in the mind of the hearer?

In Section 10.2 I'll suggest that assertion can do this because assertion involves the intentional *expression* of belief, but now I'll broach our second issue: why do we accept what people assert? Burge maintains that we are entitled to accept an assertion simply in virtue of the apparent rationality of our informant: 'The minimum source of warrant for receiving communication is more general than [the] human social context. The source lies in something universal to intelligible, propositional presentations-as-true (centrally assertions)' (Burge 2013: 268). But Burge also says that such acceptance involves instinctual movements of thought rather than reasoning. Why should we expect the required instinct to be a feature of all rational creatures?

Again, the analogy with memory is supposed to be doing some work here. Burge maintains that reliance on preservative memory is 'necessary to the function of reason'. This reliance has two aspects. First, we presume correct understanding of the contents of our memory, as of our own thought in general. Burge acknowledges that this understanding can be at least partially erroneous: we may lack a firm grasp of the concepts required to formulate even our own thoughts, but, Burge says, reasoning would be impossible unless we were a priori entitled to presume an adequate grasp of the contents of our own thoughts (Burge 2013: 352). That seems plausible enough, but does the very possibility of reasoning also require that we be entitled to rely on our retained (and *prima facie* comprehended) beliefs without being in a position to recall the grounds on which we acquired those beliefs?

Any reasoner with a limited capacity for conscious attention must be entitled to believe the many propositions of which their past reasoning has convinced them, even though they are incapable of simultaneously attending to the grounds for them all. For example, as Descartes observes, I must be entitled to complete a six-step proof without being able to hold all six steps simultaneously before the mind (Descartes 1985: 15). Were this not so, all but the simplest reasoning would be impossible. Here I can still respond to a demand for justification provided I can recall the earlier steps of the proof from working memory. Our question is this: does the very possibility of conscious reasoning also require that we are entitled to believe what we find in memory, even though we have quite forgotten

the grounds for our belief? To put it another way, does rationality presuppose the ‘instinct’ of our continuing to believe what we already do (call it the *preservative instinct*) even when we can’t recall why we believe it however hard we tried? Is preservative memory so understood an indispensable resource of reason?⁷

Pursuing the analogy with testimony, a similar question may be asked of what I’ll call the instinct of *credulity*, of our willingness to accept what others tell us. Once more, two entitlements are in play. First, an entitlement to presume understanding of what other people say, at least where that understanding presents itself as immediate (we are being addressed in our native language, no metaphor, implicature, etc. (Burge 2013: 355–6)). Second, an entitlement to believe what others say without requiring knowledge of their grounds. Are these entitlements really essential to the functioning of Reason as such?

Speaking of testimony, Burge concedes that the answer may well be ‘No’:

Relying on others is perhaps not metaphysically necessary for any possible rational being. But it is cognitively fundamental to beings like us. Though ontogenetically later than perception and memory, reliance on others for learning language and acquiring beliefs is deeply engrained in our evolutionary history Most of the information that we have, and many of the methods that we have for evaluating it, depend on interlocution. If we did not acquire a massive number of beliefs from others, our cognitive lives would be little different from the animals. (Burge 2013: 235–6, see also 267)

And he goes on:

I think that I need not show that other rational beings are necessary to the function of one’s reason in order to have these entitlements. One has a general entitlement to rely on the rationality of rational beings. . . . So I think that to maintain that one is *a priori* entitled to rely upon rational interlocutors, I need not show that a solitary reasoner is impossible. (Burge 2013: 238)

My own suspicion is that the same applies to preservative memory. We can perhaps conceive of a rational being with a working memory capacious enough to facilitate a fair amount of reasoning and thus enjoy a tolerably rich mental life without needing to rely on beliefs whose basis it has forgotten. But human beings are not like that. Our mental lives would be impossible unless memory could preserve justification simply by preserving the justified belief. The preservative

⁷ Barnett maintains that the central cases of preservative memory are ‘cases in which you retain both a belief and the evidence that it is based on over a relatively short period of time’ (Barnett 2015: 369). On this view, the function of memory is purely to deal with limitations on cognitive attention, e.g., on our capacity to simultaneously review all the premises in a proof or all of our evidence for a proposition (ibid.: 369–88). In my view, the ability of memory to preserve justification even when you have forgotten your original grounds is an equally central function of memory. This is the crux of analogy with testimony where you rarely know exactly what your informant knows.

instinct and the instinct of credulity both make possible not the life of the mind but the life of the human species.⁸ Thus, the Burgean entitlements to rely on both memory and testimony are not entitlements we have simply in virtue of being rational thinkers.

10.2 The Inheritance Model of Testimony

In the course of presenting his rational entitlement model, Burge quotes with approval the following passage from Reid's *Inquiry*:

The wise and beneficent Author of nature, who intended that we should be social creatures, and that we should receive the greatest and most important part of our knowledge by the information of others, hath, for these purposes implanted in our natures two principles that tally one with each other. The first of these principles is a propensity to speak the truth . . . the second is a disposition to confide in the veracity of others, and to believe what they tell us (Burge 2013: 237/Reid 1997: 193–4).

Call these dispositions the *instinct of veracity* and the *instinct of credulity* (Reid 1997: 194). I would argue that, when implanting these principles in us, the 'Author of Nature' did more than give us the capacity for rational thought.

Reid compares articulate speech to the 'natural language of human features and gestures': 'It is by one particular principle of our constitution that certain features express anger; and by another particular principle that certain features express benevolence' (Reid 1997: 191; see also Reid 2010: 332–3). There are two elements in play here. First, there is the idea that one who feels anger or benevolence is instinctively inclined to express that emotion in a characteristic way. Second, there is the idea that such expression has a certain impact on their audience. That impact is in part a matter of the audience's becoming aware of the speaker's feelings, but it usually goes much further. Reid describes an 'intercourse of human minds, by which their thoughts and sentiments are exchanged and their souls mingle together as it were, [which] is common to the whole species from infancy' (Reid 2010: 332–3). Witnessing (or reading) an expression of emotion standardly changes your own emotional state, often ensuring that you come to share either the same emotion or some reciprocal attitude ('souls mingle'), though how exactly it affects you depends on all sorts of factors (e.g., on whether or not you happen to be the object of the anger).

How do these observations about the expression of emotion bear on testimony? Testimony involves assertion and assertion involves the expression of

⁸ Here, I am modifying the view expressed in (Owens 2000: 167).

belief, and so it is natural to compare the latter with the expressions of emotion. The transmission of belief by testimony depends on our shared human emotional psychology and, in particular, on two underlying instincts. First, our need to express what we believe. Part of being convinced of p is wanting to express that conviction should the question arise as to whether p : hence the principle of veracity. Second, our tendency to react to other people's expressions of belief in a specific way, namely, by coming to share the conviction in question. We are standardly convinced by other people's assertions: hence the principle of credulity.

There are some important differences between the process by which testimony transmits belief and that by which the expression of emotion transmits the emotion expressed. First, our native tongue differs from Reid's natural language of gesture in the conventional nature of the connection between sound and sentiment, but, as both Burge and Reid urge, the fact that our native language needs to be learnt does not imply that, once acquired, our comprehension of it involves any inference.⁹ Secondly, and more importantly, one who asserts that p expresses their belief in p with the intention of so doing and, as we'll see later (p. XXX), this fact is essential to testimony's ability to preserve the rationality of the belief transmitted. When you accept someone's testimony, you are deferring to your interlocutor's assertion *qua* assertion, i.e., to their intentional expression of belief. Someone who believes what I say in the way relevant to testimony must think of themselves as believing it because I asserted it, because I intentionally expressed that belief. By contrast, an expression of anger need not be intentional and need not be taken to be intentional in order to have the relevant emotional impact. Still, the transmission of belief via testimony depends on the above aspects of our emotional psychology. I'll now explore the two instincts in more detail.

10.2.1 Veracity

This is what Reid tells us about veracity:

Truth is always uppermost and is the natural issue of the mind. It requires no art or training, no inducement or temptation, but only that we yield to a natural impulse. Lying, on the contrary, is doing violence to our natures; and is never practiced, even by the worst men, without some temptation. Speaking truth is like using our natural food, which we would do from appetite though it answered no end but lying is like taking physic, which is nauseous to the taste, and which no man takes but for some end which he cannot otherwise attain. (Reid 1997: 193)

⁹ Both Burge and Reid compare linguistic comprehension with perception, see (Burge 2013: 354–5) and (Reid 1997: 190–2).

When the question arises as to whether *p*, we tend to feel some desire to express our view as to whether *p* simply for the sake of expressing our view, as we tend to feel some desire to express our anger once its object becomes salient. This is because, for creatures like us with beliefs and emotions, there is something good or desirable about expressing those beliefs and emotions. Consequently, it makes sense to express one's convictions (where relevant) even when there is no further reason to do so. Of course, there are many situations in which (all things considered) it would not be sensible to express one's view about *p*, even though the subject has come up. Indeed, it is often perfectly reasonable to lie on the matter. But a speaker sees some point in telling the truth and they'll do so absent other considerations.

What is expression? I shall limit myself to expanding on the contrast, made in the last section, between expression and communication. One can let someone know that one is angry by doing something that it would make sense for you to do only if you were angry and one can do that thing for that very reason whilst at the same time refraining from any expression of anger (Chapter 9: pp. XX–XX). Similarly, I can let someone know that I believe *X* is untrustworthy by behaving in a way that makes sense only given that I don't trust them (e.g., decline to lend him the tool) and can do that thing for that very reason whilst declining to express the belief that they are untrustworthy.¹⁰ Here, I am inviting my audience to share my belief without imposing it on them. To express my views is to communicate them in charged fashion, one that brings into play the mechanism of credulity: assertion demands conviction from its audience. People frequently wish to communicate the fact that they believe something with a view to getting their audience to share that belief but without exercising that sort of influence.¹¹ They rely on non-linguistic behaviour or conversational implicature.¹²

Now compare all this with what Burge has to say on the matter. Burge faces the following question: how can the presumed *theoretical* rationality of the source (its rationality *qua* thinker) ground a further presumption that it would be practically rational for the speaker to be truthful? He answers as follows.

¹⁰ It is because assertion is a form of expression that assertion is not a 'social act' in the sense of an act that consists in the communication of its own social significance (Pagin 2004). I cannot express either anger or belief simply by saying 'I hereby express my anger' or 'I hereby express my belief'. Promising and other performatives are quite different in this respect. (Reid 2010: 330–1) treats both assertion and promise as being equally 'social operations', and this may be the source of the difficulties in his later views: see note 27.

¹¹ There are other reasons for communicating without asserting. For example, communication may be deniable in a way that assertions are not.

¹² What is expressed by an assertion may be taken to include the obvious presuppositions and conventional implicatures of what is asserted.

One of reason's primary functions is that of presenting truth, independently of special personal interests. Lying is sometimes rational in the sense that it is in the liar's best interests. But lying occasions a disunity among functions of reason. It conflicts with reason's transpersonal function of presenting the truth, independently of special personal interests. (Burge 2013: 242–3)

Burge and Reid agree that, when the subject comes up, we always have an (in itself sufficient) reason to tell the truth as we see it, and that failing to do so makes sense only when some other interest is in play, but there are significant differences between them. For Burge, Reason's alethic function doesn't just give us *a* reason to be truthful, a reason which might be overridden by other reasons, as our aversion to the taste of the medicine is overridden by our need for a cure. For Burge, lying always involves an element of irrationality: 'Generic rationality has practical and impersonally theoretical dimensions. I think that, *prima facie*, when a speaker fails to tell the truth because of special interests, the speaker crosses rationality in one significant dimension, the latter one' (Burge 2013: 271 nn.15 and 18). Why so? For Burge, the reason we always have to be truthful is not merely an aspect of the psychology of human conviction but derives from the speaker's very rationality or personhood and this, in Burge's eyes, gives that reason an indefeasible status. We cannot weigh it against other reasons (reasons which are not intrinsic to our personhood) without compromising our rationality.

Burge supposes that 'one has a general entitlement to rely on the rationality of rational beings' because one is entitled to presume that a rational being will tell the truth simply in virtue of their rationality. By contrast, on my Reidian hypothesis, the desirability of telling the truth may be weighed against other relevant considerations without calling the speaker's rationality into question. Thus, it can be perfectly rational for a speaker to lie. Is this a problem? For Burge we are able to presume that our informant is being sincere simply because they are rational and he doubts we would be entitled to this presumption unless lying were, in some degree, irrational *tout court*. I disagree. Suppose our informant is a certain sort of rational creature, a creature with an interest in being truthful unless it has some reason to be otherwise. Given this alone, we can presume on its truthfulness unless there are grounds to suspect the presence of an ulterior motive.¹³

10.2.2 Credulity

This takes us to the principle of credulity. Reid says

It is evident that in the matter of testimony the balance of human judgment is by nature inclined to the side of belief, and turns to that side of itself, when there is nothing put into

¹³ This response to the problem of rational lying is different from that offered in (Owens 2000: 171–2).

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the opposite scale. If it was not so, no proposition that is uttered in discourse would be believed until it was examined and tried by reason; and most men would be unable to find reasons for believing the thousandth part of what is told to them. Such distrust and incredulity would deprive us of the greatest benefits of society and place us in a worse condition than that of the savages. (Reid 1997: 194; see also Reid 2010: 334)

Again, Burge puts Reid's points in a more rationalistic key: 'Neutrality, as well as doubt, is I think a rationally unnatural towards an interlocutor's presentation of something as true' (Burge 2013: 242). But is it the mere fact that speaker and hearer are both rational creatures that renders this attitude unnatural? Or is it, as Reid perhaps implies, more a matter of how human animals relate to each other? It is hard to imagine intelligent creatures of any sort living together without some form of communication, without some way of letting each other know what they believe about the world. Nevertheless, there might be communities of rational beings with no interest in expressing their convictions through assertion, and who are not moved by each other's assertions as we are.

To illustrate these points, let's consider a view of testimony that is opposed to both Burge's and my own, according to which testimonial knowledge involves not inheriting your informant's belief but rather making an inference from the fact that they believe it together with the background information that you have on them. In the course of objecting to the idea that we are entitled to believe what we are told without any further grounds (at least in the absence of countervailing evidence), several recent authors ask us to imagine that we are presented with intelligible words or speech but outside the normal human context (e.g., utterances by aliens or announcements emanating from clouds and machines of mysterious origin).¹⁴ Here, they say, we can no longer deploy the mass of background information about the reliability of various informants that our experience of human social life gives us. So, these authors conclude, we should adopt a non-committal attitude to what is (apparently) asserted. The wealth of experience that entitles us to trust perfect strangers in the matter of directions (etc.) has no application.

For these authors, the speaker's humanity matters in so far as it furnishes us with some positive evidence of their testimony's reliability, but our shared humanity might matter in a rather different way: it may function as a trigger to the comprehension of speech and in particular to appreciation of the *force* of a speech act. Describing our interactions with our least experienced interlocutors, namely our children, Reid tell us that

It is not the words of the testifier but his belief that produces [this] belief in a child: For children soon learn to distinguish what is said in jest, from what is said in good earnest.

¹⁴ See, for example (Lackey 2008: 168–75).

What appears to them to be said in jest produces no belief. They glory in showing that they are not to be imposed on. When the signs of belief in the speaker are ambiguous, it is pleasant to observe with what sagacity they pry into his features, to discern whether he really believes what he says, or only counterfeits belief. As soon as this point is determined, their belief is regulated by his. If he be doubtful, they are doubtful, if he be assured, they are assured. (Reid 2010: 87)

When adults are confronted by unusual or bizarre sources of testimony they face a similar situation. Having settled what is being said, they must still determine whether or not these things are being asserted, imagined, suspected, etc.

Such a source of testimony is described by Hume's Cleanthes. Suppose that in parallel to the natural human language of emotion

there is a natural, universal, invariable language, common to every individual of the human race; and that books are natural productions, which perpetuate themselves in the same manner with animals and vegetables by descent and propagation . . . Suppose therefore that you enter into your library thus peopled by natural volumes, containing the most refined reason and most exquisite beauty: Could you possibly open one of them and doubt that its original cause bore the strongest analogy to mind and intelligence? When it reasons and discourses; when it expostulates, argues, and enforces its views and topics; when it applies sometimes to the pure intellect, sometimes to the affections; when it collects, disposes and adorns every consideration suited to the subject: could you persist in asserting that all this, at the bottom, had really no meaning and that the first formation of this volume in the loins of its original parent proceeded not from thought and design?

(Hume 1948: 27)¹⁵

Here we are dealing with statements produced by means of a mechanism unsuited (in our experience) to the purpose. Still, there may be enough to persuade us that the volume contains assertions, expressions of belief: the 'appeals to pure intellect' but also 'expostulations', appeals to the 'affections', and so forth. These words have a certain hold over us and signal that the text is a piece of testimony, a candidate for being taken on trust.

It may be objected that, for all we know, Hume's vegetable books could be novels or careful records of someone's dreams and yet have the same persuasive quality. Are we entitled to presume otherwise any more than to presume that a page found at random on the internet contains assertions rather than an artfully constructed story? This challenge gets its force by tapping into the experience we actually have of the internet, physical libraries, and so forth. Knowing the variety of books that are published, I know I must check which section of the library I am in before deciding how to take its contents—similarly for the internet—but to

¹⁵ Cleanthes's point may not be endorsed by Hume, but there is no rebuttal.

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insist on my adopting a non-committal attitude to the force of *any* intelligible statement until I am independently confident of the mechanism that produced it would be like insisting that I remain agnostic about the contents of preservative memory because they might be the products of my own imagination (Burge 2013: 265–8). In the absence of any indication to the contrary we seem entitled to accept the appearance that Hume’s vegetable books are indeed filled with assertions.

Once this is all conceded, it may still be wondered whether our entitlement to believe what is said in the absence of any other evidence on the matter can do much epistemological work. Are we ever really in the position of knowing nothing relevant to the credibility of an assertion? For instance, shouldn’t our background knowledge of organic life lead us to doubt the credibility of Hume’s books? The answer is not obvious, but the question seems a good one, and if some such question can be posed whenever the *prima facie* entitlement might come into play, what is the theoretical significance of this entitlement?

It is widely believed that we are *prima facie* entitled to rely on the deliverances of our senses: I’m entitled to believe that *p* on the basis of my experience as of *p*, provided I have no grounds for doubting the veridicality of that experience. Such an entitlement matters because it is very hard to see how one might otherwise ground reliance on sensory experience without courting circularity. In particular, those background beliefs that throw doubt on (or else support) the veridicality of a particular experience have their origin in some form of sensory experience. So the whole process of accepting or rejecting the deliverances of our senses can be rationally reconstructed only given a *prima facie* entitlement to rely on the senses.

The reasoning just rehearsed would stand even if the *prima facie* entitlement to rely on the deliverances of our senses were never the only consideration relevant to whether we ought to believe them on this occasion. The point generalizes. True, the idea of a *prima facie* entitlement to credit the assertions of others is less widely accepted (in part because it is less obvious that a rational reconstruction of our reliance on testimony is impossible without invoking reliance on testimony¹⁶), but it remains the case that even if there were no single instance in which our *prima facie* entitlement to rely on testimony were the only relevant consideration, such an entitlement might still be an indispensable element in any rational reconstruction of our epistemological position. Hence the theoretical significance of the entitlement is secure (Burge 2013: 264–72).

¹⁶ For discussion of this see (Coady 1992: Chapter 4) and (Lackey 2008: Chapter 6).

10.3 Objections and Clarifications

The inheritance model outlined in Section 10.2 has encountered various lines of criticism and the present section is devoted to rebutting them. In Section 10.4 I consider the assurance model of testimony and argue for the superiority of the inheritance model, but here I'll be contrasting the inheritance model with a different competitor, one with which it is perhaps more easily confused, namely, a purely externalist or reliabilist model of testimony.

Some have argued that it is simply inappropriate to speak of the transmission or inheritance of justification. A *justification* for a belief is something to which the believer has access, yet the whole point of testimony is to enable us to benefit from the evidence available to others but not to ourselves. This way of thinking leaves the epistemologist of testimony with just two options: either they find some other form of justification which is available to the hearer and which justifies their reliance on the speaker (viz. evidence of their reliability) or else they maintain that testimony can work; can be a source of knowledge without the transmission of justification.

To certain authors, the inheritance model seems to be taking the latter route (Barnett 2015: 356–69) and my emphasis here on the role of shared emotional psychology might encourage that interpretation. If human beings are, in general, reliable on the subjects they choose to make assertions about then the instincts of veracity and credulity described in Section 10.2 together produce a generally secure conduit of information. Furthermore, if we agree with the externalist that one can know things without having any justification for believing them providing one's knowledge is the product of a reliable process of belief acquisition, then testimony, so understood, may transmit knowledge. But, says the objector, we should not pretend that testimony also transmits justification.

One might respond to this worry by drawing a distinction between justification and entitlement. Burge tells us that although both justification and entitlement 'have positive force in rationally supporting a propositional attitude or cognitive practice, and in constituting an epistemic right to it, entitlements are epistemic rights or warrants that need not be understood by or even accessible to the subject' (Burge 2013: 230). As already noted, I agree with Burge that an entitlement to rely on testimony (or memory) is not a principle of inference that the subject employs in reasoning from the fact that they hear (or recall) that *p* to the conclusion that *p*. Nevertheless, being so entitled involves more than having one's belief caused by a reliable mechanism. According to the inheritance model, the mechanism in play in both testimony and memory transmits knowledge precisely by transmitting the belief *together with its justificational status* from speaker

to hearer. Hence, knowledge derived from both testimony and memory is rationally supported. How so?

Memory works by preserving a belief, and to remember that *p* is to be aware that you already believe it, that this belief was installed in memory. Furthermore, you can't install beliefs in memory unless you already believe them and you can't believe them at will: only beliefs with some appearance of rational support may be installed in memory. Thus, the mechanism by which belief is installed in memory is rationality preserving in that it is sensitive to whatever justificational status the belief already possesses. And, in relying on this mechanism, the remembering subject defers to their earlier self for the justification of this belief.

As I argue elsewhere, these features of preservative memory are replicated in the case of testimony (Chapter 9: pp. XX–XX). Because the expression of belief in assertion is intentional it is rational to express a belief only if the belief expressed is itself rational, and so the mechanism by which belief is transmitted in testimony is, in the same way, sensitive to the justificational status of the belief.¹⁷ And the subject who bases a belief on testimony is aware of their reliance on this mechanism and defers to their informant for the justification of this belief. So the case for regarding testimony as rationality preserving is much the same as that for memory.

This entitlement to defer to another for one's justification is what distinguishes the inheritance model from a brute externalism about memory or testimony. I reject the idea that a belief may constitute knowledge without any justification—there must be justification for this belief in the system and no believer will feel entitled to their belief unless they suppose this to be so—but, if preservative memory is a possibility, you must also be able benefit from a justification that is unavailable to you, namely, by passing the buck of justification to someone to whom the justification is or was available. This opens up the following possibility: two people may be equally entitled to transfer the responsibility of justifying a given belief onto their earlier selves (or onto another informant), but whilst the first ends up with a justified belief, the second inherits an unjustified belief.¹⁸

On the inheritance model there are two questions one can ask about a belief preserved in memory or testimony (Owens 2000: 138–42, 157–8, and 170). First: does the belief transmitted by memory or testimony remain rational throughout the process of transmission? My answer is that it does, provided the belief was both rational when formed and has been reliably transmitted by the mechanism. I now have a rational belief in Theorem T because I once proved the theorem for

¹⁷ This is consistent with the possibility of rational lying since liars merely purport to express their beliefs.

¹⁸ (Barnett 2015: 358–63) regards this implication as a problem.

myself and have successfully preserved the belief (though not the proof) in memory. And you rationally believe Theorem T because you once took my word for it, the testimonial mechanism worked well (no misunderstandings, etc.) and you thereby inherited a rational belief from me.

But there is the further issue of whether it is reasonable for the believer to acquire the belief from testimony or else to maintain the belief in memory. The rationality of the maintenance/acquisition of a given belief is governed by the *prima facie* entitlement to presume on the reliability of the relevant transmission mechanism, an entitlement that is defeated under certain conditions. The sustenance or defeat of this entitlement is independent of the justificational status of the belief transmitted. Thus, it may be irrational to acquire or maintain a rational belief and rational to acquire or maintain an irrational belief. Acknowledging this complexity is the key to avoiding some potential difficulties for the inheritance model.

To see how these two aspects of the rationality of belief interact, suppose that when I told you about Theorem T, I had some reason to doubt my memory on this point. Or suppose that you had some independent reason to doubt my assertions about T. These reasons for doubt were good ones in the sense that they deprived me (or you) of the entitlement to presume on the reliability of memory/testimony and should have blocked the transmission of the relevant belief, though they didn't due to our inattentiveness, wishfulness, or whatever. But the reasons for doubt were also misleading in that both my memory and my testimony were, in fact, perfectly reliable on the point. What should we say here?

Both my belief and yours are perfectly rational beliefs. After all, my belief in T was soundly based, was successfully transmitted to you, and nothing has subsequently emerged to undermine the cogency of the proof. What did emerge was misleading evidence which ought to have raised doubts but did not. This shows that one or other of us was not entirely reasonable in believing T. One of us irrationally adopted or irrationally preserved a perfectly rational belief but without affecting the rationality of the belief preserved. If, for example, it was me who ignored the misleading evidence about my memory, then I cannot benefit from the justification available to my earlier self since I am no longer entitled to defer to my earlier self. But, if the misleading evidence about my memory is unavailable to you, this leaves the status of your belief in T unaffected in both dimensions. You are entitled to defer to my earlier self for the justification of the belief you inherit from me, a justification which is successfully transmitted to you. Neither you nor your belief are impugned by my irresponsibility.¹⁹

¹⁹ Is one of these two aspects of the rationality of belief more fundamental than the other? I doubt that there is any clear answer to this. It might be thought that believer rationality is more

With the distinction between two aspects of the rationality of belief in hand we can respond to a couple of worries about the inheritance model. One worry concerns how, in a case of testimony, your belief in theorem T could be justified on the very same basis as my belief in that theorem. After all, you base your belief on your experience of my saying that T is true and such an experience played no role in my acquisition of that belief.²⁰ Here, we must separate the grounds that determine the rationality of the belief transmitted (namely, the proof) from the grounds on which you acquired that belief. The latter may involve sense experience and so your entitlement to form the belief on the basis of my testimony may be partly empirical. Nevertheless, the rationality of the transmitted belief depends on the cogency of the proof alone.

Another worry applies equally to memory and testimony.²¹ On the inheritance model, the justificational force of the grounds on which a certain belief was acquired is preserved in both testimony and memory, and so, provided these mechanisms reliably transmit the relevant belief, the rationality of that belief should not vary across time or between persons. Now consider the defeaters relevant to one's entitlement to rely on either memory or testimony. These clearly can vary over time and from person to person quite independently both of the grounds on which the belief was originally acquired and of the reliability of the transmission mechanism. For example, whether it is reasonable for me to retain a certain belief in memory can vary over time, depending on whether certain (misleading) defeaters have appeared, even though the rationality of the retained belief remains unchanged. And it can be reasonable for the speaker to believe that p but not the hearer or vice versa because different defeaters are

fundamental than belief rationality, since the rationality of a belief depends on the rationality of its formation (or initial acquisition). On the other hand, belief rationality might be thought more fundamental than believer rationality on the grounds that one can't reasonably acquire, preserve, or inherit a belief that one thinks it would be irrational to believe. I also leave open the issue as to which of these two notions is involved in the attribution of knowledge. Does knowledge require belief rationality, believer rationality, or both? For example, does a rational belief, successfully preserved in memory in the face of good though misleading grounds for doubt constitute knowledge? As already noted, the inheritance model is primarily a model of the transmission of justification rather than of knowledge.

²⁰ In earlier work, I responded to this worry by maintaining that sensory experience of testimony was 'no part of my reason for believing the proposition in question' but was simply a stage in the psychological mechanism by which the belief was transmitted (Owens 2000: 169–70). In saying this, I was inspired by Burge's claim that testimonial entitlement is non-empirical. Burge has recently retracted this claim (Burge 2013: 273–84) and, I now think, an advocate of the inheritance model need place no reliance on it. It is enough to distinguish the (always partly empirical) nature of the entitlement to accept someone's testimony from the (perhaps non-empirical) nature of the justification whose force is thereby transmitted.

²¹ This is raised as an objection to the inheritance model in (Lackey 2008: 59–71 and 251–63).

available to each of them, even though, were the belief to be transmitted regardless, it would be as rational in the one mind as in the other. Apparent variations in the rationality of the transmitted belief disappear once we distinguish the rationality of the belief transmitted from the rationality of its transmission and are thus perfectly consistent with the inheritance model²²

10.4 Assertion and Assurance

Until now, we have been focused on assertion, defending the notion that testimony is a distinctive epistemic resource, one that we tap by crediting the assertions of others and so inheriting their beliefs. There is a rarer phenomenon, perhaps better deserving the title of ‘testimony’. Especially when our assertions may otherwise be doubted, we sometimes offer our audience an additional assurance or a guarantee of the truth of what we are saying. This assurance acquires a legal form in the act of swearing to what you say in court, but it is familiar from daily life. People guarantee that their assertions are correct and they are often believed on the basis of that extra assurance. On what I’ll call the *assurance theory* (or *model*) of testimony, the acquisition of testimonial knowledge involves such guarantees.²³

How are assertion and assurance related? Perhaps the former is necessary for the latter in that we can only give someone an assurance that *p* is true by asserting that *p* (albeit in a special context or with a special emphasis).²⁴ However this may be, I want first to argue that assertion and assurance are distinct speech acts and then to criticize what I’ll call the pure assurance theory of testimony, namely, the view that *all* testimony is assurance, that whenever an audience ‘takes the speaker’s word for it’ they must be treating their assertions as assurances.

²² Graham describes cases in which the hearer comes to know that *p* by taking the speaker’s word for it that *p* even though the speaker does not themselves know that *p* because they cannot rule out some relevant alternative to *p*. Here the speaker *is* justified in believing something of the form ‘*p* v *q*’ and, by taking their word for it, the hearer inherits their justification for that proposition. Given that the hearer already knows *q* to be false, they are, furthermore, entitled to believe that *p* on the basis of the inherited belief that *p* v *q* (Graham 2000: 374).

²³ Several authors have suggested that such formal assurances might provide a good model of the assertion. (Ross 1930: 21), (Searle 1969: 66), and (Fried 1978: 57) endorse this view in passing. (Ross 1986: 79–80) and (Carson 2006: 292) develop it in more detail.

²⁴ Can one assure *A* that *p*; offer *A* a guarantee of *p*’s truth without asserting that *p*? This possibility is invoked as an argument against assurance theories of assertion by Pagin (2004: 838–42). For a response to Pagin, see (MacFarlane 2011: 90–5). At least one assurance theorist is ready to embrace the possibility that you might sincerely assure someone of *p* without yourself believing that *p* (Hinchman 2014: 9).

10.4.1 Assertion without Assurance

Any model of testimony provides an account of how the speaker offers testimony and how the hearer is meant to react to it. On the pure assurance model, that will be a matter of first explaining what is involved in offering someone an assurance and then explaining what is involved in trusting (or accepting) that assurance. For the assurance theory, guaranteeing *p*'s truth involves more than (intentionally) expressing one's belief in *p*, and trusting that guarantee involves more than (knowingly) inheriting the belief expressed. So much is clear, but it is less clear what more is involved. Some guidance is provided by the parallel that assurance theorists often draw between testimony and promise. There are various accounts of what is involved in making a promise and of how promises affect the normative situation. On the whole, assurance theorists of testimony do not discuss these matters in any detail, nor do they commit themselves to any particular account of promissory obligation. In the interests of accurate exposition, I shall try to avoid controversial claims about the nature of promissory obligation.

It is generally agreed that the promisor does something which (usually) makes it the case that they would be wronging the promisee should they fail to fulfill their promise. Views differ over what that something is. On the *performative* model of promise, the promisor communicates the intention of hereby making it the case that they would be wronging the promisee by not fulfilling their promise (Owens 2012: Chapter 8).²⁵ On the *reliance* model of promise, the promisor communicates the intention of doing what they are promising to do and invites the promisee to rely on their executing this intention.²⁶ We will assume for the sake of argument that each of these acts may, in the right circumstances, oblige the speaker to follow through and so each may count as a promise. Our question is this: does the transmission of knowledge by testimony require the speaker to perform an act of *either sort*?

When introducing his principle of veracity, Reid emphasizes the instinctual nature of the desire to tell the truth. He then considers the objection

²⁵ One can treat assertion as a performative without assimilating it to a promise. For example, one might regard 'assert' as a verdictive rather than a commissive verb, to use Austin's helpful classification (Austin 1961: Lecture 12). See also McMyler's assimilation of assertion to command (McMyler 2011), but, amongst those who wish to treat assertion as a performative, the promissory analogy is the most prevalent.

²⁶ For an application of the performative model of promise to assertion, see (MacFarlane 2011: 90–5). For an application of something more like the reliance model to testimony see (Pink 2009: 394 and 409–10). I am drastically simplifying the logical geography of the promising literature. For a full discussion, see (Owens 2012: Parts 2 and 3).

That men be influenced by moral or political considerations to speak truth and therefore that their doing so is no proof of such an original principle as we have mentioned; I answer, first that moral and political considerations can have no influence until we arrive at years of understanding and reflection; and it is certain from experience that children keep to truth invariably before they are capable of being influenced by such considerations. Secondly when we are influenced by moral and political considerations, we must be conscious of that influence and capable of perceiving it upon reflection. Now when I reflect upon my actions most attentively, I am not conscious that in speaking truth I am influenced on ordinary occasions by any motive moral or political. I find that truth is always at the door of my lips and goes forth spontaneously if not held back. It requires neither good nor bad intention to bring it forth but only that I be artless and undesigning. (Reid 1997: 193)²⁷

On the performative model of testimony, the speaker must intend to put themselves under an obligation to their audience. On the reliance model of testimony, the speaker must intend to induce reliance in their audience. Reid's observations suggest that both are wrong: the analogy between testimony and promise underplays the sheer spontaneity of truthful assertion, a spontaneity that is largely unhindered in children and remains the default posture in adult life. When making an assertion, the speaker need only intend to express their view.

Though people are generally obliged to be truthful, it is unusual for people to tell the truth as they see it because they feel obliged to tell the truth: veracity is instinctual. Given a suitable audience and a topic of mutual interest, the speaker feels some inclination to hold forth simply in order to say what they think on the matter. Even when they don't expect to be believed or are 'preaching to the choir' (and so there is no chance of misleading anyone) they may still wish to state their view. And since it is their beliefs they are expressing, they are *ipso facto* trying to be accurate about how things are. A desire to express what you think involves a desire to be both sincere in speech and accurate in what you say. There are cases in which we are tempted to exaggerate, mislead, or represent mere opinions as considered judgements, and the motive of duty may be needed to stop us, but these are exceptional.

²⁷ This quotation comes from Reid's *Inquiry*. In his later *Essay*, Reid treats 'the communication of knowledge of facts by testimony' and 'entering into engagements by promise' as on a par (Reid 2010: 333). Reid does still say that 'the things essential to human society, I mean good faith on the one part and trust on the other, are formed by nature in the minds of children, before they are capable of knowing their utility or being influenced by considerations of duty or interest' (Reid 2010: 335), but he goes on to maintain that promising (at least) involves the 'will to be bound' (Reid 2010: 336). If so, it is hard to see how a child could understand promising well enough to either make or trust a promise without deploying the idea of obligation (Reid 2010: 340). This apparent inconsistency can be resolved by abandoning the parallel between testimony and promise.

In this respect, promises are rather different. Promises are frequently given and accepted where (a) the audience has an interest in the promisor's performance, and (b) the audience can't assume that the promisor has sufficient motive to perform independently of a binding promise. Doing what you promised to do simply (or largely) because you promised to do it is quite normal, and in trusting a promise, the promisee often relies on such conscientiousness, on the promisor's desire not to abuse the promisee's trust.²⁸ If I am right, sincerity in speech need not present itself to the speaker as something they owe to their audience and we need not assume that it does so present itself whenever we trust what they tell us.²⁹ The normal motive for truth-telling is a simple desire to express your view. Even when dealing with a person of dubious character, we are prepared to trust what they tell us on all sorts of matters (directions, etc.) because we assume that they want to tell us what they know, that they want to be open with us. Perhaps conscientiousness would not prevent them from lying (or bullshitting) about other topics—they might never feel remotely inclined to tell the truth because of some obligation to tell the truth—but this does not make us distrust what they tell us about where the station is, and so forth.

10.4.2 *Testimony without Assurance*

Some recent defenders of the assurance model have adopted what I've called the pure assurance theory of testimony. They argue that, unless an assertion constitutes an assurance, we can learn from it only by treating it as a form of inductive evidence. In such cases, they maintain, we cannot 'take the speaker's word for it', since the speaker is not offering us any guarantee of the truth of what they say. Instead the audience must decide whether the speaker's expression of belief in *p* constitutes a sufficiently reliable indicator of the truth of *p*. In the rest of this section I'll consider purported examples of assertion without assurance and ask how we can learn from them. We shall find either that these examples do not involve the expression of belief and therefore are not really assertions or else that the audience can in fact 'take the speaker's word for it' (in line with the inheritance theory) despite the absence of assurance. Therefore, the pure assurance theory should be rejected.

Moran describes a student in a history class reciting what he has been taught in an oral examination (Moran 2005a: 330). Moran says that the student is making

²⁸ I say 'frequently' and 'often' because I think that the promisee has an interest in binding the promisor (an 'authority interest') that is not just an interest in securing performance. See (Owens 2012: Chapter 6). If so, this only reinforces the contrast with assertion.

²⁹ This is consistent with the claim that believing an assertion counts as trusting the assertion only when the speaker is in fact obliged to be truthful.

assertions here even though the examination is not an inquiry into the student's own convictions but merely a test of his ability to recall the contents of the class. I would argue that the student is not making assertions *in his own voice* because the student does not represent himself as personally believing what he is saying (any more than a spokesman who reads a statement on behalf of a client). That is why his audience can't acquire knowledge by believing what *he* says, by treating what he says as things he asserts. Perhaps the student is speaking for someone else (e.g., the teacher or the author of the class text), in which case it is possible to take *their* word for it by accepting what the student says provided one trusts the person (or institution) whose mouthpiece he is.

In other instances cited by Moran, the speaker is indeed expressing their own convictions but makes it clear that they do not wish the audience to trust their assertions but rather to arrive at the relevant belief in some other way ((Moran 2005a: 328–9) and (Moran 2005b: 8)). Moran says of these cases also that the audience cannot acquire knowledge by trusting the speaker. I think Moran is wrong about that. I agree that, when a teacher runs through a mathematical proof on the board, the class are meant to believe the conclusion because they grasp the proof, not because they take the teacher's word for it.³⁰ Nevertheless, so long as the teacher represents themselves as expressing their own belief, the audience are in a position to take the demonstrator's word for it, even though they are not being invited to do so. And if they do trust the speaker, they can thereby acquire knowledge of the theorem without having grasped the proof (though this would deprive the whole exercise of its educational value).³¹ Trust in an assertion does not require an invitation to trust, it only requires that the speech act is presented as an expression of belief, i.e., is an assertion.

The same applies to cases in which the speaker is explicitly withholding the element of guarantee from their assertion. Hinchman asks us to consider the statement: 'The Liar Paradox was discussed much earlier in history but don't take my word for it, consult Diogenes Laertius' (Hinchman 2005: 571). Here the words 'The Liar Paradox was discussed much earlier in history' may still possess assertoric force, and so long as this is so, you can take the speaker's word for it, their invitation to do otherwise notwithstanding. A speaker can't reserve the right

³⁰ (Moran 2005a: 344–5) takes the line that in such a case the audience is not being *told* anything, whilst (Hinchman 2005: 571) concedes that they are.

³¹ Suppose the proof is invalid and that the speaker is lying when they utter 'therefore'. The speaker couldn't excuse themselves simply by observing that their manifest intention was that the audience inspect the proof and make up their own mind rather than take the speaker's word for it. So long as the speaker asserts that *p*, the audience can take their word for it that *p*, and if the speaker untruthfully asserts that *p*, that alone puts them in the wrong.

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to be insincere or inaccurate in what they genuinely assert, though they may suggest that you learn (or confirm) the truth in other ways. As Hinchman himself observes, the effect of adding ‘but don’t take my word for it’ is quite different from the effect of adding ‘but perhaps I’m confusing the Liar with one of the Heraclitean Paradoxes.’ The effect of the latter is to *retract* the expression of belief and thereby pre-empt anyone’s taking your word on the point.³²

I’ll wrap up this section by introducing a further instance of testimony without assurance, namely, where you are the recipient of an assertion that was not meant for you. A guarantee is like a promise in that it must be directed towards a specific audience, an audience that is wronged when the assurance goes unfulfilled. By failing to perform, a promisor thereby wrongs the promisee. The promisor does not in the same way wrong those who merely overhear their promise (whom they did not intend to address) since the promisor did not promise *them* anything. At least the promisor does not wrong them simply in virtue of having breached a promise. The promisor might owe some duty of care to those who foreseeably learn of their statement, but, unlike a promissory obligation, such a duty could usually be discharged with a timely warning of non-performance.

An assurance theorist who models testimony on promise must predict a corresponding asymmetry when it comes to testimonial assurance: those addressed by the speaker can benefit from the assurance in a way that those who merely overhear cannot. Supporters of the pure assurance theory of testimony must conclude that (unlike those to whom the testimony is addressed) overhearers cannot acquire knowledge by testimony.³³ By contrast, opponents of the pure assurance theory may allow addressees and overhearers to learn from the speaker’s statement in much the same fashion: testimonial knowledge is a public good from which overhearers cannot be excluded (Fricker 2006: 598). On the latter view, if the

³² This raises the issue of how we are to understand the retraction of an assertion (Moran 2005b: 21, 27). Macfarlane contends that a performative account of assertion like the assurance theory has an advantage on this point in that, whilst assurances may be retracted, it is unclear how we should understand the retraction of an act of expression (Macfarlane 2011: 84, 91). I see no great difference between assurance and expression on this point: if there is a puzzle here, it applies equally to both. An offer can be retracted before it is accepted and an expression of belief can turn doubtful before completed; the tricky case is where an assertion has been made and is later withdrawn. Whatever is going on here, the assurance theory is not well placed to explain it. You can’t deprive either your earlier promises or your previous assertions of their normative significance simply by retracting them and so you can’t evade responsibility for another’s earlier trust simply by repudiating those promises or assertions. At best you can pre-empt continued or new instances of unfounded trust and limit the damage done by another’s earlier reliance on your word.

³³ (Hinchman 2005: 569), (Faulkner 2007: 542, 554–6), (McMyler 2011: 66, 101–12), and (McMyler 2013).

intended audience has a special claim on the speaker, this is a matter of mores or morals, and of no direct concern to the epistemologist of testimony.³⁴

Opponents of the pure assurance theory are right to insist that all who hear an assertion can learn from it, and, I would argue, the inheritance model described in earlier sections provides the correct account of how this knowledge is made available. Anyone who witnesses an intentional expression of belief can inherit the belief expressed (together with its justificational status) and thereby come to know what the speaker knows, whether or not they are part of the intended audience. Assurance theorists may still be right that speakers sometimes go beyond the expression of belief by offering their intended audience an assurance of the truth of what is asserted. It might even be that such directed guarantees change the epistemological as well as the moral situation, though I leave that issue open.³⁵ In the remainder of this section I make the case against the pure assurance theory.

It is generally agreed that all who hear a given assertion can, by treating the assertion as inductive evidence for the proposition asserted, learn that the asserted proposition is true. The present dispute concerns how its assertion might give hearers knowledge of the asserted proposition in another way. Our answer to the question about overhearers will be influenced by our views on that dispute but there are certain pre-theoretical markers of the reception of testimony and we may usefully ask whether the overhearers bear them. For example, can overhearers *trust* the speaker, can they *believe* the speaker, or *take their word for it* even though this word was not addressed to them? I'm happy to apply these idioms to both intended and unintended members of the audience; indeed, I feel no awkwardness about employing them in a case where the statement in question was made with the intention of addressing no one at all: the intentional expression of belief does not require the intention to address some audience. For example one may trust a secret diary, believe the writer, take their word for it, and so forth, even though (as one knows) the writer was quite determined to have the diary destroyed before anyone could see it (Chapter 9: pp. XX–XX).

Proponents of the pure assurance theory have responded that, for it to be a source of testimonial knowledge, an assertion must have an intended audience,

³⁴ (Fricker 2006: 597–9) and (Lackey 2008: 27–36, 230–40).

³⁵ We might be able to use inductive evidence about the reliability of people's assurances in order to glean information from them (Fricker 2006: 600–3), though Moran argues that the attitude of regarding people's assurances as an indication of what is likely to be so is parasitic on a more basic attitude, that of trusting the assurance, of regarding an assurance as a reason to believe it will be fulfilled simply because it is binding on the speaker (Moran 2005b: 23).

though the audience intended could be the writer's own future self or some vaguely conceived future person.³⁶ But need a reader satisfy themselves that the writer did not plan to destroy the work as soon as it was written before they can trust it? And even where there is an intended audience, the assurance model will not apply unless the reader of the diary is part of the audience that the writer meant to address. Yet it seems I can trust the diary, take the writer's word for it about where they were on the day of the murder, believe them on this point even though I know the writer specifically intended that I not see their diary.³⁷

Pure assurance theorists have drawn our attention to various other differences between the intended and the unintended audience. Where real, the relevance of these differences to the epistemology of testimony remains unclear.³⁸ For example, if you rip open my secret diary and are seriously misled by what it says, it would be a bit rich for you to blame me, to complain to me, to demand that I justify what I say in the diary and so forth. (Not so if I voluntarily showed you the thing.) But these differences seem rooted in norms of privacy and in thoughts about how our responsibility for undesirable consequences depends on our ability to control them, rather than in the workings of testimony (Nickel 2012: 309–15).

To sum up, the accounts of testimony here considered vary in how they understand the epistemological significance of the act of testifying to the truth of a proposition. Some treat a speaker's testimony just as a more or less reliable indication of how things are with both the speaker and the world. Some treat the act of testifying as a form of communication, as a way of openly letting your audience know what you believe about a certain matter. Some treat the act of

³⁶ McMyler (2011: 105–6), (McMyler 2013: 1076–7), Hinchman (2005: 556 n.13), and (Hinchman 2014: 14 n.37).

³⁷ (Fricker 2006: 597) maintains that a statement 'must have an intended audience. Without this there is no distinction between asserting that p... and merely voicing a thought of or wish that p'. See also (Moran 2005b: 22). Yet we make that distinction all the time when reading books and it is unclear why the discovery that a diary was meant to be secret would make this task any more difficult.

³⁸ Moran maintains that the intended audience has a special status in that they (and not the overhearers) have a 'right of complaint' when the assurance turns out to be unfounded (Moran 2005b: 22). This is so in some cases but not in others, and who has the right of complaint depends on ethical rather than epistemological factors (Lackey 2008: 236). Moran admits that one who overhears an assurance can nevertheless 'avail themselves' of the assurance and thereby access the special way of learning from another that such an assurance provides. So it turns out that overhearers don't need the 'right of complaint' in order to be able to take the speaker's word for it. McMyler rejects Moran's concession (McMyler 2011: 103 n.19).

testifying as an act which operates on the ethical situation and changes what the speaker owes the hearer. My own suggestion is that the special significance of the act of testifying depends rather on its being an expressive action and that progress in the epistemology of testimony awaits a deeper understanding of that notion.³⁹

³⁹ Thanks to John Macfarlane, Peter Graham, Nishi Shah, Conor McHugh, Collin O’Neil, Matthew Parrott, and Ben McMyler for comments on earlier drafts.

