

Chapter VII

Vindication of Particular Evidentialism

Chapter V laid out a conception of evidence as inference to the best explanation and proposed a simple psychological theory of how to explain testimony. According to the SAC theory, someone's beliefs and her choices of testimony can be explained in terms of her sincerity, her authority on various topics, and her circumspection. The SAC theory provides a framework for treating testimony as evidence. Chapter VI used this framework to analyze the cases in which testimony does provide evidence. We showed that testimony provides justification for belief only in the cases in which it provides evidence for what is told.

Particular Evidentialism requires this result. Since Particular Evidentialism claims that testimonial justification is evidential, testimony that provided justification but not evidence would provide an immediate counterexample. Thus, Chapter VI provided what I call the offensive component of the argument for Particular Evidentialism over the Assurance View: It established that Particular Evidentialism correctly predicts the cases in which testimony provides justification for belief, while the Assurance View may have trouble explaining why testimony only provides evidence in certain cases.

The offensive component, however, is not enough to establish Particular Evidentialism. The Assurance View is motivated by arguments intended to show that the justification that testimony provides cannot be evidential. A vindication of Particular Evidentialism needs a defensive component that answers these arguments. Chapter VI has addressed the puzzle (section III.2) about how testimony can provide evidence for what is told (see the end of section VI.2). In presenting the SAC theory, we addressed

the Bad Faith Objection, that a teller cannot present her testimony as evidence and see it as freely chosen (section V.6; see also section III.3). We have not yet, however, addressed the Disharmony Objection (section III.3): that presenting testimony as evidence is incompatible with presenting it as an assurance of the truth, because the presentations have different structures. According to the objection, evidence is evidence no matter how it is presented, while an assurance is an assurance only if presented as an assurance. This chapter presents our answer to the Disharmony Objection; it thus completes our argument for Particular Evidentialism.

An assurance that p is true is an assumption of responsibility for the truth of p . We will claim, against the Disharmony Objection, that presenting one's testimony as evidence and presenting it as an assurance are one and the same thing. This will require showing that the evidence provided by testimony depends on the teller's assumption of responsibility for its truth. In turn, this requires an account of how the teller is responsible for the truth of her testimony. Section 1 provides this account, by rederiving the credit/discredit normative structure (section IV.4) from Chapter VI's analysis of testimony as evidence. The teller is responsible for the truth of her testimony in that she stakes her credibility on it; if she tells falsehoods, her future testimony will be weakened as evidence, and future hearers should not believe her.

In section 1, we look at how the truth of someone's testimony provides evidence concerning her sincerity, authority, and circumspection. This evidence, as shown in Chapter VI, will determine whether her future testimony provides evidence for what is told. Section 2 briefly discusses giving reasons in support of one's testimony, which may

both increase the credibility of that testimony and lessen the discredit incurred if the current testimony turns out to be false.

Section 3 answers the Disharmony Objection, by showing that taking the teller's testimony as evidence can be the same thing as accepting her assurance. If a teller assures the hearer of the truth of her testimony by accepting responsibility in accord with the credit/discredit structure (as explained in section 1), then she must offer her testimony as evidence. Her responsibility is not incompatible with presentation as evidence, but rather presupposes that she presents her testimony as evidence. To take a particular piece of testimony as evidence, the hearer is *required* to hold the teller responsible for its truth.¹

We will conclude, in section 4, by revisiting and elaborating (T), our Gricean analysis of testimony (section I.2). (T) says that a teller tries to induce the hearer to believe what is told by means of the hearer's recognition of the testimony. The analysis of this chapter will enable us to specify exactly how that recognition is intended to induce belief: The teller intends the hearer to take her testimony as evidence in light of the teller's sincerity, authority, and circumspection. We will also present a broader analysis of testimony in terms of the credit/discredit normative structure, in which to tell someone something is to invoke that structure. This allows us to account for non-paradigmatic cases of testimony in which the teller does not intend to induce belief. In the end, we will not only have vindicated Particular Evidentialism, we will also have shown how to define the speech act of testimony in terms of its normative structure.

1. The Reliability Sanction, Revisited

¹ This does not mean that the hearer actually will hold the teller responsible for its truth. The requirement is a matter of the epistemic norms on the hearer; if she believes only what she is justified in believing, she will hold the teller responsible for the truth of her testimony.

In section IV.4 we used the crude enumeration account of evidence to show that, if testimony is the sort of thing to which responsibility can be applied, then she is responsible for its truth. The idea was that someone is responsible for doing something if her failing to do it makes some sanction appropriate. In the case of testimony, telling a falsehood weakens future testimony as evidence, which means that future hearers, to be epistemologically sound, should apply the *reliability sanction* of not believing the teller. The normative structure in which the reliability sanction applied was called the *credit/discredit normative structure*, because a teller earns credit for telling a truth and discredit for telling a falsehood, her accumulated credit determining whether her testimony provides evidence for what is told.²

This section rederives a credit/discredit normative structure, using Chapter VI's analysis of testimony as evidence. We show that true testimony tends to strengthen the teller's future testimony as evidence, while false testimony tends to weaken it as evidence. A hearer who takes the teller's testimony as evidence thus commits herself, as a matter of sound epistemic practice, to applying the reliability sanction to a teller of falsehoods (by not believing what she is told). We show this by considering evidence for the teller's sincerity, authority, and circumspection. In section VI.2, we treated these traits as background conditions that the hearer already knew. These background conditions are not, however, primitive data; it is by considering how the hearer comes to know them that we shall show that false testimony weakens much future testimony as evidence.

² In fact this accumulated credit is her absolute reliability score, while it is her score to a hearer that determines whether her testimony gives the hearer evidence; see the discussion in IV.4 and later in this section.

First, note that we no longer need the disclaimer “if testimony is the sort of thing to which responsibility can be applied.” Testimony is a voluntary action, and someone’s voluntary actions are the paradigm of something for which she can be held responsible. The disclaimer was needed in section IV.4 because it was not at all clear that someone could hold a teller responsible for her testimony while treating it as evidence according to the crude enumeration conception. Treating testimony as evidence according to that conception requires subsuming it under a statistical generalization, and it may be impossible to view testimony simultaneously as a statistical phenomenon and as a free action for which the teller is responsible. With the SAC theory, we no longer have this problem. Treating testimony as evidence according to the SAC theory means seeing it as influenced by the teller’s sincerity, beliefs (possibly authoritative), and circumspection. As argued in response to the Bad Faith objection (section V.6), this is not incompatible with seeing the teller as responsible for her testimony, because sincerity and circumspection express values that influence the choice of testimony. To see someone’s choices as influenced by values is not to absolve her from responsibility for them.

Given that, we must establish that the teller truly is responsible for the truth of her testimony: that telling the truth strengthens much future testimony as evidence, and that telling falsehoods weakens it. Whether a piece of future testimony provides evidence for what is told will depend on what traits the hearer is justified in believing the teller to have. From section 2, if the hearer is justified in believing that the teller is sincere, has the appropriate authority, and has had the opportunity to exercise it (case (i)), or, if it is unknown whether she has authority and the opportunity to exercise it, but the hearer is

justified in believing her sincere and circumspect (case (ii)), the testimony provides the hearer with evidence. Otherwise it does not.

The question, then, is what gives the hearer evidence that the teller is or is not sincere, authoritative, and circumspect. Factors besides the teller's past record can play an important role here. For instance, if Sarah knows that Alice is a prominent historian of the Reconstruction, she has evidence that Alice has authority on Hayes's presidency. If Sarah knows that Alice is a self-made millionaire, she has evidence that Alice is an authority on money management. As for sincerity, someone's conduct in other matters may give evidence of her overall honesty that transfers to her sincerity.³ Conduct revealing how much or how little Alice values money will give evidence concerning her sincerity in a particular case, if money would be the motivation for lying. In general, one's credentials and station in life may provide evidence of one's SAC traits, even to a hearer who knows nothing of one's past testimony.⁴

Past testimony, however, is a critical source of evidence concerning the SAC traits. Often a familiar teller will have no particular credential that is relevant to her testimony. The best source of evidence concerning her current testimony will then be her past testimony. The hearer need not restrict herself to what she herself has heard from this teller. Other people may tell her about things the teller has said, for instance. Equally important, others may pass along judgments about the teller's past record. For instance, if Alice frequently tells Sarah accurate things about money management, and Sarah tells

³ See, however, the experiments cited by Harman (1999), discussed in section V.6. These may provide a reason to think that honesty in testimony is a distinct trait from honesty in other things. Sreenivasan (2002) argues that they do not do so (also discussed in section V.6). Whether or not honesty is an authentic psychological trait is not important to our argument, so long as sincerity in testimony is an authentic trait.

⁴ One may also support what one says by providing a reason for it. Such supported assertions will not be pure testimony as we have defined it (section I.1), but their epistemology will be like that of testimony, as we will discuss in section 2.

Janet that Alice is to be trusted on these matters, then (assuming Sarah is trustworthy) Janet has evidence about Alice's past record even though she does not know what any of Alice's testimony has been. These judgments about a teller's record effectively bundle together many individual pieces of testimony in a collective judgment available to people who do not know the specifics of the testimony. Accordingly, in what follows we will not distinguish between testimony that a hearer has heard and testimony that she has heard about, either quoted or as part of a collective judgment.

The question is what evidence past testimony will provide concerning the teller's sincerity, authority, and circumspection. This will depend on what best explains the testimony when we choose appropriate foils and background conditions. Here we are considering testimony that has been verified or disconfirmed from a teller whose sincerity, authority, and circumspection are unknown. Accordingly we will take as background conditions the fact of the testimony and its truth or falsity, and we will look for explanations that involve the teller's SAC traits or lack thereof.

First consider true testimony. We can look for an explanation of why the teller said p rather than $\sim p$, given that p is in fact the case. The first conclusion to draw is that the teller believes that p . It may sometimes happen that a teller who does not believe that p says that p in an attempt to lie, and accidentally hits on the truth. These cases, however, will be exceptional enough that the hypothesis that the teller believes that p better explains her testimony.

We can then change the background conditions and ask why the teller said that p rather than $\sim p$, given that she believes that p . A possible explanation is that she said that p because she believed it, and that she said what she believes because she values doing so

in general: in short, that she is sincere. Alternative explanations may be possible. When it is in the teller's interest to say that p , that may provide the real explanation of why she said that p , with her belief that p being causally inefficacious. (This is an example of a potential explanation being preempted by another explanation even though the preempted explanation is true; see section V.2.) For this reason, a person who truly denies that she picked someone's pocket does not thereby provide much evidence for her sincerity; saying what you believe in this case does not mean that you will say what you believe in other cases. So some examples of true testimony will provide less evidence of the teller's sincerity than others, but most true testimony will provide at least some evidence of the teller's sincerity.⁵

For evidence about the teller's authority on the topic comprising p , we must ask why the teller believed that p rather than $\sim p$, given that p is the case. The best explanation will often be that the teller has authority on the topic and had the opportunity to exercise that authority.⁶ Here there are many alternative explanations. The teller may lack authority and may have made a lucky guess. Someone who identifies every songbird as a sparrow will be right about some birds. An authority who has not had the opportunity to exercise it may also make a lucky guess. An expert bird-watcher requires a close examination to tell a willow flycatcher from an alder flycatcher. If at a glimpse she comes to believe truly that a bird is a willow flycatcher, she has not had the opportunity to exercise her

⁵ The testimony that provides the least evidence of the teller's sincerity when true will often provide the most evidence of her insincerity when false, since someone who lies for a trivial cause thoroughly demonstrates insincerity. (See note 15 below.) Accordingly the credit/discredit normative structure applies even to such testimony. What is important for the credit/discredit structure is that there should be a gap between the credit earned for telling a truth and the discredit earned for telling a falsehood, where accumulated credit and discredit is eventually expressed in desert of the reliability sanction.

⁶ If the teller has herself been told that p , that constitutes an opportunity to exercise authority as a judge of testimony. See section V.4 and the discussion of cases (i) and (iv) in section 2.

authority, and the truth of her belief comes from a lucky guess. For this reason a single correct belief may provide weak evidence for the teller's authority and opportunity.

On the other hand, lucky guesses must be the exception rather than the rule. A tyro who generally forms correct beliefs about whether she has seen a robin is not a tyro but an authority, on robins if not birds in general. If the expert could reliably tell willow flycatchers from alder flycatchers at a glimpse, then such a glimpse would constitute adequate opportunity to exercise authority for that expert. Authority is simply defined as the skills necessary to form correct beliefs, and opportunity as an occasion on which such skills may be exercised (section V.4). Therefore the hypothesis that the teller has had the opportunity to exercise authority will be more plausible than the hypothesis that she made a lucky guess, unless there is particular reason to favor the lucky guess. For instance, if authority on the topic is particularly rare, or if there is concrete evidence that the teller lacked authority or opportunity, the lucky guess may better explain the teller's correct belief. In other cases, even one true belief will provide some evidence for the teller's authority and opportunity to exercise it.

The idea that lucky guesses must be exceptional might seem vulnerable to a lottery argument. Suppose that Alice tells Sarah that Sarah's lottery ticket will not win. Alice is overwhelmingly likely to be correct, even if she has no special expertise on the lottery. If we were to deny that Alice has authority on lotteries, then this would be a case in which even a non-authority's beliefs would be right most of the time. The solution is to say that Alice, and everyone else, does have a certain degree of authority concerning lotteries. Authority is defined (section V.4) as the abilities necessary to discern the truth of propositions concerning a topic. Alice has enough authority concerning lotteries to tell

that certain easy propositions, that a particular ticket will lose, are overwhelmingly likely to be true. She lacks the much higher degree of authority that would be necessary to discern the truth of a much harder proposition, that a particular ticket will win. Alice's degree of authority is simply a matter of common sense and elementary probability.

It is nevertheless odd for Alice to tell Sarah that her lottery ticket won't win. It seems as though Alice is claiming a special authority, that she should know for sure Sarah's ticket will not win before telling Sarah so. Yet on our account, if Sarah's ticket indeed does not win, Alice's testimony will establish her authority on lotteries and even her circumspection (as argued below). Shouldn't Alice lose credibility for claiming a special authority? Williamson (1996) uses such lottery examples to argue that the norms on assertion are that the asserter should know what she asserts, rather than that what she asserts should be true.

The problem with Alice's testimony, however, can be seen by referring to our original definition of testimony (section I.1): The teller means to induce or strengthen a belief in what is told, based on the teller's say-so alone. If the grounds for Alice's testimony is simply the overwhelming chance against Sarah's ticket winning, then Sarah should already know what Alice purports to tell her with as much confidence as Alice's say-so can give her. Sarah therefore has the right to assume, when Alice says "Your ticket won't win," that Alice has some special knowledge over and above what Sarah already knows, which should strengthen Sarah's already strong belief that her ticket won't win. It would be a waste of time for Alice to tell Sarah something, as if to inform her of it, when she knows that Sarah already knows it just as well as she does. Alice

might remind Sarah that Sarah's ticket won't win, but that would not be an act of testimony, since Sarah is not meant to believe Alice based on her say-so.⁷

What Alice is telling Sarah, then, is not just that Sarah's ticket won't win. It is that Alice has special information, not just derived from the laws of probability, that Sarah's ticket won't win.⁸ That testimony would be false and would provide evidence against Alice's authority and circumspection. Note that even if Alice could tell Sarah that her ticket would not win without claiming special knowledge, the truth of her testimony would not provide much evidence for her authority on lotteries, because in advance of Alice's testimony it was likely that she had the authority to tell that any single lottery ticket is likely to lose.⁹

⁷ Alice's utterance might not count as testimony even if Sarah didn't already believe that her ticket would not win. If Alice is trying to jar Sarah out of wishful thinking, then she still is not expecting Sarah to believe what she says on her say-so alone, and her speech is better described as a reminder than as testimony. See note 9 below.

⁸ That Alice is telling Sarah that she has special knowledge concerning the lottery is a case of Gricean conversational implicature. If Alice meant merely to say something that Sarah already knew to be overwhelmingly likely, she would flout Grice's second maxim of Quantity, "Do not make your contribution more informative than is required." Grice expresses doubt as to whether this maxim is required (Grice 1975, pp. 26-7), but the maxim of Relevance that would replace it clearly would have the same effect. These Gricean considerations demonstrate that testimony with a certain content need not be given by uttering a declarative sentence whose words literally express that content.

⁹ Williamson argues that Gricean implicature is not enough to account for the impropriety of saying "Your ticket did not win" (in Williamson's example, the drawing has taken place but the results have not been announced). He argues that parallel cases do not display the pattern of impropriety that would be necessary if the impropriety of the original utterance were that the hearer already knows it as well as the speaker, so that it is implicated that the speaker has special knowledge.

Williamson, however, undercuts his own argument by acknowledging that "there is a special jocular tone in which it is appropriate to say '[Come off it—] Your ticket didn't win,' but the tone signals that the speaker intends not to make a serious assertion" (Williamson 1996, p. 198n5; brackets in original). The claim that the speaker is not making a serious assertion is highly implausible. The speaker does represent it as true or at least highly probable that the ticket didn't win, as opposed to jokes that are not meant to be taken as true. It is appropriate to say "Come off it, your ticket didn't win" to remind someone, who may be daydreaming aloud, of what speaker and hearer both already know. Such a reminder is a different sort of act from testimony.

The inappropriateness would come if the remark was presented as testimony that the hearer should accept on the speaker's say-so, because that would imply that the speaker's say-so gave the hearer a reason to believe it over and above the reasons that the hearer already was known to have. This shows that the norm violated by such testimony is that testimony is meant to provide a reason to believe that the hearer does not already have, not a general norm that assertion should express knowledge rather than true belief.

Given that true testimony is likely to spring from an authoritative belief, the truth of the teller's testimony typically yields evidence for the teller's circumspection. We must ask: What is the explanation of the teller's choice to speak on the topic of p rather than to speak on another topic, or to refuse to offer testimony?¹⁰ Taking the teller's authority and opportunity as a background condition, one possible explanation for the teller's decision to speak on one topic rather than another is that she is circumspect: She values truth in testimony enough to choose to speak only when she has an authoritative belief.¹¹ Other explanations are possible. The topic comprising p may be more interesting than other topics, for instance, and the teller may value saying something on an interesting topic. This explanation will explain why the teller said that p rather than some specific, less interesting q . It may, however, be possible to find an r that is as interesting as p , such that the teller did not say that r . Then the interest of the topic will not explain why the teller said that p rather than saying r , and her saying that p will provide evidence that she is circumspect, since there is no better explanation for this particular fact-foil pair. (The alternative explanation in terms of interest does show why unusually interesting topics can be more suspicious than others; see section VI.2, case (ii).)

In the context of a conversation, true testimony may provide weaker evidence for the teller's circumspection. The teller may have a general policy of contributing to the conversation, whether or not it is on a topic of her authority, and it may just be luck that this conversation concerns a topic on which she does have authority. In particular, the teller's choice to speak on the topic of p rather than on any other topic can be explained by a desire to avoid off-topic conversation rather than a desire to avoid non-authoritative

¹⁰ Saying "I don't know" in response to a question counts as refusing to offer testimony.

¹¹ Of course, in some cases there will be evidence that the speaker lacked authority or opportunity even though her testimony was true. Then her testimony will provide evidence against her circumspection.

testimony. The desire to stay on-topic is plausibly value-based, and thus the sort that could be embodied in a character trait (see section V.6): It is the desire to make one's conversation conform to the Gricean conversational maxim of Relation, or relevance (Grice 1975, p. 28). The desire to contribute to the conversation (rather than merely to avoid off-topic remarks) is necessary to explain her choice to speak rather than to remain silent. Similarly, when the teller is asked a question, her choice to say that p rather than speak on another topic may be explained by the fact that p is an answer to the question, perhaps the only answer to the question that she believes. A desire to answer the question rather than disclaim knowledge is necessary to explain why she says that p instead of saying "I don't know."

Consequently, just because someone has spoken from authority this time does not mean that another time she will refrain from speaking without authority. She may contribute to the conversation whether or not it is on a topic of her authority. To gather strong evidence for a person's circumspection, we need many instances of true testimony on a wide variety of topics. We can then ask why the teller said what was true on this wide variety of topics rather than saying what was false, taking the facts of the matter as background conditions. (For instance, if "It is raining" is one of the true pieces of testimony, we take as a background condition that it was raining at the time, rather than treating this as something to be explained.)

As argued above, we will have evidence that the teller is sincere, that she believed what she told others, and that these true beliefs were based on the exercise of authority. We can then ask why the teller said things concerning which she had authoritative beliefs rather than telling where she lacked authority. If the variety of topics is wide enough, the

best explanation will be that the teller only offers testimony when she has authoritative beliefs; in other words, that she is circumspect. This will be better than the explanation that she talks about interesting topics, or contributes to conversations, or answers questions, because, if we have a wide enough sample of her conversation, it will be likely that she has had the chance to talk about interesting topics or contribute to conversations or answer questions when she has lacked authority on the topic. Only an explanation in terms of circumspection can explain why she doesn't offer testimony in such cases and does offer testimony when she has an authoritative belief.

An individual piece of true testimony thus provides slight evidence for the teller's circumspection, by contributing to a possible pattern of true testimony. The evidence is only slight, however, because the hearer would have to be familiar with a considerable range of the teller's past testimony in order to know that the teller was more circumspect than usual. In addition, there can be cases in which true testimony provides no evidence whatsoever for the teller's circumspection. If there is strong evidence that the teller lacks authority concerning the topic at hand (or the opportunity to exercise it), the best explanation for true testimony on that topic is that she made a lucky guess. Then the true testimony provides evidence *against* the teller's circumspection, just as false testimony would, because the teller is speaking where she lacks authority. True testimony providing evidence against circumspection will be the exception, however. A lucky guess is by definition unlikely, so unless there is positive evidence against the teller's authority, it will be more plausible that she was exercising authority on the topic than that she was lucky.

In section IV.4 we discussed someone's past record in terms of a reliability score. The reliability score relative to a hearer embodies the evidence the hearer has that the teller's next testimony will be true. On the crude enumeration conception of evidence this is simply the proportion of the teller's testimony that the teller knows to be true. The teller's absolute reliability score was defined as the proportion of a teller's total testimony that is true, whether or not a particular hearer knows of it. Unlike the crude enumeration conception, inference to the best explanation does not lend itself to precise quantitative measures. Still, information that provides evidence concerning the teller's sincerity, authority, and circumspection will affect the strength of the evidence that her future testimony provides. This can be expressed in different scores for sincerity, authority on individual topics, and circumspection.¹² Something that provides evidence that a teller is more sincere, for instance, increases her sincerity score, while something that provides evidence against her circumspection decreases her circumspection score. These scores will be referred to collectively as a teller's *reliability scores*.

As argued above, when a particular hearer knows that a teller has truly told someone that *p*, she usually gains evidence that the teller is sincere, authoritative on the topic comprising *p*, and circumspect (though a single piece of true testimony does not provide much evidence for circumspection). The effect of the true testimony on the teller reliability scores *relative to that hearer* is therefore to increase the sincerity score, the authority score for the topic of the testimony, and the circumspection score (slightly). We can define a teller's *absolute reliability scores* as the reliability scores the teller would have relative to a hearer who knew of the truth of all the teller's testimony. (This

¹² It is a simplification to treat sincerity and circumspection as monolithic traits that can be summed up in a single score, but the simplification is useful. See the discussion of this oversimplification in sections V.3 and V.5.

is analogous to the absolute reliability score of section IV.4.) Then true testimony generally increases the teller's *absolute reliability scores* for sincerity, authority on the topic, and circumspection, no matter who learns of it. There will be specific exceptions; for instance, when the hearer knows (or the overall record indicates) that the teller lacks authority on a topic, even true testimony will decrease the teller's circumspection score. These exceptions, however, only apply when there is a specific reason to think that the true testimony is not explained by the teller's sincerely expressing an authoritative belief.

As in section IV.4, we can assume that, in the long run, a teller's reliability scores relative to hearers will approach her absolute reliability score. This is to say that the teller's record will tend to make its way to her hearers. A piece of true or false testimony immediately affects the teller's absolute reliability scores, and it is the teller's reliability scores relative to the hearer that determine whether the testimony provides the hearer with evidence. Nevertheless, we can (for simplicity's sake) treat both these kinds of reliability scores as one, because the effects on the teller's absolute reliability scores will eventually trickle down to her reliability scores relative to hearers.¹³

To see how this affects testimony as evidence, consider the cases in which testimony provides evidence for what is told. From section 3, these are case (i), in which the hearer has evidence that the teller is sincere, has authority on the topic, and has had the opportunity to exercise it, and case (ii), in which the hearer has evidence that the teller is sincere and circumspect, but does not know whether the teller has authority on the topic

¹³ If the teller can prevent her past testimony from reaching the ears of her current hearers, she can prevent her relative reliability scores from approaching her absolute reliability scores. This may give rise to the objection that the teller's responsibility, violation of which makes the reliability sanction applicable, is to prevent false testimony from reaching the ears of future hearers, rather than to avoid false testimony altogether. For a response to this objection, see section IV.4 on whether our legal responsibility is not to get caught breaking the law.

and has had the opportunity to exercise it. When the teller has high scores for sincerity and authority on the topic, and the hearer knows that the teller has had any needed opportunity to exercise her authority, we have case (i). When the teller has high scores for sincerity and circumspection, and she does not have a negative authority score that provides evidence against her authority, we have case (ii).

Accordingly, a typical piece of true testimony will strengthen most of the teller's future testimony as evidence by increasing the scores for sincerity, authority on that particular topic, and circumspection. For testimony to provide evidence, the teller's sincerity score must be high; whenever the teller's sincerity is in doubt, the increased sincerity score will strengthen her testimony as evidence. Future testimony on the same topic will be strengthened as evidence because the teller has increased her authority score for that topic, as in case (i). Much future testimony will be on topics concerning which the teller has no particular track record, or in cases in which it is unknown whether she has had the opportunity to exercise her authority. In these cases, the increase in her circumspection score will strengthen her testimony as evidence, as in case (ii). (One piece of true testimony, however, does not increase her circumspection score much.)

There is one type of future testimony to which current true testimony is irrelevant. This is when the future testimony is on another topic, and the hearer knows whether the teller has authority on the topic and has had the opportunity to exercise it. (In addition, the teller's sincerity must not be in question.) In such cases, the teller's authority score on the topic of current testimony is irrelevant (because the testimony is on another topic) and her circumspection score is irrelevant (because it is already known whether the belief she expresses is authoritative).

Thus the credit earned by typical true testimony strengthens a wide variety of future testimony as evidence: not only testimony on the same topic, but (to some extent) testimony on other topics where the teller's authority is not known. To complete the derivation of the credit/discredit normative structure, we must show that false testimony earns the teller discredit on one or more of her reliability scores, and that this weakens a wide variety of future testimony as evidence. This will prove that someone who earns enough discredit through false testimony will merit the application of the reliability sanction: Future hearers (if sufficiently well-informed about her record) will not be justified in believing what she tells them.

When someone's testimony is false, either she falsely believes what she has said or she has said something that she does not believe.¹⁴ These alternatives provide competing explanations for the falsity of the testimony; which explanation is better will determine how the false testimony affects the teller's reliability scores. (Note that we do not need inference to the best explanation to conclude that one alternative must be true; that is entailed by the falsity of the testimony.) There is no quick way to determine whether false testimony is better explained as a lie or an error (or both); sometimes the hearer may have no evidence for one or the other. When neither explanation is clearly superior, the hearer has some provisional evidence for each explanation. She has some evidence that the teller is lying (though not as much as when she knows that the teller knows the falsity of what she says) and some evidence that the teller has a false belief (though not as much

¹⁴ If the past testimony was a prediction, its truth or falsity may have to be assessed from the time of future testimony rather than from the time of the utterance. The truth of the prediction may not be settled at the time that it was made, but it may have been settled by the time a future hearer uses it to judge the teller's credibility. Future hearers should judge the testimony by whether it has turned out to be true, not whether it was true at the time. MacFarlane (2003) has shown how this may be done: The context of assessment of the testimony need not be the same as the context of its utterance. See also Belnap (2001).

as when she knows that the teller is unimpeachably sincere). Later evidence may provide evidence against one hypothesis and for the other; until it does, the vulgarly quantitative way to treat the testimony is as half a lie and half an expression of false belief.

Accordingly, we will examine the impact of a known lie and a known expression of false belief on reliability scores.

The impact of a lie is simple. When someone says something that she does not believe, she provides evidence against her sincerity. Specifically, what explains her testimony cannot be the non-existent belief in what she tells, and so we can infer the existence of other factors that explain her testimony. In fact, the evidence is that these other factors outweigh any extent to which she values saying only what she believes; either these other factors are more strongly held values or they tempt her to act against what she values. Accordingly, the lie gives evidence that the teller places a low value on saying what she believes. The exact evidence given will depend on the power of the factors that explain the lie. Even a highly sincere person may lie to save her life. Such a person values her life more than she values sincerity, even if she values sincerity more than almost anything else. On the other hand, someone who lies for a moment's pleasure places almost no weight on saying what she believes. The less weighty the reason or temptation that leads to the lie, the more the teller's sincerity score should be debited.¹⁵

Decreasing the teller's sincerity score weakens all her future testimony as evidence. If the score is decreased enough, future testimony will fall under case (iii) from section 2, in which the testimony fails to provide evidence because the teller is not sincere. Though almost no one is absolutely insincere, evidence against a teller's sincerity lessens the burden of proof that she might be lying: It becomes more plausible that she is lying for

¹⁵ Compare note 5 above.

more trivial causes. Accordingly, a lie has an across-the-board impact on the teller's future testimony as evidence.¹⁶

When the teller falsely believes what she says, the best explanation is usually either that she lacks authority on the topic or that she lacked the opportunity to exercise it. Sometimes an authoritative belief turns out to be false through bad luck, but these cases must be the exception; otherwise either the authority or the opportunity is not genuine. A false belief therefore lowers the teller's authority score on that particular topic. How much her score is lowered will depend on how certain an authority should be on the subject. A meteorologist who predicts rain tomorrow may be expected to be wrong a fair amount of the time; a reporter who phones in the score of a baseball game really should get it right.¹⁷ Similarly, scientists who interpret cutting-edge results may be expected to get them wrong frequently, whereas they should be right much more often when discussing the textbook fundamentals of their discipline. The lower the accuracy that is expected, the more plausible the expectation that the false belief comes from bad luck rather than lack of authority. Still, repeated false testimony will tell against the hypothesis that the teller is authoritative; consistent bad luck is unlikely.

When testimony is based on an unauthoritative belief, it lowers the teller's circumspection score. Either the teller is unaware that her belief is unauthoritative, which is one component of circumspection, or some other factor outweighs any desire she may have to restrict her testimony to authoritative beliefs. If the latter, we have evidence that

¹⁶ Some specific lies may strengthen some future testimony as evidence. For instance, if Alice lies to protect Sarah, it provides evidence that she values Sarah's welfare. This may in turn provide evidence that she is telling the truth, in a case where a lie would hurt Sarah. These cases will be exceptional, however, and will be outweighed by the overall impact on sincerity. (This example was also discussed briefly in section V.6.)

¹⁷ Alternatively, we could say that a higher degree of authority is expected of the reporter than of the meteorologist; the reporter is expected to be able to get it right more often.

the teller does not value restricting her testimony to authoritative beliefs. As with sincerity, the strength of this evidence will depend on the strength of the factor that explains the choice to base testimony on an unauthoritative belief. Someone who answers a direct question falsely will not provide as much evidence against her circumspection as someone who volunteers the same misinformation. Suppose that Janet specifically asks “Alice, how do you get to the airport?” If Alice answers wrongly, her desire to answer a direct question may have outweighed her desire to restrict herself to authoritative testimony, but this does not mean that the desire to restrict herself to authoritative beliefs will not win out in other cases. In contrast, if Janet says to a group of twenty people, “Does anyone know how to get to the airport?” and Sarah replies “I do” and gives the wrong answer, Sarah does not have the excuse of having been asked herself. Any desire she has to keep her testimony authoritative was outweighed by a desire to speak up, even when she could have kept silent without violating the norms of conversation. Thus Sarah has provided more evidence against her circumspection than Alice has.

Whether the teller is unable to judge her lack of authority or whether she chooses to ignore it, testimony based on a non-authoritative belief will provide evidence against her teller’s circumspection, because circumspection requires both a commitment to avoiding unauthoritative testimony and the ability to judge the limits of one’s authority (see section V.5). In turn, since false beliefs are generally non-authoritative (with the caveat that bad luck will be more common in some fields than others), testimony based on a false belief will generally provide evidence against the teller’s circumspection. This evidence is stronger than the rather weak evidence that true testimony provides for

circumspection. A single piece of true testimony may be explained in many ways without adverting to the teller's circumspection; we need a wide variety of true testimony before we can be sure that the teller is circumspect. A single piece of false testimony, if it is indeed unauthoritative, demonstrates the presence of factors that can override the teller's circumspection, and thus provides specific evidence against her circumspection.

Testimony based on a false belief weakens the evidential strength of any future testimony on the same topic by decreasing the teller's authority score. If the authority score is low enough, the teller's testimony will fall under case (iv), in which the teller is known to lack authority on the topic of testimony, rather than cases (i) or (ii), in which the teller's authority is respectively known or an open question (see section 2). Furthermore, by (*ceteris paribus*) decreasing the teller's circumspection score, the false testimony weakens the evidential strength of future testimony on topics where the teller's authority and opportunity are unknown. If the circumspection score is low enough, the testimony will not fall under case (ii), in which the teller's circumspection provides evidence of her authority on the topic of testimony, but will instead fall under case (v), in which the teller's lack of circumspection means that there is no evidence for her authority. The false testimony will not weaken future testimony on other topics as evidence if the teller is known to have or to lack authority on the future topic, and the opportunity to exercise it. Then the testimony will fall under either case (i) or case (iv), and the decreased circumspection score will have no effect.

Thus the discredit earned by false testimony weakens a wide variety of future testimony as evidence. If the false testimony is (best explained as) a lie, it weakens all future testimony by casting doubt on the teller's sincerity. If it is (best explained as) an

error, it weakens future testimony on the same topic, by casting doubt on the teller's authority. By casting doubt on her circumspection, it also weakens future testimony on any other topic unless the teller has already established (or disproved) her authority.

Note the importance of circumspection. If not for circumspection, the negative impact of erroneous testimony would be restricted to the teller's authority score, which only affects future testimony on the same topic. Someone who made many errors concerning a narrowly circumscribed topic would not face the reliability sanction outside that topic, were it not for the role that circumspection plays in testimony.

This establishes the teller's responsibility for the truth of her testimony, according to the credit/discredit normative structure. True testimony generally earns the teller credit on her reliability scores, while false testimony earns her discredit. In the long run, this credit and discredit will determine the evidential strength of her future testimony.

Because of the role of circumspection, it is not the case that testimony on a topic determines credibility on that topic only; the impact of one piece of testimony is diffused across many topics. If the teller accumulates enough discredit, her testimony will not provide evidence of what she tells, and so (on Particular Evidentialism) her hearers will not be justified in believing her. For her not to be believed in this way is for the reliability sanction to be applied. Applying the reliability sanction counts as holding the teller responsible for her testimony because the sanction is normative, governed by the epistemic norms on justified belief, and because it is an unpleasant consequence for the teller, who is frustrated in her testimonial attempt to induce a belief in the hearer. (See section IV.4 for more discussion of how responsibility can be expressed in sanctions and

why the reliability sanction is a sanction.) The teller stakes her credibility on the truth of her testimony.

By our definition and analysis of testimony, testimony is an attempt to induce the hearer to believe something (sections I.1-2). Such attempts are common for everyone, so the frustration of these attempts is bad enough for someone who suffers the reliability sanction. To add insult to injury, someone who loses credibility should be asked fewer questions. If Sarah will have no reason to believe Alice's testimony, Sarah should not consult Alice when she wishes to know something. Not being asked things might seem to remove some bother from life, but it will also lessen a person's role in human society. Someone who is never asked questions will find it harder to spread any knowledge that she does have. In general, loss of credibility will make it harder for you to converse with others and to act together with others; it will be difficult to carry through a project with someone whom you cannot trust to tell you about the project's progress. So the reliability sanction goes beyond the frustration of testimonial attempts to induce belief.

In the next section, by way of clearing up loose ends, we will discuss giving reasons in support of what you say. As we discussed in arguing against General Evidentialism (section II.2), assertions for which reasons have been supplied are not strictly testimony as we have defined it: They are meant to be believed partly because of the reason supplied rather than on the teller's say-so alone. Nevertheless they face many of the same epistemological problems as testimony, since frequently the hearer must take the teller's word that the reason is true, or that the reason does in fact support the assertion. Discussing the epistemology of reason-giving will also show how the teller can be

responsible for giving a reason for what she says: Often giving the right reason will help the teller's future credibility.

This section's demonstration of the teller's responsibility for the truth of her testimony will then allow us to make the final step in our defense of Particular Evidentialism. The Disharmony Objection (section III.3) argues that a hearer who takes testimony as evidence must treat the testimony as something that stands on its own, without any backing from the teller. The teller who offers an assurance, however, sees her testimony as something that provides a reason for belief only because she takes responsibility for it. In section 3, we will demonstrate that the Disharmony Objection rests on a false conception of evidence. In so doing, we will show that a teller who offers her testimony as evidence must take responsibility for it, and that a hearer who takes the testimony as evidence commits herself to holding the teller responsible for the testimony. The responsibility assumed will be the kind of responsibility explained in this section, embodied in the credit/discredit structure, and enforced by the reliability sanction.

2. Giving Reasons

Until now we have treated testimony as if the teller says something to the hearer, and that is the end of the conversation. The hearer has to judge whether the testimony provides her with evidence or justification for belief; she cannot ask the teller why she said what she did, for then she will not be believing on the teller's say-so alone, but will be believing for the reason that the teller offers. This is a useful enough oversimplification, since (as we will see) the hearer's justification for belief often comes down to the teller's

say-so in the end. We should say a few words, however, about how testimony can fit into a conversation.

In particular, we should say something about giving reasons in support of what is said. When Alice says, “There’s a bittern in the garden” and Sarah asks, “How do you know?” Alice may respond by giving a reason, such as “I heard it booming.” This gives Sarah more to go on than the original unsupported assertion did. Sarah now has Alice’s testimony to the effect that she heard the bittern booming, whatever justification for belief that testimony gives her, and whatever justification that gives for the belief that there is a bittern in the garden. To take an extreme case, if only bitterns boom, and if Alice can recognize booming when she hears it, then Alice’s testimony that she heard booming provides evidence that there was booming in the garden, and this in turn entails that there is a bittern in the garden, regardless of Alice’s authority as an identifier of bitterns.

Of course the foregoing example is at best an extreme case. There are things other than bitterns that boom. In general, even if the supporting assertion is true, its truth will not entail the truth of the original assertion. So, even if Sarah takes Alice as an authority on whether she heard a boom, she may still have to judge whether Alice is an authority on whether a particular boom is the boom of a bittern. This will be affected by whatever she knows about Alice’s authority on bird calls. If Sarah knows that Alice is an ornithologist, or if she knows that Alice has frequently identified birds by their calls before, then what Alice says will give evidence that there is a bittern in the garden. If she knows that Alice is good at identifying birds by their calls but bad at identifying them by

sight, then Alice's saying "I heard it booming" will provide more evidence for the bittern than Alice's original assertion did.

Even if Sarah does not know anything about Alice's authority, the reason that Alice gives can strengthen or weaken the evidence she provides, by being the right or wrong sort of reason. If bitterns do indeed boom, and can be identified by their booming, then Sarah has evidence that Alice is an authority on birds, because Alice knows the sort of sound a bittern makes. In turn, Alice's authority on birds provides evidence that she is correct in asserting that she heard a bittern. (If Alice's sincerity is in doubt, however, the reason she gives may not provide much help.) On the other hand, if bitterns do not boom, then the reason Alice gives provides evidence that she is not an authority on birdcalls, and what she says gives Sarah no evidence that there is a bittern in the garden. Even if bitterns boom, her reason may provide evidence against her authority on birds if booming is not distinctive to bitterns. A true authority on birds would not cite such a flimsy reason for thinking the bird was a bittern. (Compare, "I saw a sparrow." "How do you know it was a sparrow?" "It was brown.") Alice might have to give a more specific reason in order to show that she truly was an authority.

Such reason-giving may be particularly helpful in determining whether the teller has acquired her belief through testimony or through some other means. If the hearer has evidence that the teller lacks the authority to discern the truth of what she says through firsthand observation, she may ask how the teller knows what she says. If the teller claims to have observed it, then her lack of authority will mean that her testimony gives the hearer no evidence for what is told. If she claims to have been told it, then the hearer can rely on the teller's capacity as a judge of testimony. If the teller claims to have been

told what she says by a specific source, then the hearer can pass judgment on that source for herself (assuming that the teller has no problem accurately passing on the testimony). This can resolve the problem mentioned in section VI.2, that it may be impossible to tell whether the teller's belief comes from testimony or firsthand observation. Without the teller's reason for what she says, the hearer has to rely on the teller's circumspection to determine whether the teller would say what she says without proper authority. If the teller identifies her reason for saying what she says, the hearer need not rely on the teller's circumspection to determine whether the teller is relying on testimony. (If the teller cites her firsthand observation, the hearer may still need to rely on the teller's circumspection in order to determine whether the teller has enough authority on the topic to make her firsthand observation reliable.)

Giving a reason, then, can increase the credibility of the teller's current testimony; in certain unfortunate cases it can decrease it. Its effects, however, are not restricted to the testimony for which the reason is given. The reason that is given can also affect the teller's future credibility.

Consider again the case where Alice identifies the bittern by its booming. Suppose it turns out that there was no bittern in the garden, but that some practical joker had been broadcasting tapes of bittern calls through hidden loudspeakers. Alice would not have demonstrated any lack of authority concerning bitterns. She did hear a bittern call, and thus demonstrated her ability at identifying bittern calls; this was just one of the unlucky cases in which the authority misled her. In general, when the teller cites a good reason for what she says, even when what she says turns out to be wrong, she may still have demonstrated that her belief was authoritative (though wrong). Since her belief was

authoritative, she will not have provided any evidence against her circumspection either. Accordingly, she will not lose any credibility for the future.

Conversely, if the teller is unable to cite a good reason for what she says, she may lose credibility even though her testimony turns out to be true. In many cases, a true authority will be able to give some reason for her assertions. Someone who identifies a bird by its visual appearance, but who is unable to give any details of its appearance (or worse, gets them wrong), proves herself to lack authority on birds, even if the bird turns out to be what she says it was. The correctness of her identification will be a matter of a lucky guess rather than a truly authoritative belief. This may not apply in all topics; sometimes even an authority will go on gut feeling. Often, though, true authorities will be able to give reasons when challenged.

This may make it seem as though the teller's responsibility is to give reasons when challenged, not to tell the truth.¹⁸ False testimony can hurt the teller's credibility if a good reason is given; true testimony can hurt the teller's credibility if the teller is unable to give a good reason. Loss of credibility is the reliability sanction, and it may seem as though this should be imposed for failure to give a reason rather than for false testimony.

Good reasons, however, are in the long run a matter of truth. A good reason is one that in general supports the truth of what is said, even if what is said is false in this particular case. So in the long run, a teller's credibility should be determined by the truth of her testimony, not by the reasons she gives. In individual cases, reasons help to weed out cases of luck (good or bad), but luck will not hold out in the long term. A teller who always gives plausible-sounding reasons for her testimony but who always turns out to be

¹⁸ Brandom (1994) gives an account of assertion on which the asserter commits herself to giving reasons when challenged; his account has much influenced this section's discussion.

wrong demonstrates that her reasons are not truly good ones. Her future testimony should not be believed, even if she is able to give plausible-sounding reasons in support of it; there is no reason to believe that these reasons will be any better than her past ones. Conversely, a teller who is unable to give reasons, but who consistently tells the truth, demonstrates an intuitive authority on the topic of testimony. Her future testimony on the topic should be believed, even if she is unable to support it.

As remarked in section II.2, reason-giving often will give rise to the same epistemological problems as testimony, because the hearer will often need to take the teller's word for truth of the reason adduced to support her assertion. (For instance, Sarah must take Alice's word that Alice heard booming.) Also, the possibility of reason-giving does not overturn the credit/discredit normative structure, because the truth of the teller's testimony will still be the main determinant of her future credibility. Still, reason-giving is an important part of our discourse, a part that has only been given a cursory treatment here.

3. Reply to the Disharmony Objection

One step remains in proving Particular Evidentialism, which states that the justification provided by a particular piece of testimony is always evidential. We have shown that Particular Evidentialism explains which testimony provides justification for belief and which does not (Chapter VI). We have shown that, on Particular Evidentialism, the teller must be responsible for the truth of her testimony, on pain of the reliability sanction (section 1). We need to show that Particular Evidentialism can accommodate the insight of the Assurance View (as set out in section III.1): that a teller

offers an assurance of her testimony's truth, and that a hearer who believes the teller is accepting that assurance of the truth. We must show that a teller can offer an assurance of her testimony's truth while presenting her testimony as evidence, and that the hearer can take the testimony as evidence while accepting that assurance.

In other words, we need to answer Moran's Disharmony Objection (section III.3). Moran argues that evidence and assurance are incompatible. On a Gricean analysis of testimony such as our (T) (section I.2), the teller intends that the hearer come to believe what she is told because the hearer recognizes the teller's intention to induce belief.¹⁹ Moran points out that, in most cases, the fact that someone intends that you believe something does not give you a reason to believe that thing. In testimony

I am counting on the explicit presentation of my intention to be the very thing which *makes* my words a reason for believing anything in the first place. The recognition of my intention could only function this way if it was seen to be my assurance of the truth in question, my explicit assumption of responsibility for the truth of what I say. By contrast, the presentation of my utterance *as* evidence would be an explicit denial of this responsibility, as if my word could function as a reason for belief as it were all by itself, without any backing from me (Moran 1999, p. 30).

Moran continues, "To offer some phenomenon as evidence is to present it as belief-worthy independent of the fact of one's presenting it as belief-worthy" (Moran 1999, p. 31).

The idea then, is that there are two completely different ways to present and take testimony: as an assurance and as evidence. The teller who presents testimony as an assurance intends her testimony to be taken as a reason for belief because she stands behind it. Only when the teller makes herself responsible for her testimony can she be

¹⁹ (T) does not explicitly cite the teller's intention as what the hearer is meant to recognize; the hearer is meant to come to believe what she is told because she recognizes that the teller is telling her something. Recognizing that you are being told something, however, will require that recognizing that the teller intends to induce belief. Anyone who does not recognize that does not understand what testimony is.

said to have offered an assurance. The teller who presents her testimony as evidence, on Moran's view, looses it onto the world to stand on its own, so that once she has produced it the reasons it provides are independent of the teller. Testimony that is presented as evidence is presented as like a photograph, which continues to provide evidence for what it depicts even if the photographer disclaims it.²⁰ A hearer who takes testimony as evidence, on this view, does not take it as an assurance of what is told, and ignores the teller's responsibility for what is told.

Moran sees reasons based on evidence and reasons based on assurance as standing in relations of different kinds to the way the reasons were originally presented:

Something can count as evidence however it came about, whether by natural causes or by someone's deliberate action, or just as easily by his inadvertence or carelessness. But nothing can count as someone's assurance that was not freely presented as such, just as talking in one's sleep cannot count as making an assertion or a promise (Moran 1999, p. 13).

Presenting something as an assurance is what makes it into an assurance. By contrast, Moran thinks that something's status as evidence can never depend on its being presented as evidence. If this were true, then someone who presented testimony as an assurance could not simultaneously present it as evidence. Presenting testimony as an assurance would require presenting it as providing a reason for belief that depended on the way it was presented; presenting it as evidence would preclude presenting it as providing that sort of reason.

To answer the Disharmony Objection, we will first show that, when testimony is presented as evidence, the presentation has the structure of presentation as assurance. If

²⁰ The analogy is specifically to photographs that are not easily manipulated, such as instant camera snapshots. If a photographer disclaimed her photograph as a digitally manipulated hoax, that would disqualify it as evidence. See section III.2 for more on this distinction.

the teller did not present her testimony as an assurance, then it would not be an assurance; in the same way, if the teller did not present her testimony as evidence, then it would not be evidence. Testimony cannot serve as assurance unless backed by the teller's intentions to induce belief, but neither can it serve as evidence unless backed by the teller's intentions to induce belief. We then show that testimony's evidential status depends not only on the teller's intending to present it as evidence, but also on her assuming responsibility for her testimony. Offering an assurance just is assuming responsibility for the testimony in this way, so this means that presenting testimony as evidence requires presenting as an assurance, rather than precluding presentation as an assurance. Last, we show that a hearer who takes the teller's testimony as evidence can simultaneously accept the teller's assurance of its truth. Thus, presenting and accepting testimony as evidence and as assurance will turn out to be one and the same.

To show that testimony's status as evidence depends on its being presented as evidence, we must ask what it is for a teller to present her testimony as evidence. The teller must intend that the hearer believe what she is told not just because she recognizes the testimony (as (T) states), but because she takes the testimony as evidence. According to the SAC analysis as presented in section 2, there are two cases in which testimony serves as evidence for what is told in a normal way.²¹ In 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 case (ii), the teller is known to be sincere and circumspect; her

²¹ Testimony can also provide evidence for what is told in abnormal ways. For instance, suppose that the teller is known to think that every small bird is a robin, and suppose that the hearer knows that the only small birds in the vicinity are robins. If the teller says "I saw a robin," the teller can reason "She must have seen a small bird, and that bird must have been a robin." These cases will be atypical, however, and they are not cases in which the hearer believes the teller (as opposed to believing what is told).

authority on the topic and opportunity to exercise that authority are not known in advance, but her circumspection provides evidence for that authority and opportunity.

So whenever the testimony gives the hearer evidence in a normal way, the hearer is justified in reasoning (in part) as follows:

The teller has told me that p .

Why did she say that p rather than that $\sim p$? Because of her sincerity, the best explanation is that she believes that p . (This must be better than other competing explanations.)

Why does she believe that p rather than $\sim p$? Because she has authority on the relevant topic and the opportunity to exercise it, the best explanation is that p is true (or likely).

It does not follow deductively that a teller who presents her testimony as evidence in the normal way intends the hearer to follow this reasoning. Someone may intend something without intending its consequences, if she does not realize what follows from what she intends. Nevertheless, it seems clear that the teller who presents her testimony as evidence must intend the hearer to rely on her sincerity and authority. The role of sincerity and authority in testimony is so ingrained in commonsense psychology that a mature person will know that her testimony can only provide evidence in virtue of her presumed sincerity and authority. It would be unreasonable for the teller to expect the hearer to take her testimony as evidence in any other way.

So the teller who presents her testimony as evidence intends that the hearer believe what she is told because she takes the teller to be sincere and authoritative. But sincerity has no bearing on speech that is not somehow presented as true or honest.²² A sincere person will tell others only what she believes, but she need not regulate her non-

²² Similar remarks apply to circumspection. Below, when we discuss A-sincerity, we will consider the possibility that sincerity can spill over to other kinds of speech act besides testimony.

testimonial utterances by what she believes. For instance, when she makes a joke, puts forth something for the sake of argument, or free associates, she may not believe what she says. A speaker's sincerity, therefore, can only explain those utterances whose truth the speaker stands behind in some way, in that she gives the teller her word for what she says.²³ An explanation of an utterance, as presented in section V.1, adverts to some relevant causal difference between the utterance and an appropriate foil. If the utterance is not one that the speaker stands behind, then the speaker's sincerity will not be part of a relevant difference that would explain why the speaker uttered one thing rather than another. Thus, according to inference to the best explanation, the speaker's sincerity will determine an utterance's evidential status only if the speaker stands behind the truth of her utterance.

This answers Moran's contention that a teller who presented testimony as evidence would present it as providing a reason for belief that did not depend on the teller's backing. When the testimony is presented as evidence, that presentation is part of the way it is meant to provide evidence. The testimony could not provide evidence if we were somehow able to separate it from its being presented with the teller's backing. The picture of evidence that we must resist here is that evidence always inheres in some object that can be presented in various ways, so that the object's evidential status is not affected by the way in which it is presented. If we see evidence as provided by facts, events, and actions that can be explained in various ways, we will see that the choice to

²³ In one sense, a teller may not stand behind her testimony. If the testimony is confidential, the teller may not undertake to acknowledge it to anyone other than the hearer. For instance, a politician speaking to a reporter on deep background may make it clear that, if the reporter quotes what she says, she will deny ever having said it. Nevertheless, the speaker stands behind her testimony with respect to the hearer. The politician presents her testimony as something that gives the reporter a reason to believe what she says, even if she intends to prevent the reporter from passing that justification along to anyone else. Speaking on deep background is much different from speculating or joking. (Thanks to Joe Camp for the example and for pressing me on this point.)

present certain speech in a particular way can be what provides evidence. We will not be tempted to think that taking the speech as evidence requires somehow considering it in isolation from its presentation as evidence.

It would make no sense to consider testimony that was presented without the teller's backing; that testimony is meant to induce belief is part of our definition of testimony.²⁴ We can, however, establish that testimony's evidential status depends on the teller's backing by considering an utterance that is like testimony, except that it is overtly presented as not providing a reason for belief. If the speaker says something and immediately says, "I don't mean you to believe what I just said," she has converted her utterance into a kind of joke. Jokes can be perfectly respectable utterances, but they rarely provide evidence for what is said. The reason they do not is that they are not governed by the teller's sincerity. Even the most sincere teller will feel free to say things that are not true when it is clear that she means them as jokes, that she does not intend them as providing reasons for belief. Hence any beliefs the speaker has concerning the truth of what she says will not help explain why she jokingly said one thing rather than another, and what she says will not provide evidence for her beliefs (and thereby for the truth of what she says).

Testimony's evidential status depends on its presentation as evidence because we are using the SAC theory to determine what constitutes evidence, and because the SAC theory contains a trait, sincerity, that governs the influence of someone's beliefs on her testimony and not on other speech. This may seem arbitrary. For some other utterance-type *U*, we could formulate the UAC theory, which posits the trait *U*-sincerity instead of

²⁴ In the next section we will discuss an extended sense of testimony in which testimony need not be intended to induce belief. Even in these cases, the testimony will be presented as providing a reason for belief.

our ordinary sincerity (call that *T*-sincerity for the moment). A *U*-sincere person will be one who only *U*-utters a sentence if she believes it; for instance, a joke-sincere person never utters a joke that she does not believe. Then, according to the UAC theory, a person who is *U*-sincere and authoritative on the topic can provide evidence that *p* by *U*-uttering that *p*, as according to the SAC theory a *T*-sincere authority can provide evidence that *p* by telling others that *p*. The *U*-utterance that *p* would provide evidence that *p* because it was presented as a *U*-utterance. Of course, the UAC theory has been rigged to enable a speaker to confer evidential status on an utterance by presenting it as a *U*-utterance. The question is why we should not see the SAC theory as similarly rigged.

The answer is that *T*-sincerity is a psychological trait that may be plausibly ascribed to people, while *U*-sincerity in general may not be, and this is precisely because presenting an utterance as testimony means presenting it as providing a reason to believe. Because testimony is so presented, it makes sense that people would value truth in their testimony. Presenting false testimony means offering a reason to believe something that is not in fact true. The people who value truth in their testimony will say only what they believe, which is to say that they will be *T*-sincere. It makes no sense to value truth in the jokes you make, because jokes are not supposed to have anything to do with the truth. Joke-sincerity would be a quirk that only a few people might have, rather than a trait that nearly everyone has to some degree or other. So SAC theory with *T*-sincerity is plausible as a determinant of when testimony provides evidence, rather than being rigged for our purposes.

For some utterance types *U*, *U*-sincerity will be a more plausible trait than joke-sincerity. It is plausible, for instance, that someone might be committed to saying only

what she believed whenever she argues for a conclusion (in *propria persona*) or reminds someone of something; call someone who is so committed *A*-sincere (for “assertion”).

What makes *A*-sincerity a plausible trait is that the non-testimonial assertions it governs are presented as true. An *A*-sincere person’s assertions can provide evidence for what she says, as a *T*-sincere person’s testimony does, and this evidence will depend on the speaker’s presentation of her assertion as an utterance. In other words, her utterance provides evidence for what she says because she presents it as the truth, and the evidence (like testimonial evidence) depends on her backing her assertion.

Note, incidentally, that someone who takes an *A*-sincere person’s non-testimonial assertion as evidence is not taking it in the spirit in which it is uttered. An example is when someone takes an argument’s conclusion on the authority of the speaker rather than trying to understand why the conclusion follows from the premises. The speaker does not mean her hearer to accept the conclusion because she says it is true but because her argument supports it. (See also our discussion of reason-giving in section 2.) Non-testimonial assertions may thus provide evidence that depends on the assertion’s being presented as an assertion, but the evidence does not have the characteristic form of an assurance. As Moran points out, when an assurance is offered as providing a reason to believe, the reason depends on the offer. Without the offer, there is no assurance: “nothing can count as someone’s assurance that was not freely presented as such” (Moran 1999, p. 13); and so there is no reason either. Non-testimonial assertions are not presented as providing reasons to believe in and of themselves, and so they are not presented as assurances of the truth. The evidence they provide cannot depend on their being offered as providing evidence, because they are not offered as providing evidence.

Only testimony can be offered as providing evidence in and of itself, and so only testimony can be offered as providing evidence that depends on that offer.

We have shown that testimony provides evidence because of the way it is presented. This disproves Moran's contention that presenting testimony as evidence would require presenting it as a reason for belief that stood on its own, without any backing from the teller. The hearer who takes the testimony as evidence depends on the teller's presentation of the testimony as providing a reason for belief. We have not yet shown, however, that the evidence depends on the teller's taking responsibility for the testimony. Evidence that depends on being presented as evidence has the structure of an assurance, but showing that it has the structure of an assurance does not prove that it is an assurance. Accordingly, we must show that the evidence that testimony provides depends on the teller's assumption of responsibility for her testimony.

The teller can take responsibility for her testimony in many ways, for instance by indemnifying the hearer for any damages that result from relying on false testimony.²⁵ As argued in section 1, however, there is one way in which the teller must always take responsibility for her testimony if she takes it as evidence. She must stake her credibility on the truth of her testimony according to the credit/discredit normative structure. False testimony will cast doubt on the teller's sincerity, authority on the topic, and circumspection (in some combination), and this will weaken her future testimony as evidence. If her future testimony is weakened enough, her future hearers should exercise the reliability sanction against her by not believing what she tells them.

We can see that testimonial evidence depends on the teller's assumption of responsibility by considering what it would mean for the teller to avoid responsibility for

²⁵ Thomson (1990) discusses this sort of responsibility as constitutive of "word-giving."

her testimony. The relevant sort of responsibility is the risk of credibility in the teller's future testimony. The only way for the teller to avoid risking her credibility is to ensure that what she says does not reflect poorly on her sincerity, authority, and circumspection if it turns out to be false. For an utterance's falsity not to provide evidence against the teller's sincerity, authority, and circumspection, it must be shielded from them, so that we would not have to cite a lack of these traits to explain the utterance's falsity.²⁶ But if the utterance is shielded from the SAC traits, it cannot provide evidence in the way that testimony does; for we must cite the teller's sincerity and authority, and sometimes circumspection, if we are to explain her testimony by the truth of what she says.

Avoiding the responsibility of the credit/discredit structure means that the truth of what you say now will not reflect on the evidence that your future testimony provides, and that means that what you say now cannot provide evidence in the way that your future testimony will. To present your utterance as providing evidence, you must make it the sort of utterance that can be explained in terms of your sincerity and authority, and the truth or falsity of such an utterance will always reflect on your future credibility.

The evidence that the teller provides the hearer thus depends on the teller's making herself responsible for the truth of her testimony by tying it to her sincerity, authority, and circumspection. The teller cannot avoid her responsibility at the moment she speaks unless she presents her utterance as a joke or suggestion rather than as testimony, and jokes and suggestions do not provide reasons for belief. What of cases in which the teller disclaims her testimony after she has offered it? Moran argues that presenting testimony as evidence must be different from presenting testimony as an assurance because only assurances can be retracted: "Words can be retracted... but only by the speaker himself.

²⁶ Specifically, to explain why the teller uttered p rather than $\sim p$, given $\sim p$ as a background condition.

At the same time, he has no authority to determine, much less cancel, the evidential import of anything he has said or done, not even of his retraction itself” (Moran 1999, p. 34).

It is much too strong, however, to claim that the speaker does not have the authority to cancel the evidential import of what she has said. Suppose that Alice is sincere and an expert birdwatcher, and she tells Sarah that a bird is a willow flycatcher. Her testimony gives Sarah evidence, in the usual way, that the bird is a willow flycatcher. Later, however, Alice says “I take it back, that bird wasn’t a willow flycatcher after all.” What is the best explanation of Alice’s choice to retract the testimony rather than leave it unretracted? Most likely, Alice has discovered or thought of something that leads her to believe that the bird is not a willow flycatcher. Since Alice is still an authority, and she has at least as much information when she retracts the identification as when she offered it, her current belief that the bird is not a willow flycatcher is more likely to be true than her former belief that it was. Accordingly, after Sarah hears Alice’s retraction, Sarah no longer has evidence that the bird was a willow flycatcher.

Let us call a retraction successful if it does cancel the justification provided by the original testimony, so that the hearer has no more reason to believe what she was originally told than if she had never been told anything at all. (We will discuss unsuccessful retractions below.) To the extent that Alice successfully retracts her testimony, she defeats the evidence that her original testimony provided, in that she makes her testimony evidentially irrelevant. Sarah obtains no more evidence from the testimony plus the retraction than she would from the retraction alone.²⁷ The original

²⁷ Admittedly, Sarah may obtain some evidence that the bird is a willow flycatcher from the fact that Alice is dithering about whether it is or not. To that extent, however, Alice’s retraction is unsuccessful.

evidence provided by the testimony depended on the hypothesis that Alice's expert opinion was that the bird was a willow flycatcher; the retraction disproves that hypothesis, by demonstrating that Alice's considered expert opinion is that it is not.

Contrast the case in which Alice does not retract her testimony, but Janet tells Sarah that the bird is not a willow flycatcher. If Janet is also an expert birdwatcher, Sarah's total evidence may not support the hypothesis the bird is a willow flycatcher. This, however, is because Janet's testimony has provided evidence that counterbalances Alice's, not because Janet's testimony has defeated Alice's evidence. If Alice's testimony were eliminated, Janet's testimony alone would give Sarah even stronger evidence against the hypothesis; this indicates that Alice's testimony is still providing evidence. Thus, Janet cannot cancel the evidential import of Alice's testimony by contradicting it in the way that Alice can by retracting it.²⁸

Incidentally, other actions besides testimony can have their evidential status cancelled. Suppose that Sarah sees Janet, a professional meteorologist, leave the house carrying an umbrella. She may conclude that Janet's actions reveal a belief that it is likely to rain, and this belief in turn provides evidence that it will rain. Janet then sticks her head back in and says, "It's not supposed to rain today, I'm only carrying this umbrella for the Weather Bureau's group picture." She has then defeated the evidence that she believes it will rain; Sarah has no more evidence that it will rain than if she had never seen Janet with the umbrella. Janet has thus cancelled the evidence of rain (and of her beliefs) that her original action provided.

²⁸ If Janet could demonstrate that Alice was not truly an expert birdwatcher, she would be able to defeat the evidence that Alice's testimony originally provided. This defeat, however, will be available only in special cases, when someone truly is in a position to carry out this demonstration.

In some cases, a retraction will be unsuccessful and will not cancel the evidence that testimony provides. Suppose that Alice, when she retracts her testimony, says “I’m sorry, I was lying earlier, that bird wasn’t a willow flycatcher.” In most cases, the best explanation of the retraction is that Alice was originally lying and has now repented of it, and that she never believed the bird to be a willow flycatcher. Then the retraction defeats the evidence supplied by the original assertion, as above. In some cases, however, the sincerity of the retraction will be less plausible than that of the original testimony. Alice may have discovered a motivation for deceiving Sarah after telling her about the flycatcher. If that is true, the best explanation may be that Alice has always believed the bird to be a willow flycatcher, and that her retraction rather than the testimony is the lie. Sarah will then still have evidence that the bird is a willow flycatcher; Alice’s retraction will not have cancelled the original testimony’s evidential status.

The teller’s lack of total control over her testimony’s evidential status does not provide any support for the Assurance View over Particular Evidentialism. Most obviously, an unsuccessful retraction does not cancel the original testimony’s evidential status, but neither does it cancel its status as a reason for belief. When there is an explanation for why the teller would lie in her retraction but not in her original testimony, the hearer would be foolish to trust the retraction instead of the testimony. If the Assurance View implied that the teller can always cancel the hearer’s reason to believe her original testimony by retracting her assurance, then it would simply be wrong.

The Assurance View does not, however, imply this. Assurances are not invariably retractable, any more than evidential status is; as Moran observes, “taking back what I said does not make it as if it never happened” (Moran 1999, p. 40). For instance,

someone who promises to do something cannot release herself from her obligations simply by retracting the promise. Analogously, a teller cannot release herself from all responsibility for what she says by retracting her testimony. In particular, the teller who retracts a mistake still impugns her authority and circumspection, in virtue of having made the mistake in the first place, and a teller who retracts a lie still impugns her sincerity, in virtue of having lied in the first place. So imperfect retractability does not distinguish assurance from evidence.

We have argued that, if a teller presents her testimony as providing evidence, then she must assume the responsibility for her testimony that is embodied in the credit/discredit normative structure. This assumption of responsibility can be seen as the offer of an assurance that her testimony is true. The evidence that the teller provides has the characteristic structure of assurances, whose character as assurances depends on their being presented as assurances: The evidence provided depends on the testimony's being presented as evidence. Assurances also depend on the teller's assumption of responsibility for what she is saying, and the evidence that a teller presents depends on her assumption of responsibility for what she tells. As just shown, retracting an assurance can defeat the reason for belief provided by the original assurance, but does not release the assurer from all responsibility for the original assurance. Similarly, retracting testimony can defeat the evidence that the original testimony provided, but does not release the teller from credit/discredit responsibility for her original testimony.

Presenting testimony as evidence is in every way like offering it as an assurance.

It remains to be shown that taking testimony as evidence is accepting an assurance.

When a hearer believes testimony because of the evidence it gives her, is she doing

anything incompatible with accepting the assurance that the teller gives her? If taking testimony as evidence meant treating the teller as some sort of passive indicator, it would be incompatible with accepting the teller's assurance (see section III.1). According to the SAC theory, however, taking testimony as evidence can mean considering what explains the teller's choice of testimony. In particular, for a hearer to take testimony as providing evidence in the way that testimony typically does, she must posit that the teller is sincere enough to explain a choice to say what she believes, and authoritative enough that her belief provides evidence of the truth. This is not in disharmony with the way the teller presents her testimony. Presumably the teller means the hearer to take the testimony as expressing what she believes and to take that belief as reflecting the truth.

In every other way, taking testimony as evidence means accepting the teller's assurance of the testimony's truth, in the same way that presenting the testimony as evidence means offering an assurance. When the hearer takes testimony as evidence, she depends on the teller's assumption of responsibility for the truth of the testimony, because without that assumption of responsibility the testimony would not provide evidence. Rather than treating the teller as a passive indicator, the hearer is treating the teller as a free agent who takes responsibility for the truth of her testimony, and who provides evidence by taking that responsibility.

Moran correctly emphasizes that a satisfactory account of testimony will be able to distinguish believing the teller from merely coming to believe the proposition that she has asserted.²⁹ The account we have presented can make this distinction, by relying on the notion of the typical way in which testimony provides evidence. Typically, when testimony provides evidence for what is told, it does so by means of the inference that the

²⁹ See, e.g., Moran (1999), p. 28.

teller believes what she says and that this belief is correct. Furthermore (as argued in section VI.2), in these cases the evidence depends on the inference that the teller is sincere and authoritative. When the hearer makes this inference, she believes the teller.

Testimony can, however, provide evidence in other ways. In unusual cases we may gain evidence for what we are told without gaining evidence that she believes what she says, or without gaining or having evidence that she is sincere and authoritative. An example is when the hearer knows that the teller will call any songbird a sparrow, but is also aware that the only songbirds in the area are sparrows. If the teller says “I saw a sparrow,” the hearer will infer from the testimony that the teller saw a songbird, and will then infer on independent grounds that the songbird was a sparrow. Other such cases may occur when the hearer has evidence that the teller is both insincere and mistaken. Believing on the basis of such evidence is not believing the teller. Believing the teller will be accepting her testimony as she presents it, and tellers present their testimony as providing testimony in the typical way: in virtue of the teller’s sincerity and authority. Since taking testimony as evidence typically requires hearers to take the teller as sincere and authoritative, the hearer who accepts what the teller says generally does believe the speaker. Taking testimony as evidence, accepting an assurance in the spirit in which the teller offers it, and believing the teller all go together.

This completes our argument for Particular Evidentialism as against the Assurance View: The justification for belief provided by particular testimony is evidential, rather than a non-evidential justification grounded in the teller’s assurance that her testimony is true. The offensive component of this argument showed that Particular Evidentialism could explain why only certain testimony offered justification, while the Assurance View

has difficulty explaining this; this offensive component was presented in section 2. The defensive component required addressing the Disharmony Objection, that treating testimony as evidence is incompatible with accepting the teller's assurance of its truth. In this section, we have shown that taking testimony as evidence and accepting the teller's assurance can be the same thing. Along with our responses to the Bad Faith Objection (section V.6) and the puzzle of intentionally produced evidence (section 2), this answers all the arguments that were meant to refute Particular Evidentialism and establish the Assurance View. The main goal of this essay is therefore accomplished: Particular Evidentialism is vindicated.

In the next section, we use our analysis of believing the teller as a basis for reconsidering (T), the Gricean analysis of testimony from section I.2. This will enable us to redeem some promissory notes from our original analysis of testimony: We will explain exactly how the teller intends the recognition of testimony to bring the hearer to believe what she is told, and we will account for those cases where someone seems to tell someone something without intending to induce belief. We will also have shown how to define the act of testimony in terms of its normative structure, which in turn was derived from testimony's epistemology and from the intentions behind the paradigmatic act of testimony.

4. The Gricean Analysis, Revisited

At the beginning of this essay (section I.2), we gave a Gricean analysis of testimony, which we have been using as the basis for our discussion of testimony ever since. The Gricean analysis, however, was incomplete. It stated that the teller intends that the hearer

be induced to believe something by recognizing the testimony, but it did not specify exactly how the recognition of the testimony was supposed to induce a belief. This section presents a revised Gricean analysis of testimony, which specifies exactly how the testimony is meant to induce belief. This analysis is then expanded into an analysis of an extended sense of testimony as defined by the credit/discredit normative structure. To tell someone that p in the extended sense is simply to assume the sort of responsibility for the truth of p that is embodied in the credit/discredit structure.

Our original Gricean analysis of testimony, (T), was as follows:

(T) A told B that p if and only if A attempted to induce in B a belief that p by means of B 's recognizing that A had told her that p .³⁰

Introducing this analysis in section I.2, we noted the vagueness of the phrase “by means of.” There are all sorts of deviant ways for a belief that p to be induced by means of B 's recognition that A has told her that p . This recognition might be so shocking that it sends B into a psychotic episode, in which she suffers from the delusion that p . Clearly the teller does not ordinarily intend her testimony to induce belief in this fashion. We should specify more precisely how the recognition of the testimony is intended to bring B to believe that p .

The discussion of believing the teller at the end of section 3 shows how to specify this. To begin with, this chapter has argued that testimony is presented as evidence; the teller intends the hearer to take her testimony as evidence. In the typical case in which testimony provides evidence, the hearer must be justified in believing the teller to be sincere and authoritative about what she says. Thus, we suggested in the last section, a

³⁰ “Induce a belief that p ” should throughout be taken as short for “induce a belief that p , strengthen an antecedent belief that p , or weaken an antecedent belief that $\sim p$.” See the discussion following the definition of testimony in section I.1.

hearer who believes the teller herself, as opposed to coming to believe what she says without believing her, believes what the teller says in virtue of the teller's sincerity and authoritativeness. The typical teller intends to be believed, so she must intend that the hearer take her testimony as evidence in just this way. Incorporating this kind of evidence into the Gricean analysis yields the following:

(T⁺) *A* told *B* that *p* if and only if *A* attempted to induce in *B* a belief that *p* by means of *B*'s taking *A*'s telling her that *p* to provide evidence that *p* by inferring that *A* is sincere, has authority on the topic of the testimony, and (if applicable) had the opportunity to exercise that authority.

(T⁺) accommodates case (ii) from section 2, in which the hearer believes the teller because of her sincerity and circumspection without knowing her to be authoritative, because in this case the circumspection provides evidence that the teller is authoritative.

(T⁺) rules out the speaker's intending to produce a belief that *p* through some non-rational method, as in the psychotic episode example. It also rules out the speaker's intending to provide evidence that *p* in a deviant way. An example would be a case in which the speaker knows that the hearer has reason to believe that she is likely to be insincere and also wrong; she says that *p* in order to give the hearer evidence that *p*. In this case the speaker would not intend to be believed. If the teller's intention were fulfilled, the hearer would believe that the speaker's mistaken beliefs cancel her insincerity, so that what she says turns out to be true. The hearer would then believe what the speaker said without believing the speaker. Such a case may seem like telling, but it is akin to the halfhearted cases of telling we shall discuss below, in which the teller does not intend to be believed. In testimony, the teller presents herself as accurately believing what she says. (T⁺) simply states that the teller intends to be taken as she presents herself.

In fact, sometimes a speaker will present herself as accurately believing something, yet will not intend her hearer to take her in this way. The speaker may not want to be believed, but may want to say something now so that later she can say “I told you so.” Alternatively, she may know that her hearer will think she is lying, and say something in order to bluff her hearer into believing the opposite.³¹ In both these cases, what the speaker does is at least very close to testimony. According to our original definition of testimony (section I.1), however, in testimony the teller intends the hearer to take her say-so as a reason to believe. Incorporating the teller’s intention into the definition of testimony had the drawback of making the act of testimony less transparent than it should be. In section I.1, we argued that the hearer should in most cases be able to tell without difficulty when she is being told something, and what she is being told. The teller may not always be able to tell whether a speaker intends her to believe what she is saying, so incorporating that intention into the definition of testimony reduces testimony’s transparency. Cases in which the teller does not intend to be believed are non-paradigmatic, but we should be able to accommodate them.

The first step is to note that the way a speaker presents her speech is transparent, even if the intentions behind that speech are not. Accordingly, we may revise (T⁺) so that it depends on the way the teller presents her testimony, rather than on what she is actually attempting to do:

(T^P) *A* told *B* that *p* if and only if *A* presented her testimony as an attempt to induce in *B* a belief in the following manner:

³¹ Compare Grice’s example of the countersuggestible man, who thinks that the speaker is almost certain to be wrong (Grice 1969, p. 170). Someone may say something to the countersuggestible man, intending him to believe the opposite. To accommodate this case, Grice revises his notion of meaning so that the speaker intends the hearer to believe *that the teller believes* what she means. This, however, will not work when the speaker exploits the fact that the hearer will believe her to be lying. In that case, the speaker intends the hearer to think that the speaker believes the opposite of what she says. The account in the text provides a more satisfactory account of both cases.

B is intended to take *A*'s testimony as evidence that *p* by inferring that *A* is sincere, has authority on the topic of the testimony, and (if applicable) had the opportunity to exercise that authority.

The next step is to consider the normative effects of testimony as analyzed in (T^p).

When *A* does present her testimony in this way, what normative effects does this presentation have? To present something as testimony that *p* is to assume responsibility for its truth, the sort of responsibility embodied in the credit/discredit structure as explained in section 1. If something is presented as providing evidence that *p* in virtue of the speaker's sincerity, authority, and opportunity, then its truth will provide evidence for the teller's sincerity, authority, and circumspection, and its falsehood will provide evidence against those traits. So presenting one's testimony as in (T^p) is sufficient to bring it under the credit/discredit normative structure.

Furthermore, if the truth or falsity of a statement provides evidence concerning the speaker's sincerity, authority, and circumspection, then the statement can provide evidence for its truth or falsity in virtue of the teller's sincerity, authority, and circumspection. It is simply a matter of exchanging the background conditions and the explanatory hypothesis. Thus the only way to make oneself responsible, according to the credit/discredit structure, for the truth of *p* is to present testimony that *p* as in (T^p). Note that one can assume this sort of responsibility without actually attempting to induce a belief that *p*. I may say something that I know will reflect on my sincerity, authority, and circumspection, and that I know will provide evidence if I am sincere, authoritative, and circumspect, without intending to be believed. Perhaps I think that my hearer will irrationally refuse to believe me, or perhaps I think that my reliability scores are such that my testimony does not provide evidence. In order to assume this responsibility, however, I must *present* myself as offering evidence that *p*.

So, to present testimony as in (T^P), it is necessary and sufficient to assume the sort of responsibility embodied in the credit/discredit structure. We can therefore restate (T^P) in terms of this responsibility:

(T*) *A* told *B* that *p* by doing *x* if and only if, by doing *x*, *A* assumed responsibility for the truth of *p* insofar as *p*'s truth would reflect positively on *A*'s sincerity, authority, and circumspection, and *p*'s falsity would reflect negatively on these qualities; and *A* presented her doing *x* as providing *B* with evidence that *p* in virtue of *A*'s sincerity, authority, and (perhaps) circumspection.

In other words, to tell someone something is to stake your credibility on the truth of what you say, and to draw on your credibility in order to provide her with a reason to believe what you say. We have made the two clauses of the definition parallel by specifying that *B*'s evidence is intended to rely on *A*'s sincerity, authority, and circumspection rather than her sincerity, authority, and opportunity to exercise the authority. The substitution makes no difference. *B* may infer that *A* had the opportunity to exercise her authority either from *A*'s circumspection (see section VI.1, case (ii)), or because *A* cites her opportunity (which would be a reason-giving, as in section 2), or from some independent evidence. We have also added a reference to *x*, the act that *A* performs in order to tell *B* that *p*, in order to emphasize that (T*) provides necessary and sufficient conditions on testimony. Any act that invokes the credit/discredit structure as in (T*) will count as testimony.

(T*), like (T^P), accommodates cases in which the teller does not intend to be believed. It remains essential, however, that the paradigm cases of testimony are attempts to induce belief. Otherwise the teller would not truly be responsible for the truth of her testimony. It means nothing to stake your credibility on the truth of your testimony if you do not intend most of your testimony to be believed.

With (T*), we have defined the act of testimony in terms of its normative effects. To tell someone something is to assume certain responsibilities, and it is to offer that assumption of responsibility as a reason for the hearer to believe what she is told. The normative effects of testimony were derived from the intentions behind a paradigmatic case of testimony and from the epistemology of testimony. The fact that paradigmatic testimony is an attempt to induce belief as in (T), and the fact that testimony provides evidence in virtue of the teller's sincerity, authority, and circumspection, together imply that the teller must be responsible for her testimony as in the credit/discredit normative structure. We can then redefine testimony in terms of the normative structure we have derived.

This argument suggests a way that other speech acts besides testimony might be treated. It may be possible to classify speech acts in general in terms of their normative effects.³² Different speech acts will impose different sorts of responsibility on the speaker and on the hearer. Perhaps it will even be possible to derive the normative structure on certain other acts from their intentional structure. Beginning with the intentions behind the paradigmatic examples of those acts, we can ask when those intentions should be fulfilled. The speaker will be responsible for avoiding acts that should lead to the frustration of those intentions, as false testimony should lead to the frustration of future attempts to induce belief through testimony. So the argument of this essay may be applicable even beyond the act of testimony.

³² This account is inspired by the account in Belnap (2001) of the normative consequences of different speech acts in an indeterminist setting. In particular, the credit/discredit structure is an attempt to flesh out Belnap's idea that an assertion is vindicated or impugned when its truth-value is settled (Belnap 2001, p. 19). Alston (2000) also classifies speech acts in terms of their normative structures, although his specific account of assertion is much different from our account of testimony. Brandom (1994) also gives an account of language as essentially normative, in a way that differs greatly from that envisioned here.