

## Chapter V

## Testimony Explained, Simply

Chapter IV provided the beginning of a defense of Particular Evidentialism, by showing that testimony does not provide any justification for believing what is told unless it provides evidence for what is told. This is the offensive component of our argument for Particular Evidentialism over the Assurance View. If this result holds, Particular Evidentialism provides a simple explanation for why testimony only provides justification in the cases in which it also provides evidence: The justification comes from the evidence. By contrast, the Assurance View has some further explaining to do. According to the Assurance View, the hearer's non-evidential justification for believing the teller comes from the assurance that the teller offers, but the teller offers an assurance even in those cases where the testimony fails to provide evidence. The Assurance View needs to explain why the hearer is not justified in accepting assurances that fail to provide evidence, if other assurances provide a non-evidential justification for belief.

The argument of the previous chapter, however, depended on the crude enumeration conception of evidence, on which evidence is strictly a matter of subsuming phenomena under observed statistical generalizations. Almost no one believes this conception to be the last word on evidence. This should cause us to worry whether Chapter IV's argument for the offensive component is a mere artifact of the conception of evidence that was used.

Similar remarks apply to Chapter IV's description of the normative structure of testimony. We argued that, if testimony is the sort of thing for which someone can be

held responsible, the teller is responsible for the truth of her testimony. This responsibility for truth was argued to follow from the epistemology of testimony, given Particular Evidentialism. The teller stakes her credibility on the truth of her testimony, because telling falsehoods weakens the evidence that her future testimony will be true, which (by Particular Evidentialism) weakens the hearer's justification for believing her. To prove responsibility in this way, we need the result that testimony provides weaker evidence for what is told if the teller has told falsehoods in the past. This is easy to prove on the crude enumeration conception of evidence; but again, we might worry whether we could obtain the same result on a more realistic conception of evidence.

In this chapter we will set out a more refined framework for discussing when and how testimony provides evidence. The idea is that evidence can be provided by what Gilbert Harman calls "inference to the best explanation" (Harman 1965). Whether a piece of testimony provides evidence for what is told will depend on how we may best explain the fact that the teller chose to say that particular thing. If a hypothesis that adverts to the testimony's truth explains the testimony better than competing hypotheses that do not advert to its truth, then the testimony will provide evidence for what is told. If the testimony can be explained just as well by a hypothesis that does not support its truth, then it provides no evidence for what is told.

We will not attempt to provide a general account of the sort of explanations invoked in inference to the best explanation. But because the offensive component of our argument does require a general treatment of when testimony provides evidence, we will need a sketch of a simplified theory of how to explain acts of testimony. I call this theory the *SAC theory* after the three main traits it ascribes to tellers: sincerity, authority, and

circumspection. The SAC theory will be, as Ross suggests, a “psychological theory giving us an insight into the factors which constrain or influence the speaker’s choice of words” (Ross 1986, p. 72), though it will not (as Ross fears) force us to view the testimony as a natural phenomenon as opposed to a free choice. (See section III.3.) The theory will concern the speaker’s commitments to tell the truth as well as her ability to make correct judgments concerning various topics. In this way it concerns not just psychology but moral psychology.

In chapter VI, we will see how the SAC theory underwrites a general classification of the cases in which testimony provides evidence for what is told. We must seek the best explanation of the teller’s choice to tell a certain thing in light of how sincere, authoritative, and circumspect she is. If that explanation requires the truth of what is told, then her testimony provides evidence for what is told. Similarly, the SAC theory allows us to use a teller’s past testimony as evidence concerning her sincerity, authority, and circumspection. Accordingly, we will be able to reconstruct Chapter IV’s argument with a more realistic conception of evidence. Again, we will show that testimony does not provide justification for belief unless it provides evidence of what is told, and we will show that the teller is responsible for the truth of her testimony in that she stakes her credibility on its truth. Furthermore, when we apply the SAC theory, we will be able to answer the Disharmony Objection (section III.3) by showing how testimony’s evidential status depends on the teller’s intentions. This will provide the defensive component of our argument for Particular Evidentialism, in which we argue that Particular Evidentialism can meet the objections that motivate the Assurance View.

Section 1 sets out the notion of explanation that we will use for inferences to the best explanation. Section 2 discusses how that notion of explanation can be used in a notion of evidence. We do not provide rigorous criteria for when one phenomenon provides evidence for another, but we do set out guidelines whose application should be clear in the cases we will be concerned with. Sections 3 through 5 set out the different traits posited by the SAC theory. Each of these traits is meant to be (or to approximate) a stable psychological trait that different people may have to different degrees and that can serve in an explanation of their testimony. Section 6 addresses objections against the idea that the SAC theory can provide an account of how testimony serves as evidence.

### 1. Fact-Foil Explanation

Almost no one believes that the last word on what evidence is can be the crude enumeration account (section IV.2). On the crude enumeration account of evidence, the evidence that a phenomenon provides is strictly a matter of the statistical generalizations under which it can be subsumed, so long as those generalizations are supported by sufficient data. If an instance  $x$  can be subsumed under a reference class  $F$  such that it is a well-supported generalization that most  $F$ 's belong to the attribute class  $G$ , then there is evidence that  $x$  belongs to  $G$ . As we noted, this conception faces Goodman's new problem of induction. If we do not exclude arbitrarily contrived classes, the crude enumeration conception cannot yield meaningful results. Even if we do exclude contrived classes, the crude enumeration conception still has obvious flaws. It is sometimes inapplicable; when an instance belongs to two reference classes for which we have meaningful statistics, but we have no meaningful statistics concerning the

intersection of the classes, then there is no way to choose an appropriate reference class. The crude enumeration conception treats all correlations equally, failing to distinguish factitious coincidences from telling patterns. It also forbids us to draw evidence from a singular case that cannot be subsumed under a statistical generalization, no matter how suggestive that singular case may be.

These problems for the crude enumeration conception are due to its neglect of explanatory power. The crude enumeration conception looks for correlations among phenomena without concerning itself with the explanation of those phenomena. For instance, consider a case of two correlations, one of which seems factitious while the other seems to provide genuine evidence. Suppose that, in seven of the past eight presidential elections, it has been the case that the party of the incumbent has won if and only if the Baltimore Orioles have a winning season; and that, in seven of the past eight presidential elections, the party of the incumbent has won if and only if economic growth has been above three percent.<sup>1</sup> In the next election year, the Baltimore Orioles have a losing season but the economy has grown at more than three percent. On the crude enumeration both correlations provide equally good evidence for the result of the presidential election, but common sense says that we should ignore the Orioles and focus on the economy. The state of the economy could help explain how large numbers of people choose to vote; the record of the Orioles has no such explanatory power. This is why one correlation provides evidence and the other can be written off.

Focusing on explanation also allows us to find evidence in a single case that cannot be subsumed under a general phenomenon. When I find a giant footprint in the dirt outside my window, I do not need to advert to any statistical generalizations about

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<sup>1</sup> The “if and only ifs” are to be taken as material biconditionals.

footprints in order to infer that some large creature has been by. The footprint provides evidence of some large creature because the creature provides the best explanation of how the footprint came to be there. This does not provide a knock-down argument against statistical conceptions of evidence; it may be possible to refine our use of statistics so that the appropriate inferences can be recast in statistical form. Still, it suggests the desirability of an alternative conception of evidence that can provide a simple account of these inferences.

The conception of evidence that we will use relies on what Harman dubbed “inference to the best explanation.” As Harman initially explained it, in inference to the best explanation “one infers, from the premise that a given explanation would provide a ‘better’ explanation for the evidence than would any other hypothesis, to the conclusion that the hypothesis is true” (Harman 1965, p. 89). A phenomenon then provides evidence for the truth of whatever phenomenon would explain it best. The footprint in the dirt provides evidence for the presence of some large creature if that large creature is what would best explain the footprint, while the record of the Orioles provides no evidence concerning the upcoming election if the Orioles’ past record does not figure in an explanation of the outcomes of past elections.

A rigorous account of inference to the best explanation would require a rigorous account of what makes an explanation good. We will not provide such an account, though we should emphasize that we are not using Hempel’s deductive-nomological model of explanation (Hempel 1964a). A deductive-nomological explanation cites laws and background facts that entail the truth of what is explained, but this will exclude many

good explanations.<sup>2</sup> For instance, we can explain a window's being broken by the fact that a ball hit it, even though we do not know any laws that determine which impacts will break which windows. When we do explain actions in terms of character traits, we will not posit laws by which those traits determine actions, yet it should be clear how the traits help explain actions.

Not only will we fail to provide an account of when explanations are good, we will not take inference to the best explanation as the only form of evidence. Most predictions, for instance, cannot be described in terms of inference to the best explanation. When some present phenomenon provides evidence for what will happen in the future, the future happening (if it comes to pass) does not explain the present evidence. Harman suggests that inferences should be taken as inferences to the best total explanatory account rather than to the best explanation of the premises that we already accept (Harman 1973, pp. 158-61). This allows us to correct our premises rather than inferring implausible conclusions from them. It might also solve the problem of prediction, because in the total explanatory account, the present evidence could explain the expected future happening. Along similar lines, Peter Lipton (following Harman 1986, p. 68) suggests that we allow "Inference from the Best Explanation": "Noticing that it is extraordinarily cold this morning, I infer that my car will not start. The failure of my car to start would not explain the weather, but my inference is naturally described by saying that I infer that it will not start because the weather would provide a good explanation of this" (Lipton 1991, p. 66). The problem with this suggestion is that what explains an event will not always license a prediction. Suppose that during a period of severe winds,

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<sup>2</sup> Lipton points out that, on the deductive-nomological theory of explanation, inference to the best explanation collapses to the hypothetico-deductive model of confirmation, in which a theory is confirmed by consequences that can be deduced from it (Lipton 1991, pp. 30-1).

one in every thousand trees in the city falls over. One particular tree's fall may be explained by the wind, for no trees would have fallen without the wind, but the wind would not allow us to predict that tree's fall, which is still a one in a thousand chance. Nevertheless, in the cases we do examine, it should be fairly clear when evidence licenses a prediction, even if we do not subsume it under inference to or from the best explanation.

Having disclaimed any ambitions toward providing a complete account of explanation or of inference, we still owe some detail concerning how explanation works and how it grounds a notion of evidence. In this section we will adapt Lipton's account of explanation, and in the next section his notion of inference to the best explanation, noting the points at which we must diverge from him. Objections to the resulting account will be addressed in section 6, along with objections to the SAC theory itself.

Lipton points out that when we ask for an explanation, what is to be explained is often put in contrastive form: "What gets explained is not simply 'Why this?', but 'Why this *rather than* that?'" (Lipton 1991, p. 35). Whether an explanation is satisfactory will depend not only on the fact ("Why this") but also on the foil ("rather than that"): "When I asked my 3-year-old son why he threw his food on the floor, he told me that he was full. This may explain why he threw it on the floor rather than eating it, but I wanted to know why he threw it rather than leaving it on his plate" (Lipton 1991, pp. 35-6). Focusing on explanation allows us to narrow down the area in which we search for the best explanation. Rather than having to account for the whole causal history of the fact to be explained, we need only examine what separates the fact from the foil.



Accordingly, Lipton proposes the “Difference Condition” (derived from Mill’s Method of Difference) for many causal explanations of events:

To explain why P rather than Q, we must cite a causal difference between P and not-Q, consisting of a cause of P and the absence of a corresponding event in the history of not-Q (Lipton 1991, p. 43; entire definition italicized in original).

As stated, however, the Difference Condition seems to apply only when P and not-Q have distinct causal histories. For instance, when we ask why Jones rather than Smith contracted paresis, we can look for a cause of Jones’s paresis that is absent from Smith’s medical history; for instance, if Jones had syphilis and Smith did not. When P and not-Q are both outcomes of the same choice, however, they do not have distinct causal histories. For instance, if we are asking why Lewis spent Christmas at Monash rather than Oxford, whatever caused Lewis to go to Monash will have kept him from Oxford.

Lipton, however, explains “corresponding event” so that the Difference Condition can apply to cases where the fact and foil share a history:

The condition does not require that the same event be present in the history of P but absent in the history of not-Q, a condition that could never be satisfied when the two histories are the same, but only that the cited cause of P find no corresponding event in the history of not-Q where, roughly speaking, a corresponding event is something that would bear the same relation to Q as the cause of P bears to P (Lipton 1991, p. 44).

So in the case of Lewis’s Christmas plans, the cited cause of Lewis’s going to Monash is his receiving an invitation to Monash. An invitation to Oxford would be a corresponding event in the history of Lewis’s not going to Oxford, because that invitation would bear the same relation to the unrealized possibility of Lewis’s going to Oxford as the invitation to Monash bore to the realized possibility of Lewis’s going to Monash. We cannot, however, explain Lewis’s going to Monash rather than Oxford by the fact that Lewis has friends at Monash, because Lewis has friends at Oxford as well. In the history of Lewis’s

going to Monash and of his not going to Oxford, Lewis's having friends at Oxford corresponds to his having friends at Monash; both would bear the same relation to Lewis's spending Christmas in the respective place.<sup>3</sup> So the fact and foil are not differentiated by where Lewis has friends. Changing the foil may change the explanation. If Lewis received an invitation to Kalamazoo but has no friends there, then "Lewis has friends at Monash" might explain why Lewis went to Monash rather than Kalamazoo.

Even when an event in the history of the fact has no corresponding event in the history of the foil, the event still must be causally relevant in order to provide an explanation. At Christmas, it is summer at Monash and not at Oxford, but if Lewis has no preference for summer at Christmas, then this difference cannot explain his decision. Even if Lewis does prefer summer at Christmas, if it can be established somehow that this preference was not efficacious in his decision to go to Monash rather than Oxford, it still will not explain that decision. Similarly, we may need to establish that the explanation's causal efficacy was enough to win out over other factors that favored the foil over the fact. (This is far from saying that the explanation was sufficient to determine that the fact rather than the foil was true, or even that it was sufficient for the disjunction of the fact and the negation of the foil.) Lipton mentions that one could cite the superiority of Oxford's bookshops as something that could potentially have caused Lewis to go to Oxford rather than Monash, and remarks, "the difference I originally cite [the invitation] may not by itself be stronger than the countervailing force you mention

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<sup>3</sup> Note that Lewis's having friends at Oxford and at Monash are facts rather than events. Though this does not strictly conform to Lipton's definition, it is harmless, because these facts can be part of the causal history of the fact and the foil; Lewis's having friends in Monash was part of what caused him to spend Christmas there.

[the bookshops]. In this case, I must find other or additional differences that are” (Lipton 1991, p. 48). The invitation may itself form part of an explanation, if it did in combination with other differences outweigh the superiority of Oxford’s bookshops. Note that we must consider the efficacy of a factor in this particular decision rather than efficacy of that type of factor in general. This time, it might be that the invitation was enough to win out over the superiority of the bookshops, even if Lewis would choose the bookshops over the invitation nine times out of ten. Here we might hope to find something further that made this invitation particularly effective, but there is no guarantee that that would be possible, though when we can find nothing further our explanation may not be of the highest quality.

We have been talking lightly of causes as though causes were clearly understood. In the account we have given so far, explanations advert to events that cause the fact and that have no corresponding event in the history of the foil, yet explanations need not be causally sufficient. Furthermore, it is necessary to determine whether an event is causally efficacious in order to determine whether it is an explanation, yet that causal efficacy need not imply that similar events would generally lead to similar outcomes in similar situations. It may seem difficult to give an account of causation that would allow all these as possibilities.<sup>4</sup> We will not, however, attempt to give an account of causation; as Lipton says, “if we wait for a fully adequate analysis of causation before we use it to analyze other things, we may have to wait forever” (Lipton 1991, p. 33). Even without a

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<sup>4</sup> Mackie (1965) gives an account of causes of *p* as insufficient necessary parts of unnecessary insufficient conditions on *p*. This may be helpful in building an account when an event is causally efficacious. The difficulty, however, is in sharply individuating conditions. If conditions are construed too loosely, too many things will turn out to be causes and therefore explanations, and if they are construed too strictly, then too few things will be causes and explanations. Our account of explanation need only accommodate some clear cases; we will not need the rigor that would be given by a clear application of Mackie’s analysis.

general account of causation, we should be able to recognize specific causes in specific cases and kinds of causes in kinds of cases. Sometimes these causes will not be sufficient for their effects, sometimes a potential cause will not be causally efficacious, and sometimes a cause will be efficacious even though similar events would not be. We must recognize this even if we lack an adequate theory of causation.

In order to base a concept of evidence on a causal account of explanation, we must indeed make clear how our account of causation is unrigorous. If we required a cause to be sufficient for its effect, then a broken window could not provide evidence of an impact, for an impact may not be sufficient (or necessary) to break a window. An excessively strict account of causation would open the door for the Bad Faith Objection (section III.3; see also section 6 below): that seeing your testimony as evidence requires seeing it as naturally determined, detached from your own agency, and so as something for which you are not responsible. To establish testimony as evidence, we will have to see it as influenced by the teller's character but not as constrained by that character. What explains an action may be the principles by which someone chooses as well as the straitjackets that confine her action. We will explore how this may be when we discuss the specifics of the SAC theory (sections 3-5) and then address objections arising from the causal notion of explanation (section 6). First, however, we must discuss how this account of explanation leads to an account of evidence.

## 2. Inference to the Best Explanation

Having given an account of explanation, we must show how it gives rise to an account of evidence. As said above, the idea is that facts provide evidence for the

hypothesis that best explains them. We will not give much account beyond the intuitive of what makes an explanation good. An explanation that isolates the most salient causal factors is good, but this simply raises the question how we are to identify the most salient causal factors, and we do not have an account of causation. Nevertheless, much remains to be said about how inference to the best explanation can work.

First, we have defined explanation in terms of facts and foils, but the facts that provide evidence do not come with built-in foils. This is not a problem. If “Why P and not Q?” is explained by hypothesis S, and “Why P and not R?” is explained by hypothesis T, then P provides evidence for both S and T (assuming Q and R are indeed both false). Consider the case in which Lewis’s receiving an invitation to Monash explains why he went to Monash rather than Oxford, and Lewis’s having friends at Monash explains why he went to Monash rather than Kalamazoo. Then Lewis’s going to Monash provides evidence both that he received an invitation to Monash and that he has friends in Monash. This given the appropriate background information: that having friends and receiving invitations can affect Lewis’s plans, that Lewis has friends in Oxford (so we must advert to the invitation to explain why he went to Monash rather than Oxford), and that Lewis received an invitation to Kalamazoo (so that we must advert to his friends to explain why he went to Monash rather than Kalamazoo). We will change foils as necessary when examining testimony as evidence; sometimes we may look for the explanation of why the teller spoke rather than remaining silent, sometimes we may look for the explanation of why she said the particular thing she said rather than something else.

Second, as Lipton points out, “Inference to the Best Explanation cannot... be understood as inference to the best of the *actual* explanations” (Lipton 1991, p. 59), because only truths can actually explain anything. We cannot explain why Lewis went to Monash rather than Oxford by saying “Lewis was invited to Monash” if Lewis was *not* invited to Monash. If we were to make it a condition on inference that what was being inferred should actually explain the evidence, then we could not infer anything unless we knew that it was true, and the inference would be redundant. Accordingly, our evidential rule must be that the evidence justifies us in inferring the best among potential explanations: those propositions that will explain the evidence if they are true and causally efficacious.<sup>5</sup> (Lipton goes on to consider how we may reduce the pool of potential explanations to a manageable size, from which we select the best, but we need not be concerned with this. We will only consider explanations to which the SAC theory is relevant, which will be a manageable pool without further reduction.)

Third, the slogan of inference to the best explanation implies that, if one potential explanation is superior to another, we may not infer the inferior potential explanation. The superior potential explanation preempts the inferior one.<sup>6</sup> This preemption, however,

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<sup>5</sup> Where a potential explanation is true but not causally efficacious, inference to that explanation may produce a Gettier example. For example, Alice sees what looks like a green barn driving through Egypt County and concludes that there is at least one green barn in Egypt County. Indeed there is a green barn in Egypt County, but it is not what Alice saw; what Alice saw was a barn façade. Alice has a true justified belief that there is a green barn in Egypt County, but does not know. That there is a green barn in Egypt County is a potential explanation of why she saw what looked like one (rather than not seeing what looked like one), but it does not actually explain what she saw, because it is causally inefficacious though true. Of course other kinds of Gettier examples are possible; in the classic barn façade case, the observer does infer to the actual explanation of what she sees (a real barn by the side of the road), but she nevertheless fails to gain knowledge because of the presence of barn façades in the area. See Goldman (1976).

<sup>6</sup> This is not strictly correct, because inference is not an all-or-nothing matter. The evidence may provide some confirmation for the superior explanation while providing a lesser degree of confirmation for the inferior explanation. The presence of the superior explanation, however, does reduce the extent to which the evidence confirms the lesser explanation, at least when the two explanations compete as described in the text. For simplicity’s sake, in explaining inference to the best explanation we will speak as though it is always to the best of competing explanations, without considering degrees of confirmation.

is restricted, because there may be more than one actual explanation of a fact-foil pair. Lewis's visit to Monash rather than Oxford may be explained both by his invitation to Monash and by his buying an airplane ticket to Monash. Like the invitation, the purchase of the ticket is a cause of his going to Monash for which there is no corresponding event in the history of his not going to Oxford, in that he did not buy a ticket to Oxford. In some respects the invitation provides the superior explanation, because the explanation in terms of the airplane ticket is unilluminating. Yet with appropriate background assumptions, Lewis's visit to Monash provides evidence both that he was invited to Monash and that he bought an airplane ticket to Monash. Even though the invitation may provide a better explanation than the purchase of a ticket, it does not preempt the inference to that explanation.

To account for cases in which a better explanation does not preempt a worse one, we must change our slogan from "inference to the best explanation" to "inference of the best of competing explanations." The many potential explanations of the evidence may be divided into sets of competing hypotheses, and we may infer the best of each of these sets. The question is how to determine which explanations compete with each other. Lipton does not give explicit criteria for determining when explanations compete.<sup>7</sup> Clearly two explanations are in competition when they cannot both be true. If one explanation of Alice's behavior entails that it is raining and another entails that it is not raining, we may not simultaneously infer both.<sup>8</sup> Yet even compatible explanations may

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<sup>7</sup> Harman's remarks on the subject pertain to inference from explanations rather than inference to the best explanation (Harman 1973, p. 132). These have to do with when some interfering factor blocks prediction from an explanatorily relevant generalization.

<sup>8</sup> If we take degrees of confirmation into account (see note 6 above), the evidence may some confirmation for each of the incompatible hypotheses. The hypotheses will still compete, however, in that

compete. Suppose that, to explain why Lewis went to Monash rather than Oxford, we hypothesized that Lewis has friends at Monash but not Oxford. We then learn that Lewis was invited to Monash and not Oxford, and that Lewis almost never goes where he is not invited. The explanation in terms of the invitation preempts our inference that Lewis has friends at Monash but not Oxford. It could still be true that Lewis has friends at Monash but not Oxford, but our evidence does not allow us to infer it.

Here we must advert again to the many actual explanations that a single fact-foil pair may have. Because explanations were defined (in section 1) in terms of the causal histories of events, we may find different explanations at different points of the causal history. Lewis's being invited to Monash is causally efficacious because it influences his decision to go there, while his purchase of a ticket is causally efficacious because it influences his ability to get there. At either one of these points, we can find a cause of Lewis's going to Monash that has no counterpart in the history of his not going to Oxford. Since these factors can serve as compatible actual explanations of Lewis's going to Monash, they do not compete as potential explanations.

On the other hand, Lewis's being invited to Monash and Lewis's having friends at Monash both would exercise their causal efficacy at the same point of the causal history. Both would influence Lewis's decision to go to Monash by providing his reason for going there. Accordingly, it is less likely that both simultaneously provide actual explanations of Lewis's decision to go to Monash. If both were put forth as hypotheses, we could ask, which really caused him to make up his mind to go to Monash—the friends or the invitation? This would be an inquiry as to which factor was causally efficacious in

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the evidence will not provide as much confirmation to either of the hypotheses as it would if the other incompatible hypothesis were not also a good explanation of the evidence.



the decision and which was irrelevant. By contrast, if we hypothesized that Lewis was invited to Monash and that he bought a ticket to Monash, it would not make sense to ask which was causally efficacious. The efficacy of one would in no way diminish the efficacy of the other.

We should not take competing explanations to be simply those whose causal efficacy would operate at the same time in the causal history of the fact to be explained. Explanations may pertain to the same time without competing, if the causal efficacy of one would not tell against the explanatory power of the other. Suppose that I pour two chemicals into a beaker, and I wish to explain why they react instead of remaining inert. One possible explanation is that one chemical was hydrochloric acid and the other was alkaline; another possible explanation is that one chemical was sodium hydroxide and the other was acidic. Each of these explanations cites a cause that takes effect when the chemicals are poured into the beaker, yet they clearly do not compete. Each focuses on a different aspect of the causal history of the reaction, the acid or the alkali. Explaining one aspect leaves room for a fuller explanation of the other. By contrast, the explanation that I combined sodium hydroxide with an acid competes with the explanation that I combined potassium hydroxide with an acid; if we invoke one hypothesis, the alkaline ingredient of the reaction has been explained, and there is no need to cite the other hypothesis in order to explain why the chemicals reacted rather than remaining inert.

Let us stipulate that the explanation in terms of potassium hydroxide and the explanation in terms of sodium hydroxide are compatible, in that one chemical could have been a mixture of sodium hydroxide and potassium hydroxide. In fact, we might need to invoke both explanations in order to explain, say, why the chemicals reacted at a

particular speed rather than at a different speed; but as explanations of why the chemicals reacted rather than remaining inert, the explanations are competitors. Once one explanation is invoked to explain the fact-foil pair at issue, the other will not add any more explanatory power. Additional facts might take the explanations out of competition with each other. For instance, if it were discovered that the available quantities of all alkaline reagents were too small to cause appreciable reactions by themselves, the explanations would no longer compete directly. If we tried to explain the reaction by saying, "Sodium hydroxide was combined with an acid," the question would arise "What other alkali was also combined with the acid?" So the hypothesis that potassium hydroxide was combined with an acid would still have explanatory work to do.

My suggestion is that possible explanations compete when one's being an actual explanation would considerably lessen the extent to which the other would be likely to serve as an actual explanation. It follows from this that incompatible explanations compete, since both cannot be actual explanations (which must be true). Furthermore, when two hypotheses advert to factors that would separate the history of the fact from that of the foil in the same way, the explanatory adequacy of one must diminish the explanatory adequacy of the other. This is not a rigorous definition of competition, because it depends on the unexplained idea of "separating histories in the same way." Rigorous definitions, however, are unlikely to be forthcoming without a rigorous account of causation by different factors, which itself is unlikely to be forthcoming anytime soon. The account of competition just given should be enough to establish in many cases that certain hypotheses do not compete with each other, which is the primary use to which we shall put it.

The fourth point to be made about inference to the best explanation is that we have not said what makes an explanation good. On Lipton's Difference Condition, an explanation cites a cause of the fact to which no corresponding event exists in the history of the foil. This makes one measure of the worth of an explanation dependent on comparative notions of causal efficacy and on corresponding events. The more efficacious a cause of the fact is, and the more complete the disanalogy to any corresponding event in the history of the foil, the better the explanation is. A clear case would be when there is some sufficient cause of the fact, and a clearly corresponding event in the history of the foil that is sufficient to cause the foil's falsity; there will be less clear cases, because we have no definition of causal efficacy or corresponding event. Furthermore, this is not the only measure of the worth of an explanation. An explanation's worth can also be measured by how much illumination it provides. Lewis's buying a ticket to Monash may be more causally efficacious than his being invited there; the ticket makes it almost certain that he will go, whereas the invitation gets stirred in amongst his other reasons for going or not. Yet the explanation in terms of his motive may tell us more about what we are interested in than the explanation in terms of his ticket, and in that it is more illuminating.<sup>9</sup> Finally, a potential explanation's worth depends in part on its plausibility. We may not be able to infer to an explanation, even if it would be causally efficacious and illuminating, if it is antecedently highly implausible; think of explaining a series of apparent coincidences in terms of a vast conspiracy. Though we cannot precisely define any of these elements of the worth of an explanation, they will all play a role in determining what evidence supports.

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<sup>9</sup> Since these two explanations are not in competition, it may not matter which is better.

The fifth and final point we make concerning inference to the best explanation is that the quality of an explanation will depend on background conditions. In order to cite Lewis's invitation to Monash as a cause of his visit there, we need to know how much invitations matter to Lewis when he is making travel plans. In order to cite the weather in Monash as a cause (or not), we must know both how much Lewis cares about the weather and what the weather is like (as well as that Lewis is not misinformed about the weather). Such background factors may affect both the causal efficacy of a hypothesis and its antecedent plausibility. Of course, something can only be a background condition if it is known or justifiably believed, so that one person who knows certain things may take a proposition as a background condition while another person with different knowledge takes the same proposition as an explanatory hypothesis. If Alice knows that Lewis only goes where he receives an invitation, then this may serve as a background condition that allows her to infer that he was invited as an explanation for why Lewis went to Monash rather than Oxford. If Sarah knows instead that Lewis was invited to Monash but not Oxford, this in turn may serve as a background condition that allows her to infer that Lewis prefers to go where he was invited, as an explanation of the same fact-foil pair.

Note that these background factors need not be lawlike. To say that Lewis cares about whether he has received an invitation to visit a place is not to postulate any law linking invitations and visits, even invitations to Lewis and visits by Lewis. To take a non-psychological case, to say that glass is brittle and can be broken by blunt impacts, or that paper is tearable and can be cut by sharp objects, is not to posit any laws governing exactly what will break or cut a given piece of glass or paper. Yet it does affect what can and cannot explain certain breakings and cuttings.

Clearly, under inference to the best explanation, what a phenomenon provides evidence for will depend on what can explain it. Explanations can be individualized and *ad hoc*. We find an event that caused this particular fact, and for which there was no corresponding event in the history of the foil, without being able to extrapolate to similar explanations for similar cases. When we are inferring to the *best* explanation, however, we will not generally rely on *ad hoc* explanations. An explanation that could be expected to apply similarly to similar cases will have better antecedent plausibility and expected causal efficacy. So the best explanations, the ones we should infer, will be ones that apply across a wide range of cases. These explanations will be mediated by background conditions in those different cases. To see what a phenomenon provides evidence for, then, we should look at background conditions that affect what explains that phenomenon across a wide range of cases.

In general, a particular kind of background condition will affect causal efficacy of a certain kind. The background conditions that affect when lightning strikes will affect the history of a forest fire at its origin; the background conditions that affect the state of the undergrowth will affect the history of the fire as it spreads. We have suggested that whether explanatory hypotheses compete is determined by whether they exercise the same kind of causal efficacy. So the explanatory hypotheses that are affected by the same background conditions will be the ones that are in competition. If we focus on one set of background conditions, they may allow us to pick out the best of that set of competing hypotheses, while other background conditions would pertain to hypotheses that are not in competition. For instance, establishing the background conditions that govern the state of the undergrowth will allow us to determine the best explanation that

advertises to the fire's spreading. To do so we need not worry about the background conditions governing the lightning, because those affect explanations advertising to the fire's starting, and those explanations are not in competition with the ones advertising to the fire's spreading.

The phenomenon we wish to explain, because we wish to use it as evidence, is testimony. Testimony is a free choice made by the teller. Therefore, we will be able to view testimony as evidence by considering some of the factors that explain people's choices. In particular, if we consider what people value and how that affects their choices, and what people believe and how that affects what they say, we will be able to give a general sketch of the conditions under which testimony serves as evidence. This will allow us (in chapter VI) to redo the offensive component of our argument for Particular Evidentialism (see Chapter IV) by showing how a teller's assurance provides no justification unless it also provides evidence for what is told.

### 3. Sincerity

In this and the next two sections, we will present the SAC theory, an extremely simplified sketch of some of the factors that affect people's beliefs and what they choose to say. The idea is that people have varying degrees of three different persistent traits or types of traits: sincerity, authority on various topics, and circumspection. These traits form background conditions against which we can judge the worth of explanations of testimony. Accordingly, they help determine when testimony provides evidence for what is told and when it does not.

SAC explanations (as I will call explanations in terms of sincerity, authority, and circumspection) are by no means the be-all and end-all of explanations of testimony. For one thing, there will be many other explanations that do not compete with SAC explanations. An explanation in terms of why a topic was under discussion will not preempt an explanation of how the teller's sincerity caused her to say what she said about the topic.<sup>10</sup> There may also be competing explanations available that invoke factors that broad-brush SAC explanations do not capture. For instance, the SAC theory will not invoke the idea that someone might be more likely to lie to one person than another, which could be explained by various commitments and traits she has (loyalty to or fear of one person, contempt for or condescension to the other). Taking into account all the details that explain someone's testimony would make it impossible to give any sort of generalized account of when testimony serves as evidence. The SAC theory is meant to provide such a generalized account of factors that *ceterus paribus* allow us to determine whether testimony serves as evidence. This may only give us a *prima facie* evaluation of whether a particular piece of testimony provides evidence, pending the discovery of additional factors that might preempt the SAC explanation. But the *prima facie* account will be worth something, and in many cases it will hold up.

When we infer to the best SAC explanations of testimony, our inference will have at least two steps. We must infer that what the teller says is what she believes, and we must infer that her belief is accurate. This reflects the normal case of true testimony, as described by Fricker: “in the normal case, a serious assertoric utterance by a speaker *S* is

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<sup>10</sup> These different explanations may require different foils; the explanation of the topic selection will explain why the teller said what she said rather than something on a different topic, the explanation in terms of sincerity will explain why she said what she said rather than something else on the same topic. The teller's testimony can still provide evidence for each explanation; see the first point in section 2 above.

true just if *S* is sincere, i.e. believes what she knowingly asserts, and the belief she thereby expresses is true” (Fricker 1994, p. 145).<sup>11</sup> What Fricker says may not be true of every serious assertion, as when someone is putting forth propositions for the sake of argument, but it is surely true of testimony. It makes no sense to take someone’s word for something if we think she believes the opposite. There can be rare cases in which we gain evidence for what a teller says without gaining evidence that she believes it, but believing according to such evidence is not believing the teller herself. Since the Assurance View (chapter III) argues that Particular Evidentialism cannot accommodate the justification a hearer obtains by believing the teller, we will ignore cases in which the hearer believes what the teller says without believing the teller.

A teller’s sincerity or lack thereof determines the explanatory power of the hypothesis that she believes what she says. A sincere person will be one who values saying only what she believes and who avoids lying. She must also be sufficiently strong-willed so that her commitment to saying only what she believes can overcome other temptations, and must place a high enough value on not lying that this commitment will not usually be overridden by her other values. It seems plausible that someone’s degree of sincerity is a single psychological trait that is stable over time.<sup>12</sup> Some people value truth more than others and will be less likely to allow other factors to influence them into saying something that they do not believe. Such a person may, as Moran suggests, see her testimony as “securely linked with the truth, not in virtue of [her] being determined by the facts of [her] own nature, but in virtue of [her] own free but unswerving commitment

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<sup>11</sup> Note that Fricker’s use of “sincere” differs from ours. She speaks of a single utterance as sincere just in case it reflects the speaker’s belief; we speak of a person as sincere just in case she generally says only what she believes. Our notion of authority is similarly a generalization of Fricker’s notion of competence from a single utterance to a persistent characteristic.

<sup>12</sup> In section 6 I will address arguments that sincerity is not a stable trait.



to the truth” (Moran 1999, p. 17). This is the point that allowed us to meet the Bad Faith Objection (section III.3; see also section 6).

When we know that someone is sincere, her testimony will provide evidence for her beliefs. If Alice is sincere, when we ask “Why did Alice say that it was raining rather than that it wasn’t?” a good answer will be “Because that reflected her belief that it was raining.” Because Alice would have a strong motive not to say something if she did not believe it, Alice’s belief that it is raining would be causally efficacious in her testimony, by removing an obstacle to it. A corresponding event in the history of her not saying that it was not raining would be a belief that it was not raining. (Recall from section 1 that a corresponding event is one that would play the same role in the *truth* of the foil, not its falsehood.) The hypothesis entails that Alice lacks this belief (if she is not completely inconsistent) and so provides a genuine explanation. Note that this explanation does not compete with explanations of what prompted Alice to speak up. “Because she wanted to make sure Sarah took her umbrella” could equally well explain why Alice said that it was raining rather than that it wasn’t, but it does so by saying why Alice felt compelled to comment on the weather at all, and so does not preempt the explanation of Alice’s comment in terms of her belief. On the other hand, if Alice were not at all sincere, then “She believed that it was raining” would not be a good explanation of her testimony, because it would be unlikely that any such belief was causally efficacious in influencing her choice of words.

It may seem question begging to treat sincerity as a trait. We are explaining someone’s saying what she believes by citing her trait of only saying what she believes. This is not unlike citing opium’s dormitive potential in explaining why it puts people to

sleep—but in this context, citing opium’s dormitive potential would not be invalid. Opium’s dormitive potential will not give us a deep explanation of why it has put someone to sleep, compared with an explanation of how opium actually operates; but it will give enough of an explanation to establish the evidential relations between someone’s taking opium and going to sleep. Similarly, citing someone’s sincerity why may not provide a deep explanation for she says what she believes, compared with an explanation of why she is sincere. Still, it will be enough to show that her testimony provides evidence for what she believes. All we require is that sincerity is a stable trait, and this is a plausible result of common-sense psychology. (In section 6 I will defend this reliance on common-sense psychology.)

It is of course a drastic oversimplification to say that someone’s commitment to say what she believes is a single monolithic trait. Some people may be particularly concerned with the consequences of their acts, and so willing to tell little white lies while being unstintingly honest about larger matters. Some people may tell the truth as a matter of respect, and so be willing to lie to some people and not to others. And of course there are many different factors that might give incentives to say what you don’t believe, which will have varying degrees of influence over different people. To get the best estimation of whether someone’s testimony is explained by her believing what she says, we must consider the incentives to lie and the specific commitments that would affect whether she would feel compelled to say what she believes in this particular situation. Nevertheless, it seems unlikely that there will be a complete disconnect between someone’s propensity to say what she believes in one type of situation and in another; the commitment to tell the truth in any situation is a commitment that we can have to varying degrees. The SAC

theory lumps all the factors affecting someone's sincerity into a single trait that everyone has or lacks to a certain degree, and that influences testimony in all situations. This approximation is necessary to allow generality in our treatment of testimony as evidence. We will occasionally note further complications, but attempting to accommodate them in the SAC theory would multiply its complexity no end without much increasing our insight.

#### 4. Authority

A teller's sincerity can support an explanation of what she tells in terms of what she believes. For her testimony to yield evidence for what she tells in terms of inference to the best explanation, we also need her belief to provide evidence of what the facts are. We must be able to explain why she believes what she believes in terms of the truth of what she believes.

In the previous section, we discussed sincerity as a trait that, in any situation, inclines people to say what they believe. It was an oversimplification to treat sincerity as monolithic, so that anyone with a certain degree of sincerity is equally inclined to tell the truth in every situation, but it was a useful oversimplification. The analogous explanandum in inferring from the teller's belief to the fact of the matter is "Why does this person believe this thing (as opposed to believing its negation or suspending judgment)?" The question is whether the belief's truth would provide a better explanation than other competing hypotheses. For the SAC theory to help, it must posit some psychological trait that governs, in a variety of different cases, whether a belief can be explained in terms of its truth.

We cannot, however, posit a single monolithic trait that allows us to explain any belief in terms of its truth. Someone who had such a trait would have a general tendency to believe only what was correct, a general all-around competence that would strain credulity. This trait would not even be a useful oversimplification like the monolithic trait of sincerity. It is reasonable to answer “Why did she say this rather than its negation?” with “She believes this, and she only says what she believes.” It is unreasonable to answer “Why does she believe this rather than its negation?” with “This is true, and she only believes what is true.” No human even approaches the ideal of only believing what is true.

To find explanations of someone’s beliefs in terms of the truth of what she believes, we will draw on J.L. Austin’s account of a question closely related to “Why does she have a correct belief?”: “How does she know?” Correct belief need not be knowledge, and we are concerned whether someone’s belief is correct rather than with whether it constitutes knowledge, but a factor that commonly explains knowledge will commonly explain correctness of belief.<sup>13</sup> A psychological factor that is often cited in answers to “How do you know?” will in a variety of cases support explanations of someone’s belief in terms of the belief’s correctness.<sup>14</sup> Authority on different topics, a trait that we will posit in the SAC theory, will often be cited in those answers.

Austin classifies possible answers to “How do I know [that there’s a bittern in a garden]?” into answers to the following questions:

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<sup>13</sup> We are interested in the hearer’s justification for belief rather than in whether she gets knowledge from the testimony. If we were concerned with knowledge, we would have to worry about whether the teller knew what she was saying, since only if the teller has knowledge can her testimony give the hearer knowledge. With respect to justification, we need only be concerned with the evidence that the teller’s testimony and underlying belief are true. In fact, authority on a topic (as discussed in the text) will generally yield knowledge.

<sup>14</sup> We are not supposing that the question “How do you know?” is actually asked of or answered by the teller. Anything that might answer the question, if it were asked, will provide the right kind of explanation.

(1) How do I come to be in a position to know about bitterns?  
 (2) How do I come to be in a position to say that there's a bittern here and now?

(3) How do (can) I tell bitterns?

(4) How do (can) I tell the thing here and now as a bittern?

The implication is that in order to know this is a bittern, I must have:

(1) been trained in an environment where I could have become familiar with bitterns

(2) had a certain opportunity in the current case

(3) learned to recognize or tell bitterns

(4) succeeded in recognizing or telling this as a bittern.

(1) and (2) mean that my experiences must have been of certain kinds, that I must have had certain opportunities: (3) and (4) mean that I must have exerted a certain kind and amount of acumen (Austin 1946, pp. 79-80).

The trait of authority in the SAC theory will correspond to the kind of acumen you must have and exercise in order to generally form true beliefs on a topic. Asked "How is it that she believes truly that there is a bittern in the garden (rather than falsely that there is some other kind of bird)?" we can explain, "She's good at recognizing bitterns [or: birds of the English fens]." This ability will be a stable trait in that someone's expertise at recognizing bitterns will not ordinarily vary much day to day or moment to moment. On the other hand, opportunities of the sort cited in answers of type (2) (and to some extent (4)) are not stable traits of a person; at one moment Alice may have a chance to see the bittern, at another not. To account for opportunity's role in whether testimony provides evidence, we will have to cite the trait of circumspection, explained in section 5.

(Temporary losses of acumen, such as those cited in "She missed the bittern because she was tired" or "There was something in her eye," will somewhat arbitrarily be assimilated to lack of opportunity. Note also that type (1) answers explain acumen in terms of how the birdwatcher came by the acumen.)

The acumen necessary for coming to know a specific proposition will not be specific to the proposition that is known, nor will it be completely general over all propositions.

Someone who has the acumen to tell whether there is a bittern in the garden at this instant will be able generally to identify, say, bitterns or English fen birds; she may not, however, know anything in particular about Turkish history or quantum mechanics. In general, coming to know a particular proposition will require the exercise of skills that enable the knower to reliably form correct beliefs about a number of related propositions, given the opportunity.<sup>15</sup> We will call these skills *authority* on the topic comprising all the related propositions.

Indeed, we will individuate topics in terms of the unity and stability of the skills necessary to form correct beliefs on the topic:

Two propositions  $p$  and  $q$  concern the same *topic* iff the stable abilities required to discern the truth of  $p$  (given an appropriate opportunity) are the same as the stable abilities required to discern the truth of  $q$  (given an appropriate opportunity). Someone who has the abilities required to discern the truth of propositions concerning a topic has *authority* on that topic.<sup>16</sup>

This definition of “topic” will ensure that authority on a topic is a stable character trait. By definition, if discerning the truth of  $p$  and discerning the truth of  $q$  do not require the same stable abilities, then  $p$  and  $q$  do not fall under the same topic. If the teller does have authority on the topic of her testimony, this will explain why she has a correct belief concerning what she tells rather than an incorrect belief.

For instance, knowing what kind of bird is sitting in front of you might be considered a single topic. The skills that enable a person to recognize one bird at one time will

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<sup>15</sup> The exception is when the knower learns a proposition through another’s testimony about an isolated fact. This requires acumen in distinguishing true testimony from false, which we will discuss further at the end of this section and in Chapter VI.

<sup>16</sup> Note that this definition of topics yields a different notion of what a sentence concerns than does Goodman’s notion of aboutness (Goodman 1972). For a sentence to be absolutely about something in Goodman’s sense, it must mention that thing, but in our sense a sentence can concern a topic that comprises many propositions about things that the sentence does not mention. “That is a robin” is not about starlings in Goodman’s sense, but “That is a robin” and “That is a starling” both concern the topic of identifying birds.

enable her to recognize another bird later. Here seeing the bird is the opportunity required to exercise those skills. The viewer's authority on birds explains how she formed a correct belief about the bird that she saw, because the skills that constitute that authority will cause her to form correct beliefs about birds rather than incorrect ones, given the opportunity. By contrast, knowledge of birds and plants will not be a single topic, because the skills that enable a person to identify a bird might not be enough for her to identify a plant, and vice versa. We cannot explain someone's correct identification of a plant by citing the skills that enable her to identify birds.

It is of course an oversimplification to pretend that propositions can be organized into well-defined disjoint topics. Though the skills necessary for identifying birds may be mostly different from those necessary for identifying plants, some of the same skills will come into play in both cases. Recognizing birds itself is not a single unitary skill; someone may be an expert on English fen birds without knowing much about Australian waterfowl. Furthermore, some propositions clearly fall under more than one topic; coming to know that there's a bittern sitting on a rhododendron in the garden requires being able to identify bitterns and being able to identify rhododendrons (or knowing which of the plants in the garden is the rhododendron). So the proposition "There is a bittern on a rhododendron in this garden" concerns both knowledge of birds and knowledge of plants or knowledge of this garden.

In general, coming to know a proposition may require the exercise of different skills to different degrees, so that it will be rare that one proposition requires exactly the same skills as another. Whether two propositions concern the same topic will be a matter of degree, depending on the extent to which they require the same or similar skills.

Nevertheless, it is useful to oversimplify and assign every proposition to a single well-defined topic. A more nuanced account would complicate our bookkeeping without affecting our essential conclusions. Consequently, the SAC theory will treat topics as well-defined and non-overlapping and a person's authority on one topic as independent of her authority on any other.

The examples we have discussed so far have all been of observational knowledge. The skills involved in this are all recognitional skills. With other cases of testimony it might seem as though it were impossible to know whether your testimony was true. For instance, on some schools of thought it is impossible to know a statement about the future that is not predetermined to be true; it has even been argued that such statements cannot be evaluated so as to have a truth value that is determined by the context of utterance (see Belnap, Perloff, and Xu 2001). This does not, however, mean that people cannot have skills that enable them to get a good idea of what is likely before it is absolutely determined that it will happen. A good meteorologist, for instance, may know that it is very likely to rain tomorrow even if there is still a chance that it won't; and an astute judge of character may have a good idea of what someone else will choose to do, even though the person still has the opportunity to choose something different.

In these cases, people's skills enable them to recognize the signs of something that makes a future occurrence likely. On the account of explanation given in this chapter, the rain will not explain why the meteorologist believes that it will rain, even on the supposition that it will rain. Explanations must be part of the causal history of the explanandum, and the rain will take place after the meteorologist forms her belief and makes her prediction. The proper explanation is that the meteorologist recognizes factors



that make it likely that it will rain tomorrow, for this recognition and these factors are part of the causal history of the belief that it will rain.<sup>17</sup> Given that the meteorologist does have authority concerning weather predictions, the recognition of signs will fit the definition of explanation from section 1: It will cause her belief that it will rain, and there will be no corresponding event that would lead her to believe that it will not rain.

Inference to the best explanation alone will not allow us to infer that it will rain, but it will allow us to infer that there are current factors that make rain likely later, and this will allow us to infer that it will be likely to rain later.<sup>18</sup> Similar remarks apply to beliefs that are neither observational nor predictive, such as the detective's belief that the butler did it. Acumen in such cases will consist in recognizing signs that make it possible to form reliably correct beliefs on the topic, even if the truth of the proposition in question cannot be directly observed.<sup>19</sup>

There is an important way to come to know a proposition without authority on the topic of the proposition: through testimony itself. If an authority on birds tells Alice "There is a bittern in the garden," then Alice can come to know that there is a bittern in the garden even if she has no skill whatsoever at recognizing birds.<sup>20</sup> Nevertheless, Alice does exercise a kind of acumen in learning this proposition: her ability to tell good

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<sup>17</sup> Note that the factors are a common cause of the rain and of the meteorologist's belief.

<sup>18</sup> See the discussion in section 1 concerning how inference to the best explanation does not license predictions; this is a case where prediction is obviously licensed, no matter what our theory of inference, so long as it really is possible that someone recognizes current signs that make rain likely later.

<sup>19</sup> Note that testimony based on such beliefs will usually be known to have a possibility of error (always, in the case of predictions whose truth is not yet determined). This will raise a question whether such testimony is ever proper: If Alice recognizes signs that make it 99% probable that it will rain the next day, is it permissible for her to say "It will rain tomorrow"? Timothy Williamson (1996) has argued that it is not. In discussing the reliability sanction I will rebut Williamson's arguments (section VII.1). For now, however, we are concerned with the evidence that testimony provides; if the teller's belief allows us to infer the existence of factors that make it likely that what she believes is true, then it gives us evidence for what she believes, even if it is not permissible for her to base testimony on that belief.

<sup>20</sup> Of course, for Alice to gain knowledge by believing this testimony, there must be a bittern in the garden that the authority herself has observed.

testimony from bad. The more gullible Alice is, the less likely she will be to have gained a true belief by accepting testimony. Skill at judging testimony can thus be seen as a general authority that may not depend on the topic at issue. (Sometimes authority on a topic will go together with authority in accepting testimony. For instance, authority about a specific area of history may depend on identifying and accepting trustworthy testimony in that area, such as sorting the wheat from the chaff in contemporary accounts.) How much authority Alice has concerning testimony, and how likely it is that she was told that there was a bittern in the garden, will determine how plausible “Alice was told truly that there is a bittern in the garden” is as an explanation for why Alice believes there is a bittern in the garden. We discuss authority in judging testimony further in section VI.2, when we analyze various cases in which testimony can provide evidence.

Authority determines the likelihood that someone’s beliefs on a topic will be correct, but it may also determine her willingness to speak on that topic. The relation between authority and willingness to speak is the domain of circumspection, the focus of the next section. Circumspection embodies respect for the truth in a different way than sincerity: A circumspect person will not tell another something unless her belief in that testimony is based on an exercise of authority. This authority can either be authority on the topic of testimony or authority in judging testimony, applied to some other testimony that the current teller is repeating. Which sort of authority is applicable will depend on whether the teller has had opportunity to exercise authority on the topic (for instance, by direct observation) or opportunity to exercise authority on judging testimony (by being told what she is now saying). Accordingly, discussing circumspection will require discussing

opportunity, the complement to authority in Austin's typology of explanations of knowledge.

### 5. Opportunity and Circumspection

Citing someone's authority on a topic is one way to explain how someone knows something. Another way to explain it is by citing her opportunity to exercise her authority, and this explanation will not compete with the explanation in terms of her authority. Indeed, for many topics, someone's authority will not explain her belief if she had no opportunity to exercise it. All the ornithological expertise in the world will not help you learn that there is a bittern in the garden unless you go to the garden and observe the bittern.<sup>21</sup> So, to explain why Alice believes there is a bittern in a garden (rather than, say, a robin), we may answer "She heard the bittern booming." Being able to identify bitterns by their call does not imply actually having heard the bittern.

An explanation of a belief in terms of an opportunity does not cite a stable psychological trait. Opportunities are fleeting, and the fact that at one time someone has one opportunity to exercise authority does not mean that she will have another at another time. Sometimes the hearer of testimony will have evidence independent of the testimony that the teller has had an opportunity to exercise her authority, as when Alice comes in from the garden and says to Sarah, "There's a bittern out there." Other times, however, the hearer will have no independent evidence that the teller has had this opportunity; Alice may say to Sarah, "There was a bittern in Janet's garden earlier,"

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<sup>21</sup> For some topics, authority alone will be enough for knowledge; the authority will not require a specific opportunity to be exercised. For instance, authority on an area of history perhaps consists in knowing many facts about that area, and no specific opportunity will be necessary to recall these facts. Many topics, however, will require an opportunity for the exercise of authority. These will include all observational topics.

where Sarah has no non-testimonial evidence that Alice has been in Janet's garden.<sup>22</sup>

When the hearer has no such evidence, how can the testimony give her evidence for what is told?

In this section, we will discuss a trait that can make the teller's testimony itself into evidence that she had the opportunity to exercise her authority on the topic of testimony. This trait is what I call *circumspection*: the tendency to restrict your testimony to *authoritative beliefs*, which are defined as beliefs based on the exercise of some authority on a suitable opportunity. (Note that this can include the authority to judge testimony, where the opportunity is provided by hearing such testimony.) If the teller is circumspect, then her opportunity to exercise her authority can explain her choosing to say something rather than to remain silent. An uncircumspect teller, on the other hand, may say something whether or not she has had the chance to exercise authority. This can arise either because she is unable to recognize that her belief is not authoritative, or because she chooses to broadcast a relatively unauthoritative belief.

Circumspection is a matter of both how much one values truth and how well one can judge one's own capacities. If a teller thinks it important that her testimony be true, then she will do her best to avoid making mistakes as well as lying. Accordingly, she will try to make sure that, when she tells someone something, the belief on which she bases her testimony will be authoritative. Her belief will be likely to be true only if she has authority on the topic of testimony and has had the opportunity to exercise it, and so a concern for truth will require avoiding testimony that is not based on exercised authority.

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<sup>22</sup> Note that in these cases it may help if the teller supplies a justification (as we will discuss in section VII.2), as when Alice says, "I was in Janet's garden earlier and saw a bittern." This will still require Alice to have some authority concerning bitterns.

Trying to restrict testimony to authoritative beliefs, however, is only one part of circumspection. In order to succeed at restricting her testimony to authoritative beliefs, the teller must be able to judge when she actually has authority and has had the opportunity to exercise it. Someone may intend to tell only what she knows to be the truth and yet fail, because she mistakenly believes that she has authority when she lacks it. (It is plausible that authority on a topic includes knowing when one has the opportunity to exercise the authority, so we will restrict our discussion to mistaken claims of authority.) To be circumspect, then, one must be committed to avoiding mistaken testimony, and one must be a good enough judge of what one knows to succeed in avoiding mistaken testimony.

Since authority and opportunity are matters of degree, circumspection will be a matter of degree as well. Someone has more or less authority on a topic depending on how reliable the beliefs she forms on that topic will be. A greater authority may be able to identify bitterns unerringly, while a lesser authority may occasionally mix them up with other birds. Similarly, not all opportunities are equal. A long look at a bird is more likely to lead to a correct identification than a brief glimpse. Someone who wishes above all to avoid false testimony may restrict her testimony to occasions when she has the highest authority on the topic and has had the best opportunity to exercise it; another person may be more willing to risk saying something based on authority or opportunity that is less than perfect. Note that greater circumspection is not always more virtuous. Excessive circumspection can keep a teller from passing along vital information, even though she has a good idea that it is true, because she wishes to be absolutely sure before she says anything. Here circumspection differs from sincerity because insincerity is not a

matter of degree; either you believe the opposite of what you are saying or you do not. (Some beliefs may be more strongly held than others, but outright lying is not a matter of degree.)

Sincerity and authority are doubtless familiar psychological traits; circumspection less so.<sup>23</sup> Nevertheless it does seem plausible that circumspection is a stable psychological trait that people can have to varying degrees, or rather that it usefully approximates a complex of fairly stable traits. Some people are more willing to go out on a limb or shoot their mouths off, while others are more cautious and will seek more certainty before they tell anyone anything. In addition, some people will be better aware of the limits of their knowledge, and consequently less likely to tell where they lack authority. These traits will figure in explanations of why someone spoke up or remained silent. So we might explain a circumspect person's refraining from offering testimony in terms of her lack of authority or opportunity: "She kept quiet rather than saying what she thought the bird was because she hadn't got a good look, and she hates to mislead people." If the subject were not circumspect, her lack of opportunity would not explain why she had not expressed her belief. Conversely, someone's lack of circumspection may explain testimony in the absence of authority or opportunity: "He said that the bird was a robin even though he has no clue about birds, as opposed to the other people who kept their mouth shut, because he thinks he knows everything." Here lack of circumspection manifests itself in the inability to know when one has authority on the topic of birds. This lack of circumspection provides a relevant difference between the

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<sup>23</sup> For instance, Fricker (1987) cites equivalents of sincerity and authority in her analysis of the epistemology of testimony, but does not mention anything that resembles circumspection.

teller's saying that the bird was a robin (the fact) and the other people who did not say anything (the foil).

As for the other traits of the SAC theory, it will be an oversimplification to treat circumspection as a monolithic trait that applies uniformly to all testimony. Some people will be likely to be more circumspect in some broad areas than others. For instance, a scientist might know very well whether she had or lacked authority concerning any scientific area, but she might overestimate her capacities concerning non-scientific topics. Then her testimony concerning scientific topics would be much more likely to be based on authoritative beliefs, not because she had more authority concerning science, but because her non-scientific testimony was not restricted to her areas of authority. Similarly, she might have a great respect for science that makes her reluctant to pronounce on scientific topics where she had any doubt, yet be willing to speculate about other topics on which she had less authority.

Circumspection also has a hybrid quality in that it concerns both belief formation and the choice to produce testimony. Someone who jumps to conclusions may feel more certain about beliefs that are not authoritative, while an overly cautious person may feel dubious where she should have an authoritative belief. Once a belief is formed with a certain level of confidence, one person may not speak up unless she has a certain level of confidence, while another may have a lower confidence threshold. Both caution in forming beliefs and a high confidence threshold for testimony will tend to make a teller's testimony more circumspect.<sup>24</sup> Nevertheless, as for sincerity and authority on a particular topic, treating circumspection as a monolithic trait will be a useful simplification. It will

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<sup>24</sup> Note that caution in belief formation need not be correlated with a high confidence threshold for testimony. Someone who tends to jump to conclusions in forming beliefs may learn to compensate for this by being cautious in saying what she believes.

simplify the bookkeeping without altering any of our main conclusions. (See, however, the discussion of suspicious topics in section VI.1.)

Circumspection may be the least familiar of the traits of the SAC theory, but it is crucial for making testimony into evidence. Often a hearer will have no evidence of a teller's authority independent of her testimony, or no independent evidence that she had the opportunity to exercise that authority. If the hearer has evidence that the teller is circumspect, then the very fact of the testimony provides evidence that the testimony is based on an authoritative belief. Indeed, it is a reasonable assumption that people in general have some measure of circumspection; we do not constantly broadcast speculations on random topics. Given this circumspection, we can explain how most testimony can be true without assuming that most people have authority on most topics. The topics on which people have authority will tend to be the ones they talk about. We have foreshadowed this argument in arguing against General Evidentialism (section II.4); in the next chapter (particularly section VI.1) we will recapitulate it in order to show how our attack on General Evidentialism works in the context of this chapter's conception of evidence. First, however, we must address some objections to the notion that the SAC theory can show how testimony serves as evidence.

## 6. Objections and Replies

This section will reply to several objections to the thesis that the SAC theory can account for how testimony can provide evidence. Our idea is that the traits of the SAC theory, sincerity, authority, and circumspection, can explain people's testimony (with appropriate foils). Furthermore, when the teller's possession of these traits is taken as a



background condition, we will be able to explain her testimony by citing the fact that she believes what she says, or the fact that what she says is true, or the fact that she has the authority and opportunity to verify the truth of what she says. To defend this, we must refute objections to the SAC theory.

The first objection is essentially the Bad Faith Objection to Particular Evidentialism (section III.3). The Bad Faith Objection was that, in order to view testimony as evidence, we have to see it as a natural phenomenon arising from certain causes. This, according to the objection, is incompatible with taking responsibility for your testimony as an action you yourself choose. Accordingly, a teller cannot present her testimony as evidence while taking responsibility. On this chapter's conception of evidence as inference to the best explanation, explanations advert to causes of the fact to be explained (see section 1), so seeing testimony as evidence requires seeing it as caused by what it provides evidence for. The objection is that we cannot simultaneously see testimony as a free action of the teller's and as evidence that is caused.

This objection, however, rests on an overly restrictive notion of cause. We have not attempted to define causation here, but it should be clear that causally effective factors need not operate as inexorable natural factors do. (Not to mention that few natural causes are inexorable.) A causally efficacious factor may influence someone's choice without determining it as a natural cause might. In particular, those factors in the SAC theory that explain someone's choice of testimony advert to her values. A person's sincerity depends on whether she values truth enough to say only what she believes, and her circumspection depends in part on whether she values truth enough to speak only when she is confident in her belief. Such values may influence someone to say something or

refrain from saying it, and seeing yourself as influenced by these values is perfectly compatible with seeing your action as freely chosen. It requires no detachment from your testimony to explain it by saying, “I said it because it was what I believed, and I speak my mind,” or “I didn’t say what I thought because I wasn’t absolutely sure, and I like to be absolutely sure.” Such explanations require taking responsibility for your testimony, rather than precluding it.

The second objection also concerns the connections between causality and explanation. This is that explanations in terms of motives, such as those that cite the teller’s sincerity and circumspection, are not causal. These explanations help us make sense of a person’s actions rather than citing factors that are causally efficacious in that action. Anscombe expresses this view:

Motives may explain actions to us; but that is not to say that they ‘determine’, in the sense of causing, actions. We do say: ‘His love of truth caused him to...’ and similar things, and no doubt such expressions help us think that a motive must be what produces or brings about a choice. But this means rather ‘He did this in that he loved the truth’; it interprets his action (Anscombe 1963, p. 19).

Since we have defined explanation in terms of causally efficacious factors, this might cause us to worry whether non-causal explanations support inference to the best explanation. If citing a motive allows us to interpret an action rather than finding a cause for it, then perhaps the action does not provide evidence for possible motives. For convenience, I will call this the “Anscombean” objection, though it is not at all clear that Anscombe would endorse it.<sup>25</sup>

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<sup>25</sup> Anscombe herself may be operating with a narrow notion of cause; before the quoted passage, she discusses mental causes as the *immediate* predecessors of action. This would motivate the denial that motives are causes, but would make it implausible that explanations must be causal in order to provide evidence (which is part of the “Anscombean” objection rather than a position Anscombe herself takes).

There are two responses to this objection. The first is to deny its premise by insisting that interpretive explanations are causal. Davidson (1963) makes this argument against Anscombe and other Wittgensteinians. He points out that, in order to make sense of a person's action, it is not enough to show that she had a motive on which she might have acted; we must show that that was the motive on which she did indeed act. Establishing that a motive is the actual motive for an action, Davidson thinks, is establishing a causal relation. If this argument holds, then interpretive explanations are causal explanations according to Lipton's definition (section 1), and inference to the best explanation permits us to infer possible motives for an action.

The second response to the Anscombean objection is to argue that interpretive explanations support inference to the best explanation even we concede that they are not causal. To allow for interpretive explanations, we could modify Lipton's original definition of explanation as follows:

To explain why P rather than Q, we may cite a motivational difference between P and not-Q, consisting of a motive for a choice by some agent that led to P and the absence of a corresponding motive (for a choice by the same or a corresponding agent) in the history of not-Q.

The question is whether such explanations would support inference to the best explanation. When someone chooses to do A and not B, can we take her choice as evidence for the best of the competing hypotheses as to her motive for doing A rather than B? It is hard to see why not. If someone's action does not lend support to the hypothesis that she has a motive for it, then the existence of the motive would not help us interpret her action. In Anscombe's example, someone's known love of the truth would figure in an interpretation of his action if a pattern of such actions did not allow us to infer love of the truth (pending a superior competing hypothesis).

The “Anscombean” objection and the Bad Faith objection both effectively deny that we can be said to have characters that influence our actions without restricting our freedom. Yet such influence is critical to commonsense psychology; whether it is causal or not is beside the point. When we say that someone has a certain character trait, we say that she is likely to make certain kinds of choices.<sup>26</sup> We need not say that her character determines those choices or deprives her of the freedom to choose differently. Indeed, the subject herself may see her choices at the same time as free and as in accord with her character.

The Bad Faith objection assumes that, in order for testimony to serve as evidence, it must be explained in a way that forecloses seeing it as a free choice. Explaining testimony in terms of character forecloses this objection, because such explanations presuppose that testimony is a free choice. Similarly, the “Anscombean” objection holds that, in order to infer from testimony to the existence of the motive for testimony, we must take the motive to be a cause. Combined with the (genuinely Anscombean) thought that intentional explanations are not causal, this would imply that taking testimony as evidence forecloses seeing it as intentional. It seems plausible, however, that we can see motives as influencing a choice without exiling the choice from the realm of non-intentional natural phenomena, and that this influence allows us to take the choice as evidence. Someone with a particular character may be more likely to act on one motive than another; to say that is to acknowledge the intentionality of action rather than to deny it.

As mentioned, it is a notion of common sense psychology that our characters do influence our actions. The third objection is that in this case common sense is wrong.

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<sup>26</sup> At least, this is true of certain traits; not all traits may concern choices.

Harman argues that ordinary psychology is radically mistaken and “it may even be the case that there is no such thing as character, no ordinary character traits of the sort that people think there are” (Harman 1999, p. 316). Harman points out that empirical studies reveal that people make many errors in ordinary psychology. One, the “fundamental attribution error,” consists in ascribing to a trait of the agent variations that in fact are due to situational or random fluctuations. Harman sees the fundamental attribution error as sufficient to account for our widespread belief that people have varying character traits, long-term stable dispositions to act in certain ways. If we see someone act in a certain way, we may jump to the conclusion that she has a long-term stable disposition to act in this way in any situation, but her behavior may be best explained by the situation rather than any trait of hers. Furthermore, Harman claims that studies that have been designed to measure character traits have found no objective evidence that people differ in traits. Accordingly, we may have no long-term stable dispositions to behave differently in different situations. Our beliefs that people have characters ascribe to the person what should be ascribed to the situation in which she finds herself.

If this position were tenable, the SAC theory would be in serious trouble. If no one has any character traits, then no one has the traits of sincerity or circumspection. Sreenivasan (2002), however, argues that the experiments Harman and others cite do not actually work to prove the nonexistence of character traits in the sense in which we are interested. A typical such experiment measures both temporal stability of behavior, the correlation between doing something at one time and doing the same thing at another time, and cross-situational consistency, the correlation between doing something that expresses a trait in one situation and doing something else that expresses the same trait in

another situation. One study of honesty in school children used the following situations: “some change has been left on a table in an empty classroom and there is an opportunity to steal it; another child is going to get in trouble and there is an opportunity to avert this by lying; one is correcting one’s own test sheet in class and there is an opportunity to cheat, seemingly with impunity” (Sreenivasan 2002, p. 49). Temporal stability measures the correlation between cheating on the test one week and cheating on the test the next week, while cross-situational consistency measures the correlation between cheating, lying, and stealing.

Experiments such as the one cited find temporal stability within one type of behavior, but not cross-situational consistency among different behaviors. Sreenivasan points out that the temporal stability results provide “a clear warrant to attribute various temporally stable traits” (Sreenivasan 2002, p. 54), the dispositions that produce the very specific behaviors studied. Harman’s argument, however, is that there is no evidence for more global character traits that govern many different sorts of behavior.<sup>27</sup> We might, for instance, generally think that a person’s degree of honesty would govern her willingness to lie, cheat, or steal, but in the study cited these three behaviors were not correlated. It then seems as though there is no single trait that governs all three behaviors.

Sreenivasan, however, argues that these three situations do not properly measure the general character trait of honesty. Taking change from a table, for instance, might not be considered dishonest behavior by the child in question, and is certainly not a

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<sup>27</sup> Harman also protests, concerning specific character traits such as “being disposed to copy from an answer key on a certain kind of test,” that “no reason has been given for thinking that these specific narrow regularities in behavior reflect dispositions or habits rather than, for example, skills or strategies that have worked in the past” (Harman 1999, p. 326). The difference is obscure, however; a long-term strategy should count as a character trait, even if it was learned because it has worked in the past. Perhaps Harman is disputing the traits’ stability over periods that are longer than the time-frame of the study.

paradigmatic case of stealing (Sreenivasan 2002, p. 59). Nor is lying to protect another child a paradigmatic case of dishonesty. This might be considered a white lie in which other considerations overrode the *prima facie* duty not to lie, while Sreenivasan argues that “it belongs to a *paradigm* case of lying that the reason not to lie is there a decisive reason for action” (Sreenivasan 2002, p. 60). The problem is the failure to capture the normative aspects of honesty. Honesty, if it exists, is a question of acting according to certain values, and the three situations of the test do not embody those values to the same extent. Accordingly, it is not surprising that the relevant behaviors are not correlated. Sreenivasan notes that the experiments in question were designed to test the existence of character traits as dispositions to behave in ways that could be measured by “measures which... exhibit no normative sensitivity” (Sreenivasan 2002, p. 64). The experiments may show that character traits cannot be conceived of as dispositions to behave in a manner that is insensitive to normative considerations, but they do not show that different people may have different values or different degrees of success in acting according to those values.

The psychological research that Harman cites, then, does not support the nonexistence of character traits. Indeed, it supports the existence of narrowly focused character traits, as seen by the temporal stability of the cheating behavior. This argument for the existence of character traits, however, does not forestall another objection to the SAC theory: that the specific traits cited by the SAC theory do not exist. We have argued that commonsense psychology endorses sincerity, authority, and circumspection as traits that different people have to varying degrees. If Harman’s argument concerning the fundamental attribution error is correct, then the commonsense psychology’s

endorsement of the SAC theory may not provide any support for it. Perhaps whenever we attribute sincerity to someone, we are jumping to conclusions; we are disposed to say that someone will always say what she believes in any circumstance when we have only seen her to say what she believes in a few instances and in limited circumstances.

Similarly for the other traits.

In discussing the traits of the SAC theory, we emphasized that it is an oversimplification to treat each trait as monolithic and equally applicable across all circumstances. Treating these traits as monolithic is meant to be a useful approximation; the question here is whether it is even approximately true. The threat is that the only character traits that exist might be dispositions to behave certain ways in certain narrowly defined circumstances. If the different dispositions to say what one believes in narrowly defined circumstances are not correlated with each other, then a person's sincerity in one area will be independent of her sincerity in other areas. Similarly, if the different dispositions to restrict one's testimony to authoritative beliefs are not correlated, then a person's circumspection in one area will be independent of her circumspection in other areas. Then it will not even be a useful approximation to treat sincerity and circumspection as unitary traits.<sup>28</sup>

In response, note first that sincerity and circumspection are not as broad traits as the conception of honesty that governs lying, cheating, and stealing. Every situation where sincerity and circumspection might manifest themselves involves testimony, whether to tell something or what to tell. Furthermore, sincerity and circumspection both depend on a value. Someone who values truth in testimony will only say what she believes and

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<sup>28</sup> I will leave authority aside, because topics of authority have been defined in a way that ensures that authority on a topic is a real psychological trait (see section 4). In any case, the real existence of authority is hard to dispute.



refrain from speech where her belief is not (as far as she knows) authoritative, unless other values override the truth of testimony or she behaves incontinently. We have already discussed Sreenivasan's account of how the lack of cross-situational stability in a test for honesty can be explained by considering what the agent takes as normative: The subjects might value honesty as an overall norm and yet see that norm as imperfectly relevant to one situation or as overridden by other norms in another situation. If character traits can be based on norms, then the unity of sincerity and circumspection as character traits depends on the plausibility that each trait is based on a single norm that the teller accepts.<sup>29</sup> This does seem plausible: That one should avoid lying in general, or that one should be careful about one's speech in general, are principles that we can be brought up in without breaking them down into situationally adapted micronorms. One's parents say "Don't lie," not "Don't lie when you're at school."

The SAC theory paints with a broad brush. Each trait that it posits will in reality be a complex of more specific traits, though the strength of one of these traits (so I claim) will be correlated with the strength of another. Accordingly, different situations may be more likely to provoke insincere or uncircumspect behavior in different people. Imagine different people who take different topics to be matters of sacred trust and thus areas for special sincerity and circumspection. Furthermore, because these traits express norms, a given person's likelihood to behave in accordance with a trait will not be the same in every situation. People with a given degree of sincerity will be more likely to lie when it is in their interests (a temptation to violate a norm) or when it helps someone (a

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<sup>29</sup> Note that to say that the teller accepts something as a norm is not the same as saying that it really is a norm. The SAC theory describes the norms of tellers rather than endorsing those norms. So it is conceivable that tellers take saying what they believe as a norm, but that they are not in fact responsible for saying what they believe. (Of course, we will argue that they are so responsible; see section VII.1.)

conflicting norm) than when neither of these factors apply. (In ensuing chapters [sections VI.1 and VII.1] we will discuss in detail analogous issues for circumspection.) In some cases, one lie by a person may provide evidence for the truth of something else they say. If I know you have lied to protect me, this may provide evidence of your concern for me, which could in turn provide evidence that what you tell me is true.

These complications, however, do not vitiate the basic picture put forth in this chapter: The SAC theory provides a background against which testimony can be explained. Inference to the best explanation then allows us to determine what testimony provides evidence for. In the next chapter, we redo the offensive component of our argument using the SAC account of testimony as evidence. As on the crude enumeration conception (section IV.3), only testimony that provides evidence on this conception will provide justification for belief. In chapter VII, we rederive the credit/discredit normative structure (section IV.4) using the SAC theory. The resulting account of the teller's responsibility for her testimony will allow us to answer the Disharmony Objection, thus completing the defensive component of our argument for Particular Evidentialism.