Chapter VI

Testimony as Evidence, Revisited

Our argument for Particular Evidentialism, the thesis that a particular piece of

testimony can only provide justification for what is told by providing evidence for it, has

two components. The offensive component argues that Particular Evidentialism gives the

right answers to the question, "In what cases does testimony justify belief?" The

defensive component argues that Particular Evidentialism can meet the objections that

motivated the Assurance View (see Chapter III). This chapter will contain our final

presentation of the offensive component, while the next chapter presents the defensive

component. Chapter IV presented a preliminary version of the offensive component,

using the crude enumeration conception of evidence. Chapter V used inference to the

best explanation as the basis for a more realistic and more refined conception of

evidence. The latter half of Chapter V developed the SAC theory, a simple theory of the

factors that can explain testimony, and that thus can affect the evidence that testimony

provides. In this chapter we shall argue again that testimony only justifies belief in those

cases in which it provides evidence for what is told, this time using Chapter V's

conception of testimony as evidence instead of the crude enumeration conception. We

will show that the teller's assurance of the truth of her testimony never provides

justification for what is told unless it also provides evidence for what is told. Chapter VII

will then use Chapter V's conception of evidence to rederive the reliability sanction,

according to which the teller is responsible for the truth of her testimony (see section

IV.4). We will then be able to meet the objections to Particular Evidentialism.

This chapter's discussion of testimony as evidence will begin, in section 1, by considering the case in which the hearer has no particular information concerning the teller. This will require recasting the arguments against General Evidentialism in terms of the SAC theory. In Chapter II we argued that it would be impossible to learn from testimony unless we had a non-evidential justification for believing the general claim that most testimony is true; on the crude enumeration conception of evidence, this general claim means that testimony provides evidence even when we the teller is a stranger about whom we have no information. (See section IV.3.) On Chapter V's account of evidence, this generalization may not be enough to make a stranger's testimony into evidence. We must reprise Chapter II's arguments to derive the default settings of the SAC theory, the degree of sincerity and circumspection that we should assume a stranger has. This will allow us to determine exactly when a stranger's testimony provides evidence and to show that these are also the cases in which it provides justification.

Section 2 discusses cases in which the hearer does have specific information about the teller. It analyzes in detail the cases in which the known teller's testimony does or does not provide evidence. This case-by-case analysis will show that testimony indeed provides justification only in those cases in which it provides evidence. It will also lay the ground for Chapter VII's discussion of the reliability sanction, by showing exactly how a teller's past testimony affects her future credibility. Thus, we will be able to see in Chapter VII how the teller stakes her future credibility on the truth of her testimony.

1. Default Settings

Particular Evidentialism is the thesis that a particular piece of testimony can only provide justification for believing what is told by providing evidence for it. Testimony from strangers may seem to provide the best case for a counterexample. When we listen to a stranger, there is not much background against which to evaluate her testimony as evidence. Yet we often rationally believe what strangers tell us, for instance when we ask for directions in a strange place. (For further examples, see section II.2 and Coady 1992, pp. 6-7.) If the lack of background information meant that strangers' testimony did not provide evidence, then we would have to postulate a non-evidential justification in order to cover those cases in which we are justified in accepting strangers' testimony. To stave off this threat to Particular Evidentialism, this section will argue that whenever strangers' testimony provides justification, it does provide evidence for what is told.

As a preliminary remark, we are only concerned with the evidence and justification that testimony itself provides. Independent evidence for or against what is told may affect the total evidence that the hearer has, but we will want to isolate the contribution of testimony in particular. Accordingly, we shall consider only cases in which the hearer has no evidence for or against what she is told independent of the testimony. She can, of course, have evidence that affects the epistemic status of the testimony itself, such as evidence about the teller's past record. Also, whether the hearer has evidence or justification for what is told depends only on the information that is available to her. If the hearer does not know what the teller's record is, then the teller's record does not affect whether her testimony gives the hearer evidence or justification.[1] (These preliminary remarks echo those from section IV.1.)

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[1] This conception of justification is defended in the Appendix.

The question concerning testimony from strangers is: What evidence do we have when we know nothing about the matter except that a stranger has just told us something? Readers will recognize this question as one that can be answered by the Burgean Acceptance Principle for Testimony (section II.3):

> (APT) A person is justified in believing something that she is told unless there is positive evidence against doing so.

Our argument for APT was also intended to refute General Evidentialism and establish that we have some non-evidential justification for believing the generalization that most testimony is true (see section II.4). In section IV.3 we argued that, on the crude enumeration conception, a stranger's testimony always provides evidence for what is told. If we know nothing about the particular speaker, then the generalization that most testimony is true allows us to infer inductively that this piece of the stranger's testimony is true. Now that we have moved beyond the crude enumeration conception, we should reconsider this argument.

The basic argument of chapter II still holds good. We must be justified in believing much testimony if we are not to fall into skepticism. We will not be able to gather evidence to show that most testimony is true, without relying on at least some testimony. Attempts to restrict default justification to subsets of testimony will encounter one of three problems: they will be too weak to prevent skepticism, they will lead to counterintuitive epistemological results, or they will implicitly rely on evidence and consequently reduce to APT. (See the discussion of APDT and APMT in section II.3.) Accordingly, we must accept APT, and APT will not be acceptable unless we have some non-evidential justification for believing the generalization that most testimony is true.

Using inference to the best explanation, we need not stop with the generalization that most testimony is true. We can infer whatever would best explain that generalization. Since "Most testimony is true" is a generalization rather than a statement about a single event, we will not be able to use inference to the best explanation in the exact way that was discussed in Chapter V. It will not make sense, for instance, to talk about the causal history of all testimony at once. When we ask "Why is most testimony true rather than false," a good explanation will advert to some factor that can be found in the history of most testimony and that generally influences the testimony to be true rather than false. The teller's character is part of what influences her testimony, so whatever is in a typical person's character will be part of the history of most testimony. Inference to the best explanation of the generalization "most testimony is true," then, gives us reason to believe that most people's character is of a sort that would make most of their testimony true.

What sort of character would influence someone to tell the truth most of the time? We can start with what explains the truth of one piece of testimony. When an individual piece of testimony is true, the best explanation is that the teller believes what she says and that her belief is accurate. It is possible for true testimony to arise in other ways, but rare. When someone has a true belief, the best explanation is that that belief is *authoritative*: She both has authority on the topic (or topics) of the belief and also has had the opportunity to exercise that authority. Alternatively, she could have been told what she believes and have the authority to judge testimony. Authority on a topic is defined as those skills that, when exercised on a proper opportunity, allow one to form reliable beliefs on the topic (see section V.4). It will happen occasionally that people who lack

authority will stumble across correct beliefs; they may even stumble across externalistically reliable belief-forming methods.[2] Nevertheless, most non-authoritative beliefs will be formed by some unreliable method. Some such non-authoritative beliefs may be true, but a better explanation for the truth of a belief is that it comes from an opportunity to exercise authority.

If most of a person's testimony is true, then, the best explanation is that she believes most of what she says, and that most of the beliefs she expresses in testimony are authoritative. If she believes most of what she says, then she is reasonably sincere. Under ordinary circumstances, she chooses not to tell others what she doesn't believe. The explanation for the authoritativeness of most of the beliefs she expresses in testimony is more complicated. One possible explanation is that she is authoritative on most topics and has ample opportunity to exercise this authority. This would account for the authoritativeness of most of the beliefs that she expresses in testimony, because most of her beliefs (full stop) would be authoritative.[3] An second explanation is that she tends to tell others what she believes only on topics on which she has authority and in cases in which she has had sufficient opportunity to exercise that authority. Then most of the beliefs she expresses in testimony would be authoritative, even if she had many other non-authoritative beliefs. A third explanation is that she tends not to form non-authoritative beliefs; if she does not have authority on the topic and does not have the opportunity to exercise that authority, then she does not form a belief at all. Then, as in

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[2] Thanks to Joe Camp for pointing out that non-authorities may happen on reliable methods.

[3] The hypothesis, however, would not explain the truth of most testimony if the typical person's authoritative beliefs were too banal to be expressed in testimony. Fricker makes this point against the application to testimony of a Davidsonian argument that most beliefs must be true: "The great mass of a person's beliefs which must mainly be true… concern what is too boringly obvious and familiar to be worth asserting" (Fricker 1995, p. 410).

the first explanation, most of her beliefs (full stop) would be authoritative, but she would have fewer beliefs on the whole.

These three explanations are in competition (even though they are not incompatible). Of the three, the first is clearly the worst. It is simply implausible that the typical person has authority on most topics. Everyone has wide areas of ignorance, as can be found by administering general knowledge examinations.[4] The other two explanations seem more plausible, and can perhaps be employed in tandem. If the typical person has a limited tendency to suspend judgment where she has not had the opportunity to exercise authority, and she also has a limited tendency to refrain from telling others about beliefs that are not authoritative, then these tendencies in combination will produce a higher proportion of true testimony than either tendency by itself would produce. Thus the best explanation among these competitors is some combination of the typical person's suspending judgment when she lacks authority and opportunity and her refraining from telling others about her non-authoritative beliefs.

Both these explanations ascribe to the typical person a certain degree of circumspection (section V.5). The circumspect person must be able to judge her capacities well enough to know when she has not had the opportunity to form an authoritative belief, or when she lacks the authority to do so. She must also care enough about the truth of her testimony to refrain from telling others what she believes when her belief is not authoritative. From the fact that most testimony is true, then, we infer that the typical person has a certain degree of circumspection. This is not implausible if we consider what it would be for people to lack circumspection entirely. Such people might

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[4] Note that the answers to general knowledge examinations are not testimony, because they are not meant to convey information or induce belief (see section I.1). From the fact that most testimony is true, it does not follow that most answers on examinations are true.

broadcast sincere opinions on any topic whatsoever, regardless of whether their opinions had any basis. The fact that someone had told us, say, that in 2002 the Toledo Mud Hens won their division (in Baseball's International League) would not give us any indication that they knew what they were talking about. For most topics this is not true; people will not talk about a topic unless they have some basis for their beliefs.

The arguments against General Evidentialism, that we have non-evidential justification for believing that most testimony is true, thus give us reason to believe that most people have a certain degree of sincerity and circumspection. When we meet a stranger, we may assume that she is reasonably sincere and circumspect. If she says, for instance, that the bridge is closed, we may reason according to what I call the Basic Explanation of testimony:

(Basic Explanation)

1. She said that the bridge was closed rather than saying that it was open.

2. In light of her presumed sincerity, the best explanation for step 1 is that she believes that the bridge is closed. Such a belief would contribute to her choice to say that the bridge was closed, because sincere people generally say only what they believe. She had no corresponding belief that would have caused her to say that the bridge was open; she did not believe that the bridge was open.

3. She said that the bridge was closed rather than refraining from comment about the bridge's status.

4. In light of her presumed circumspection, the best explanation for step 3 is that her belief that the bridge is closed is authoritative. The authoritative belief would contribute to her choice to say that the bridge was closed rather than refraining from comment, because circumspect people generally speak only when they have authoritative beliefs.

5. Since her belief that the bridge is closed (from step 2) is authoritative (from step 4), it is likely to be true.

6.   Therefore the bridge is likely to be closed.

The Basic Explanation is the best explanation of the testimony according to SAC theory, and it predicts that the bridge is likely to be closed. So on inference to the best explanation, the testimony provides evidence that the bridge is closed. Note the importance of circumspection in the Basic Explanation; it makes the teller's belief into evidence for what she believes without positing the implausible result that most people are authoritative on most topics.

Most of a stranger's testimony will provide some evidence for the truth of what she says, but not all will. Sometimes an alternative explanation will preempt one of the steps in the Basic Explanation. For instance, suppose that the stranger's testimony is "I did not pick your pocket." There are two alternative hypotheses for why she said this: Either she believes that she did not pick your pocket or she believes that she did pick your pocket and wishes to avoid punishment. The second hypothesis, that she wishes to avoid punishment, explains her testimony as well as the first hypothesis, that she is sincerely expressing her innocence. Even a person of average sincerity may lie when it is so clearly in her interest. (This discussion assumes that the hearer has no evidence for or against the teller having picked her pocket. For this to be true, the hearer's pocket must have been picked.) Such cases are particularly likely to attract insincere testimony. In general, a stranger's testimony will fail to provide evidence whenever there is an explanation as to why she should lie that is at least as strong as step 2 of the Basic Explanation, the explanation that the average degree of sincerity provides as to why she would tell the truth instead.

Similarly, some cases are particularly likely to attract uncircumspect testimony. In section II.4 we discussed *suspicious* topics, topics that people are particularly likely to

discuss even if they lack authority on the topic or the opportunity to exercise it. Perhaps people are particularly likely to be mistaken as to whether they have authority on the topic. So their regard for the truth will not prevent them from telling others about this topic, because they are unaware that their testimony on the topic is unlikely to be true.[5] Alternatively, perhaps there is something about the topic that makes it particularly tempting to offer one's opinions forth as fact, even when one should know that one's belief is not based on particularly strong evidence. For instance, financial topics are suspicious. The history of get-rich-quick schemes shows that the customers' confident beliefs about their investments' future were frequently inaccurate. A stock tip from a stranger will not provide evidence for the truth of what is told, because the suspiciousness of the topic preempts step 4 of the Basic Explanation, the inference from the existence of the testimony to the teller's authority.

If we have a good explanation of why a topic would attract uncircumspect testimony, then we know that the topic is suspicious without needing to analyze particular cases of testimony on the topic.[6] Conversely, analysis of cases can show that a topic is suspicious even if we lack such an explanation. If testimony on the topic is frequently false, then (unless people have a particular reason to lie about this topic) people who talk about the topic frequently have false beliefs about it. Some of these false beliefs may belong to people who have authority on the topic and the opportunity to exercise it, but are

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[5] There may be topics on which almost everyone is mistaken; for instance, in ancient times, almost everyone may have been mistaken about the composition of matter. In such cases, no one will count as an authority, and everyone who thinks they have authority on the topic will be mistaken. For this reason, the topic will count as suspicious. On the other hand, since no one has any way of knowing that everyone is mistaken on the topic, testimony on such topics will not fail to provide evidence. A hearer will have reason to believe an apparent authority, because she lacks the evidence that would show that the teller is not really an authority.

[6] Analysis of cases of course might overturn our explanation and show that the topic was not suspicious after all.

unfortunate enough to get things wrong anyway. Most of these false beliefs, however, must be non-authoritative. We know, then, that testimony on the topic frequently comes from people who lack authoritative beliefs. When considering the explanation of a stranger's choice to speak on this topic rather than on another topic, one hypothesis is that she has an authoritative belief on the topic; but this explanation competes with, and is preempted by, whatever explains why people who lack authoritative beliefs frequently testify on this topic. There is something about the topic that is enough to overcome the average person's allotment of circumspection, even if we do not know exactly what that overcoming factor is.

   It is important to note that a topic is not suspicious just because authority on it is rare. (This was the point made in distinguishing exotic from suspicious topics in section II.4.) Few know the current win-loss record of the Toledo Mud Hens, but those who do not know are unlikely to tell. Telling someone about the Mud Hens does not give the impression of glamour that testimony about the hottest stock tip or the secret plans of the CIA might give. Nor will beliefs about the Mud Hens' current record be subject to the sort of optimistic self-deception that may lead non-authorities to think they have latched onto a hot financial prospect. Unless field reports reveal that most testimony about the Mud Hens' record is in fact inaccurate, we should expect the fact that someone tells us how many games the Mud Hens have won as evidence that she has an authoritative belief as to how many games they have won. The record of the Mud Hens is not the sort of thing about which uninformed people spout off; stock tips and CIA plans are.

Let us summarize when testimony gives us evidence even though we have no evidence about the teller.[7] When it is known that the teller would have a motive for lying, such as when a lie would be in the teller's interest, her testimony does not provide evidence that she believes what she says. When the topic of testimony is suspicious, a topic unusually likely to attract uncircumspect testimony, her testimony does not provide evidence for the truth of what she says; it may provide evidence that she believes what she tells, but her belief is likely to be unauthoritative and so likely to be false. In both these cases the counterexplanation must be strong enough to outweigh the Basic Explanation. Some motivations for lying will be too weak to tempt the person of average sincerity, and some temptations to sound off uninformedly will be too weak to outweigh the average amount of circumspection. In these cases the Basic Explanation will be the best explanation, and the stranger's testimony will provide evidence for what is told. When there is no evidence for the motive to lie and the topic is not suspicious, again the Basic Explanation will be best and the testimony will provide evidence for what is told.

The question now is whether a stranger's testimony ever provides justification for belief when it fails to provide evidence. Particular Evidentialism requires a negative answer, for any testimony that provided justification but not evidence would provide a non-evidential justification. There are two cases to consider: the case in which the teller has a motivation to lie that could overwhelm the average amount of sincerity, and the case in which the testimony is on a suspicious topic. It is clear that a hearer is not justified in believing a stranger's testimony when the stranger has a strong enough motive

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[7] Note that the manner of testimony may give us evidence about a stranger, even though we had no evidence before she began to speak. Someone who chokes, splutters, and uses rude language may thereby provide evidence of a lack of circumspection, for instance. This is akin to the evidence we obtain by monitoring the teller. See Fricker (1995, p. 405), and the discussion of monitoring in section II.3.

to lie. Protestations of innocence should be taken with a grain of salt. Similarly, no one

is justified in believing a stranger's testimony on a suspicious topic. Suspicious topics

simply are those topics concerning which strangers are untrustworthy until proven

otherwise. Believing what people tell you about what stocks will rise, or what the CIA is

up to, or the like, is not a good way to arrive at true beliefs, unless you have some

particular reason to believe that they know whereof they speak.

This is part of the offensive component of our argument for Particular Evidentialism.

Particular Evidentialism can explain which strangers' testimony yields justification: only

that testimony that yields evidence, because the justification itself is evidential. The

Assurance View holds that the teller's responsibility for her testimony gives the hearer a

non-evidential justification for believing what she is told. The problem is why only

certain testimony should yield justification, when all tellers are responsible for their

testimony. Consider this passage from Ross:

> If it means anything to say that we are entitled to believe what we are told, it
> means that, where we have been told (and have believed) something false,
> although what we *believe* will then be open to criticism, we will not ourselves
> be open to criticism for having believed it. It means that we are in these
> circumstances absolved from the charge of not having taken due care over
> what we believe. If anyone is to be criticised on that score it will be our
> informant, or perhaps his informant (Ross 1986, pp. 82-3).

Ross here at least entertains the idea that a hearer who accepts testimony can always

deflect epistemic criticism by saying, "But I was told so." This excuse, however, will not

always work; sometimes acceptance of testimony can be criticized epistemically.[8] When

someone believes a stranger who has a clear interest in lying, we may criticize, "Why did

you believe her unsupported word? She would have denied picking your pocket even if

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[8] An epistemically criticizable belief is one that lacks justification. We do not mean to imply that
forming beliefs is a voluntary action that can be criticized in the ways that actions can.

she were guilty." When someone believes a stranger on an uncircumspect topic, we may

say, "Why did you listen to a stranger's stock tip? Those are notoriously unreliable."

The teller herself may be criticized for false testimony, but that does not always exempt

the hearer from criticism for believing her.[9] The hearer is exempt from criticism for

believing what strangers tell only when the testimony provides evidence, and the

Assurance View needs to explain why this should be so. The next section extends this

argument to tellers who are not strangers.

2. Evidence from Familiar Tellers

The previous section argued (based on the argument against General Evidentialism,

chapter II) that people must typically be somewhat circumspect and sincere. It then

discussed, in light of the average sincerity and circumspection that we are justified in

ascribing to a stranger, when the stranger's testimony provides evidence. This section

will do the same for cases in which we have information concerning the teller. We will

divide cases up according to the possible combinations of sincerity, authority,

opportunity, and circumspection that the teller can be known to have. Using these traits

as background information, when the best explanation of the teller's testimony supports

the truth of her testimony, her testimony provides evidence for what is told; when the best

explanation is independent of the testimony's truth, her testimony provides no evidence.

The specific cases that we analyze will enable us, in Chapter VII, to show how the teller's

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[9] Passages like the one quoted seem to commit Ross to the idea that testimony always justifies the hearer's belief. Moran (in correspondence) has specifically disclaimed this idea, but this leaves the problem of how the Assurance View, without invoking evidential considerations, can distinguish testimony that justifies from testimony that does not.

past testimony affects the evidential status of her future testimony and to rederive the

reliability sanction from our new conception of evidence.

The offensive component of the Particular Thesis requires showing that, in each case

in which the testimony fails to provide evidence, it also fails to provide justification.

Otherwise the exceptions would have to be covered by a non-evidential justification. In

fact, on the current conception of evidence it is automatic that testimony that fails to

provide evidence on the current conception will fail to provide justification. The end of

the previous section has already provided examples, in our discussion of when stranger's

testimony fails to provide justification. The idea is that someone is epistemically justified

in believing what she is told whenever she can deflect epistemic criticism of her belief by

citing the testimony. Under certain circumstances, however, the criticism cannot be

deflected. When testimony fails to give evidence, there must be some explanation as to

why the teller would be telling a falsehood that preempts the default Basic Explanation

(section 1) of testimony, which supports the testimony's truth. The preempting

explanation will then provide a basis for epistemic criticism. For example, when the

Basic Explanation is preempted because the teller is known to be insincere, a hearer who

believes what she is told will be open to the criticism, "Why did you believe someone

who is likely to lie?"[10]

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[10] The SAC theory is oversimplified, as acknowledged throughout chapter V. It might be thought that
one could object to our argument for the offensive component on these grounds. We have shown, on the
SAC theory, that testimony provides justification for belief only in those cases in which it provides
evidence for what is told; but it might be thought that there is a danger that this result is an artifact of the
oversimplification of the SAC theory.

The argument in the text proves that there is no such danger. Correcting the oversimplifications of the
SAC theory would involve taking into account more specific factors that might explain someone's choice
of words. For testimony to fail to provide evidence using inference to the best explanation, there must be
some explanation of the testimony that preempts explanations in terms of the testimony's truth. The less
simplified account will invoke a more specific preempting explanation that depends on, for instance, the
fact that the teller would do anything for money, instead of the SAC theory's preempting explanation in

That said, let us catalog the various combinations of sincerity, authority, opportunity, and circumspection that the teller may be known to have.[11] As argued in the previous section, a hearer is justified in assuming that the teller has a certain degree of sincerity and circumspection, so we will only consider cases in which it is known whether the teller is sincere or circumspect; if the hearer has no evidence, we may treat the case as one in which the teller is known to be about as sincere or circumspect as the typical person. Since a hearer may not be justified in assuming that an unknown teller has authority on a topic or the opportunity to exercise it, we will consider cases in which the teller's authority and opportunity are unknown. In each case we will set forth the best explanation of the testimony, with background conditions set by those traits. The testimony provides evidence for the truth of the testimony if and only if the explanation supports the truth of what is told.

Case (i): The teller is known to be sincere, to have authority on the topic of testimony, and to have had the opportunity to exercise that authority. In this case, the best explanation of her testimony is typically as follows:

1. She said that p rather than saying that $\sim p$.

2. In light of her presumed sincerity, the best explanation for this is that she believes that p. Such a belief would contribute to her choice to say that p, because sincere people say only what they believe.

3. By step 2, she believes that p rather than that $\sim p$.

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terms of the teller's insincerity *tout court*. This more specific preempting explanation will still provide a basis for criticism of someone who believes the testimony: "Why did you believe this person who would do anything for money and who has a financial interest in fooling you?" So refining our psychological theory could never make it possible for testimony that does not provide evidence to provide justification.

[11] Recall our simplifying assumption that any given piece of testimony concerns only one topic; see section V.4. If the testimony concerns more than one topic, there will be two authority traits to consider, but the rest of the arguments will remain the same.

4. In light of the fact that she has authority on the topic of testimony and the opportunity to exercise it, the best explanation of this belief is that she has learned that p is true (or learned of evidence that makes p likely).

5. According to step 4, p is likely to be true.

So in this case, the testimony provides evidence for what is told. Note that the teller's circumspection is not relevant in this case, because the hearer already knows that the teller's belief is authoritative.

In some instances, other hypotheses may better explain the testimony than the one just given. If, for instance, something about the situation would offer an unusually strong temptation to lie, and this temptation would be strong enough to override the value that the teller places on the truth, then the temptation offers an explanation that preempts step 2 of the argument, the inference that the teller believes that p. Rather than explaining the testimony by a belief that p, we can better explain it in terms of the advantages gained by getting the hearer to believe that p. Not just any temptation will defeat the testimony as evidence. When the temptation is comparatively weak, the explanation of the testimony provided by the temptation will not be as good as the explanation in step 2. For a person with a certain degree of sincerity, the temptation must have a certain strength to defeat her testimony as evidence. (We revisit this in case (iii) below.) Weaker temptations may indeed induce lies, but the lies would be out of character, and the evidence would not be on the side of the hypothesis that the teller is lying.

Similarly, if the testimony is known to concern a particularly tricky case, even those with a certain degree of authority may get it wrong, and step 4 may be preempted. The hypothesis that the teller's belief results from a mistake will provide at least as good an explanation of her belief as the hypothesis that she has used her authority to discover the

truth of the matter. As with sincerity, the more authority the teller has, the trickier the

case must be in order to block step 4. The inference to the best explanation model of

evidence does not readily yield quantitative probabilities, but it should be clear that more

sincerity, more authority, and better opportunity make testimony into stronger evidence.

Note that for most topics there will be two ways to attain authoritative belief: by

exercising your own authority and by learning from the testimony of others. Where the

teller's belief is acquired through testimony, what is relevant is not the original

informant's authority on the topic, but the teller's own authority as a judge of testimony.

(See section V.4.) The fact of testimony does not provide any evidence concerning the

original informant's authority, unless the testimony itself allows the hearer to identify the

original informant.[12] If, however, the teller is a sound judge of testimony, we can

conclude that the original informant was likely to be authoritative, whoever she was.

Of course, the testimony itself may not make it transparent whether the teller is

relying on her own authority or whether she is relying on an informant's testimony. Here

the teller's circumspection may come into play. If she is circumspect, then her testimony

is likely to be based on well-judged testimony if she personally lacks authority, as in case

(ii) below. If she is not circumspect, then she may have attempted to rely on her own

authority even if she in fact lacks authority, as in case (v) below; or she may have relied

on another's testimony even though she is not a good judge of testimony, also as in case

(v).

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[12] For instance, the teller could say where she had heard what she was saying. This would constitute a reason-giving of the sort we will discuss in section VII.2. Alternatively, the hearer could know that there were only certain sources from which the teller might have heard the sort of thing she was saying. If Sarah knows that Alice reads the *Pittsburgh Post-Gazette* every morning, she may infer that that is the origin of any sports scores that Alice reports.

Case (ii): The teller is known to be sincere and circumspect, but it is not known whether she has authority on the topic of testimony or has had the opportunity to exercise it. The best explanation of her testimony in this case is much like the Basic Explanation of a stranger's testimony from section 1:

1. She said that p rather than saying that $\sim p$.

2. In light of her presumed sincerity, the best explanation for this is that she believes that p. Such a belief would contribute to her choice to say that p, because sincere people say only what they believe.

3. She said that p rather than refraining from comment on the topic.

4. In light of her presumed circumspection, the best explanation for step 3 is that her belief that p is authoritative: She has authority on the topic and has had the opportunity to exercise it. The authoritative belief would contribute to her choice to speak on the topic, because circumspect people generally speak only when they have authoritative beliefs.

5. Since her belief that p (from step 2) is authoritative (from step 4), it is likely to be true.

6. Therefore p is likely.

Again, in this case, the testimony gives evidence for what is told.

Little needs to be said concerning this case that was not already said concerning case (i) and the Basic Explanation. When the temptation to lie outweighs the teller's known sincerity, the explanation in terms of the temptation preempts step 2, which explains the testimony in terms of a belief that p. How great this temptation must be depends on how sincere the teller is known to be; this is as in case (i). When the topic of testimony is suspicious, this suspiciousness may explain the teller's choice to discuss this topic better than step 4, which explains that choice in terms of opportunity to exercise authority on a topic. This is as in our discussion of suspicious topics in section 1, but the hearer's knowledge of the teller's circumspection may affect how suspicious a topic needs to be in

order to destroy the testimony's evidential status. If a teller is known to have above-average circumspection, we may be justified in taking her word on some mildly suspicious topics concerning which we would not take the word of a stranger. Her testimony, however, would not provide evidence concerning other, even more suspicious topics. (See case (v) below.) Greater known sincerity and greater known circumspection make testimony into better evidence, though circumspection will not provide as good evidence as known authority and opportunity.

Sometimes there will be an explanation for the teller's choice of topic other than her authoritative belief. In particular, when someone is asked a question or when the conversation focuses on a particular topic, she will be expected to address the topic at hand rather than to say something else. The explanation "She chose to say that p rather than to discuss another topic because this was the topic at hand" may preempt step 4, which invokes the teller's circumspection. In this case, however, we can change the foil to "Why did she say that p rather than remaining silent or disclaiming knowledge?" A circumspect teller will remain silent in a conversation or demur in response to a question rather than tell where she lacks authority. It seems plausible, however, that it requires more circumspection to refrain from testimony when you have been asked a direct question, and so direct questions to people who are not known authorities will yield weaker evidence than unsolicited testimony. Unsolicited testimony on unsuspicious topics, other things being equal, is less likely to be made up.[13]

Case (iii): The teller is known not to be sincere. In this case, it does not matter what the teller's other characteristics are. Her testimony provides no evidence that she

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[13] The manner in which the teller introduces the topic may make a difference. Someone who begins to rant on a topic with no provocation may provide evidence that the topic is an *idée fixe*, and thus may provide evidence against her circumspection.

believes what she says, because the hypothesis that she believes that *p* simply would not explain her saying that *p* rather than ~*p*. More precisely, it is possible for the teller to act out of character and to say something simply because she believes it, but it is equally possible for her to say something simply because she believes its opposite. So a belief that *p* explains her testimony no better than a belief that ~*p*, and the hypothesis that she believes that ~*p* preempts the hypothesis that she believes that *p*. In this case the teller's insincerity also provides a basis for criticizing anyone who believes the testimony; accordingly the testimony fails to provide justification as well as failing to provide evidence.[14]

Complete lack of sincerity is an extreme case. Someone with no sincerity whatsoever would have no inclination to tell the truth rather than a falsehood, even when telling the falsehood was in no way in her interest (or supported by any of her other values). This would be the most pathological of pathological liars. A more likely case is the case in which the teller is known to have a low degree of sincerity, much lower than the default, and in which she may have some incentive to lie. Note that the hearer need not know of any specific incentive to lie. If the teller's sincerity is low enough, then the hypothesis that she is lying for some unknown reason may provide as good an explanation as the hypothesis that she believes what she says. In general, this case will shade into the exceptions discussed in case (i), in which the teller has a strong incentive to lie that overrides her normal sincerity.

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[14] Her testimony might provide evidence if she gave an account that was so detailed that it was unlikely that she could have made it up. This would arguably be a case in which, though the hearer takes the teller's testimony as evidence, she does not believe the teller. The hearer would have a similar reason for belief if the teller had uttered the same words without presenting them as testimony.

Case (iv): The teller is known to be sincere but is known to lack authority on the topic or not to have had the opportunity to exercise that authority. In this case the testimony may be explained as follows:

1. She said that p rather than saying that $\sim p$.

2. In light of her presumed sincerity, the best explanation for this is that she believes that p. Such a belief would help cause her utterance, because sincere people say only what they believe, while there is no corresponding belief that would have caused her to say that $\sim p$.

3. By step 2, she believes that p rather than that $\sim p$.

4. What is the best explanation for her believing that p rather than $\sim p$? Since she lacks authority on the topic (or did not have the opportunity to exercise that authority), her making a mistake would provide as good an explanation as her learning the truth of p.

In this case, the testimony provides no evidence for the truth of p. The testimony does provide evidence that the teller believes that p, but there is no reason to give credence to the teller's belief.

Different topics of testimony may support different particular explanations as to why the teller might be fooled. For instance, if someone lacks authority concerning birds, her belief that a bird is a robin might be explained by the fact that she thinks every small bird is a robin. If someone lacks authority concerning mathematics, her belief that a calculation has a certain result might be explained by her miscalculating. In any case, the hearer need not have a specific explanation in mind to know that the teller lacks authority. Knowing that the teller lacks authority is enough to show that her beliefs are likely to be wrong and to disqualify her testimony as evidence. It also provides grounds for criticism of someone who believes the testimony, thus demonstrating that the testimony does not provide justification for belief.

An important subcase concerns beliefs that the teller herself gains through testimony. A familiar phenomenon in testimony is the chain of justification: If Janet knows something, and she tells Alice, who tells Sarah, Sarah can be justified in believing it even if Alice could not have verified it herself. It would be fatal to Particular Evidentialism if we could not accommodate such cases, in which Alice's testimony provides justification even though Alice lacks authority on the topic of testimony.

The solution is to consider Alice's authority as a judge of testimony (see section V.4). People will have different degrees of authority as to whether the beliefs they gain through testimony are reliable; some people are more gullible than others.[15] If Alice has authority concerning testimony, Janet's telling her that p will give her an opportunity to exercise that authority. Even if Alice lacks firsthand authority concerning the topic that comprises p, her telling Sarah that p can still give Sarah evidence that p as in case (i), considering that Alice has had the opportunity to exercise her authority concerning testimony. On the other hand, if Alice is gullible, then Sarah's knowledge that Alice's belief that p was testimonially acquired disqualifies Alice's testimony as evidence, unless Sarah knows something more about Alice's informant. The argument is the same as for the current case: Though Alice is likely to believe that p, her belief may well be the result of believing false testimony. In this case, anyone who believes Alice may be criticized on the grounds of Alice's own gullibility, which makes her testimony unreliable.

We have given two competing explanations of the same piece of testimony, one on which the teller's belief is based on testimony and one on which it is based on her own authority. When the teller lacks the authority to perform firsthand observation concerning a topic (or however one might exercise authority), but has authority as a judge

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[15] In practice, authority as a judge of testimony should itself be disaggregated according to topic.

of testimony, whether her own testimony provides evidence will depend on which competing explanation is better.[16] If it is more plausible that she is relying on firsthand observation, her lack of firsthand authority disqualifies her testimony as evidence as in case (iv). If it is more plausible that she is relying on other's testimony, her authority on testimony makes her own testimony provide evidence as in case (i).

Various factors may favor one explanation over another, for instance the likelihood that the teller would have had a chance to attempt firsthand observation. One factor that allows adjudication between these explanations is the teller's circumspection. If the teller is circumspect enough, it is more likely that her testimony is based on an area in which she has authority; see case (ii). So the best explanation is that she heard what she tells from someone else, rather than that she is basing her testimony on her own unreliable firsthand observation. If the teller lacks circumspection, however, her choice to tell will provide no evidence that her testimony is based on an authoritative belief, as in case (v) below. So she is just as likely to have attempted to use her unreliable firsthand observation as to have learned from a reliable source, and her testimony provides no evidence for what she tells.

Case (v): The teller is known to be sincere, but it is not known whether she has authority on the topic and the opportunity to exercise it, and she is known not to be circumspect. In this case the testimony may be explained as follows:

1. She said that p rather than saying that $\sim p$.

2. In light of her presumed sincerity, the best explanation for this is that she believes that p. Such a belief would help cause her utterance, because sincere people generally say only what they believe.

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[16] Similar remarks apply when someone has firsthand authority but is a poor judge of testimony.

3. By step 2, she believes that *p* rather than that ~*p*.

4. What is the best explanation of her choice to say that *p* rather than to refrain from speaking on the topic? Since she lacks circumspection, postulating that she arrived at that belief by exercising authority will not explain this choice. Whether she has exercised authority does not influence whether she chooses to speak.

5. By step 4, there is no evidence that she has authority on the topic and the opportunity to exercise it. Accordingly, there is nothing that provides evidence that her belief that *p* is true. (Contrast steps 4 and 5 of case (ii)).

6. By step 5, her testimony provides no evidence that *p*.

In this case, the teller does not restrain herself from saying what she believes when that belief is not based on authority. Her testimony provides evidence that she believes that *p*, but if the hearer does not already have evidence that her belief that *p* is authoritative, the testimony will not give her that evidence. So the belief that *p* may well be mistaken. The contrast is with case (ii), in which the circumspect teller's testimony does provide the hearer with evidence of her authority and opportunity on the topic, even though no such evidence exists apart from the testimony.

As with lack of sincerity (case (iii)), complete lack of circumspection is an extreme case. Someone with no circumspection at all would constantly be forming beliefs and broadcasting testimony concerning random topics of which they knew nothing. Few are the people who make up boring trivia concerning any subject whatsoever. Yet, as we have argued (see section 1 and section II.4), some suspicious topics are particularly likely to attract uncircumspect testimony. More circumspect tellers' testimony will provide testimony on a wider variety of topics; the less circumspect the teller is, the less suspicious the topic needs to be for her testimony to be disqualified as evidence. A particularly uncircumspect person might be untrustworthy concerning minor gossip or

ordinary news, where there is some incentive to appear in the know but not so much as to overwhelm the average person's circumspection. Here, the criticism that could be made of the hearer who believes the uncircumspect person's testimony is "So-and-so is a notorious blabbermouth; you shouldn't trust her unless you know that she knows what she's talking about."

This completes the roster of cases. As required for the offensive component of our argument, the testimony that does not provide evidence for belief will not provide justification for belief. If the testimony provides justification, the hearer will be able to reply to any epistemic criticism she faces for believing what she is told. In cases (iii), (iv), and (v), where the testimony fails to provide evidence, belief in the testimony can be epistemically criticized, owing to the teller's known lack of sincerity, authority, or circumspection, respectively. (As remarked at the beginning of this section, this follows automatically from the best explanation model of evidence.) Thus Particular Evidentialism correctly predicts when testimony will provide justification, while the Assurance View requires an explanation of why the only testimony that provides justification is that which provides evidence.

Our analysis of when testimony provides evidence demonstrates the answer to the puzzle of intention-dependent evidence from section III.2. The puzzle was how testimony, as an intentional action, could provide evidence for what was told. In section III.2 we saw that an intentional action can provide evidence for the action's preconditions and for the psychological state that influences it, but it was not obvious how most testimony could provide evidence for what was told in this way. We can now see how, according to the SAC theory, testimony provides evidence for what is told in a way that

differs from revealing the preconditions or the psychological influences on the testimony. In cases (i) and (ii), the teller's sincerity makes her testimony into evidence of her beliefs, and her authority and opportunity provide evidence that her belief is true. The state of affairs that the teller is communicating explains the teller's belief, and her belief, against the background of her sincerity, explains her choice of testimony. This is a general connection between facts and intentionally produced testimony expressing those facts. Particular Evidentialism therefore can explain just how testimony becomes evidence for what is told.

The last remaining part of our argument, after the puzzle of intention-dependent evidence and the Bad Faith objection (answered in section V.6), is answering the Disharmony Objection. The Disharmony Objection motivates the Assurance View by arguing that treating testimony as evidence means treating it as a self-sufficient reason for belief that does not require any backing from the teller, whereas the teller presents her testimony as providing a reason for belief only because of the responsibility she has taken for it. Once we have answered the Disharmony Objection, we will have met all the objections that motivate the Assurance View instead of Particular Evidentialism.

The next chapter presents our reply to the Disharmony Objection. Using this chapter's account of when testimony serves as evidence, we will rederive the reliability sanction (section IV.4): A teller assumes responsibility for her testimony because she stakes her credibility on its truth. We will then argue that a teller who presents her testimony as evidence can nevertheless take responsibility for it, and that a hearer who takes it as evidence can accept it in the spirit in which it is offered.