

## THE NATURE OF TESTIMONY. A WILLIAMSONIAN ACCOUNT

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### 1. *Introduction*

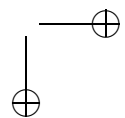
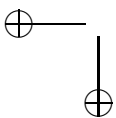
In this paper I present an account of the nature of testimony which is consonant with the views of Timothy Williamson in his (2000) book *Knowledge and Its Limits*. In particular, I defend what I call “the simple view”, according to which testimony is just assertion; and in doing so I also defend the Williamsonian claim that knowledge is the norm of assertion against concerns due to Jennifer Lackey (2007) and Elizabeth Fricker (2006). I compare the simple view favourably with the accounts of testimony of C.A.J. Coady (1992) and Peter Graham (1997). I also recognize a class of correct assertions, or “disclosures”, and allow the possibility of a “strict view” on which testimony is disclosure. I argue finally that this recognition does not leave me with an equivocal account of the nature of testimony along the lines advocated by Lackey (2006).

### 2. *The Simple View*

Epistemologists of testimony must delimit the area of our inquiry; and so we need an account of what testimony is. One hypothesis — let’s call it “the simple view” — is that testimony is just assertion. That is:

S testifies that p if and only if S asserts that p.

By way of illustration of this view of the nature of testimony, consider the following example. Suppose you ask me, “What do you think the weather will be like later in the day?” and I say, “Umm... It’ll rain”. Then later, when it is sunny, you may say tauntingly, “And you said it would rain!” The reason this may be said in jest, but not as a genuine reproach, is that I was manifestly only expressing my opinion when I said it would rain. You may take this to show that in saying that it would rain I did not testify that it would rain. I agree. But this is no counter-example to the simple view of testimony; for I did not assert, but only conjectured, that it would rain.



To see this, consider Timothy Williamson’s (2000: chapter 11) account of assertion. Williamson claims that knowledge is the norm of assertion, by which he means that assertion is that speech act which is constitutively governed by the norm:

one may assert that *p* only if one knows that *p*;

or, equivalently,

one must not assert that *p* unless one knows that *p*.

Since, in the above example, I did not represent myself as knowing that it would rain, but only as thinking that it would rain, I did not assert that it would rain; and hence, on the simple view, I did not testify that it would rain. This is why you can mock my bad judgement, but you cannot seriously reproach me for misleading you.

By contrast, suppose that in response to your query I had said, “Oh... It’ll rain. The weather man said so.” Then you might genuinely take issue with me on discovering that it is sunny (perhaps you dragged an umbrella around all day); and I would be obliged to feel guilty. My reliance on the weather man’s report might excuse my error, but it does not eliminate it. The reason is that in this new case I asserted — and if the simple view is right, I testified — that it would rain; and I ought only to have done that if I knew that it would rain (which, clearly, I didn’t — knowledge being factive).<sup>1</sup>

It may also be worth noting, in connection with the simple view, that the word “testimony” exhibits an act/object ambiguity. Thus we might say that *S*’s testimony seemed insincere, meaning *S*’s act of testifying did not appear to be the expression of *S*’s beliefs; or we might say that *S*1’s testimony was contradicted by *S*2’s, meaning that that to which *S*1 testified (the object of *S*1’s act) was in contradiction with that to which *S*2 testified. But this ambiguity is shared by “assertion”, and so provides no reason to reject the current hypothesis.

<sup>1</sup> It should be clear that, following Williamson, I am using the term “assertion” in a more restrictive manner than one who means by it, basically, the literal use of a declarative sentence. C.A.J. Coady uses the term in this lax sense when he claims that “[a]ssertion is... a more generic speech act” (1992: 43) than testimony (his thought is that testimony stands to assertion as determinate to determinable). Accordingly, this disagreement between Coady and the Williamsonian is purely verbal; whereas when Fricker, who identifies testifying with telling, claims that “tellings are a subset of assertions” (2006: 596), she means to be denying the simple view.

### 3. *The Norm of Assertion*

Jennifer Lackey (2007) has challenged the Williamsonian thesis, upon which the simple view is grounded, that knowledge is the norm of assertion. Her challenge consists of (i) a series of purported counterexamples to this thesis, together with (ii) an alternative proposal for the norm of assertion. If this challenge to Williamson’s claim is successful then the simple view of the nature of testimony will lack theoretical backing.

Lackey’s alleged counterexamples to the claim that knowledge is the norm of assertion all have the same form: an agent has evidence in favour of a proposition which would warrant belief, but s/he fails to believe the proposition in question due to other doxastic commitments and psychological constraints; s/he nevertheless asserts the proposition because of the evidence s/he has in support of it — that is, out of a desire to respect the evidence s/he has. Lackey claims that these “selfless” assertions are not unacceptable, whereas the view that knowledge is the norm of assertion predicts that they are, on the grounds that the agent, lacking belief, also lacks knowledge.

There are, however, three things to be said about Lackey’s cases.

A first thing which might be said is that the assertions in question are, *pace* Lackey, incorrect after all. If the subjects don’t believe the propositions in question then there is a sense in which their assertions are out of order. Lackey considers a version of this response, according to which the assertions are incorrect because they are lies; but she rejects it on the grounds that “a lie requires both (a) S asserting that *p*, where S does not herself believe that *p*, and (b) S asserting that *p* with the deliberate intention to deceive.” (2007, p. 602) Lackey suggests, moreover, that what is objectionable about lying is the intention to deceive rather than the lack of belief. And she suggests finally, that even if one rejects this analysis of lying, one can nevertheless recognize that there are two kinds of assertions in the neighbourhood — those in which condition (a) is met, and those in which both (a) and (b) are met. She claims, in effect, that only those assertions which meet condition (b) violate a norm of assertion. However, Lackey’s argument here appears to confuse moral norms with constitutive norms governing speech acts. It is no doubt morally reprehensible to intend to deceive; but it does not follow from this that the constitutive norm of assertion is not violated when one has no such intention.

A second, and I think ultimately more plausible, thing one might say about Lackey’s cases is that it is not entirely obvious that, at the time of speaking, the agents don’t believe the propositions asserted. Perhaps the best explanation of their speech acts is that they fleetingly recognize the force of the evidence they have, and on that basis come to believe, and hence know, the

propositions in question; it is this which accounts for — i.e. causally explains — their assertions. Due to the peculiarities of their psychologies they do not retain these items of knowledge, for they are prone to consider the incompatibility of the relevant propositions with others which they irrationally believe. But this of course does not undermine the Williamsonian claim that knowledge is the norm of assertion: for their assertions, while correct, are not unknowledgeable.

A third point which might be made in response to Lackey's cases is methodological. The hypothesis that knowledge is the norm of assertion is simple and powerful. These are strong theoretical virtues. If the only alternative hypothesis available to us is more complex, less powerful, and generally *ad hoc*, then we have grounds for thinking that one or other of the above responses is likely to be right. And this is the case with Lackey's own proposed norm of assertion, which is as follows:

RTBNA: One should assert that  $p$  only if (i) it is reasonable for one to believe that  $p$ , and (ii) if one asserted that  $p$ , one would assert that  $p$  at least in part because it is reasonable for one to believe that  $p$ . (2007, p. 608)

This norm fails to account for the impropriety of assertions made by, e.g., subjects in Gettier cases who, perhaps through no fault of their own, lack evidence for what they say; similarly it fails to account for the inadequacy of assertions made by our twins who are subject to evil demon manipulation and therefore speak falsely. Lackey thinks this is a merit of her account (2007, p. 611); but it is not. We often rely on what others tell us in our practical reasoning; yet if we rely on what we are told by Gettier subjects or our demonized twins we will go astray, or at least seriously risk doing so. Such assertions are therefore bad in certain respects; and these failings are accounted for by the theoretical claim that knowledge is the norm of assertion. Moreover, the Williamsonian can account for the sympathy one might feel for these unfortunate violators of the norm of assertion; although they have committed a "wrong", they are arguably blameless in doing so. By contrast, RTBNA does not explain the impropriety of these assertions; the hypothesis that it constitutively governs assertion therefore lacks theoretical power.

Lackey's view is also far more complex when it comes to accounting for phenomena for which the Williamsonian has a simple explanation — in particular, the impropriety of Moore paradoxical assertions, and of assertions to the effect that some particular lottery ticket did not win, solely on probabilistic grounds. I cannot, however, go into this further here. Nevertheless, given the failure of Lackey's hypothesis to adequately and elegantly explain the

data surrounding assertion, we have reason to think that the Williamsonian hypothesis is correct, and that Lackey’s alleged counterexamples ultimately fail.

Elizabeth Fricker (2006) is another theorist who does not share Williamson’s view of the nature of assertion, and it will therefore be worth briefly considering her discussion of this matter. Despite her official endorsement of the claim that knowledge is the norm of assertion (2006: 594, footnote 3), when Fricker puts forward her view of what one ought to do in situations of linguistic communication in her own words she writes, for instance, “that one must assert only what one *properly takes oneself* to know” (2006: 595, my emphasis). This, I suspect, reveals her more deeply held theoretical commitments regarding the norm of assertion. And there is further evidence of disagreement: Fricker claims that the force of a speech act is “conventionally constituted” (2006: 594).<sup>2</sup> But if Williamson’s account of assertion is right the norms governing the performance of speech acts are constitutive, and hence necessary; whereas conventions are contingent. Thus, as Williamson (2000: 239) argues, the force of a speech act is not governed (i.e. constitutively determined) by convention. By modus tollens reasoning we can conclude that Fricker does not think Williamson is right in taking assertion to be constitutively governed by the knowledge norm.

But knowledge is the norm of assertion. This can be seen from Fricker’s own example: she writes, “S is excused from blame [after having asserted that P] if her belief in P was warranted, that is S was properly sure that P, but her belief was false through bad luck” (2006: 594). One can only be (properly) *excused* when one has committed a wrong; so Fricker implicitly acknowledges the correctness of the knowledge rule, despite explicitly producing an alternative norm of assertion (quoted above) which S *hasn’t* violated in the kind of case described.

I conclude that there is no reason to reject the claim that knowledge is the norm of assertion, and that the simple view of the nature of testimony therefore rests on secure theoretical footing.

#### 4. *Comparing Coady and Graham*

So far so good: we have an account of testimony which accords with intuition in a couple of simple cases, which is able to overcome a simple (some might say simple-minded) objection, and which is theoretically well-founded. Nevertheless, it will be worth comparing and contrasting Peter

<sup>2</sup>As does Coady (1992, p. 42) — see below.

Graham's (1997) and C.A.J. Coady's (1992) views of the nature of testimony. Graham describes Coady's view of S's testifying that p as involving the following individually necessary and jointly sufficient conditions:<sup>3</sup>

- C1. S's stating that p is evidence that p and is offered as evidence that p
- C2. S has the relevant competence, authority, or credentials to state truly that p
- C3. S's statement that p is relevant to some disputed or unresolved question (which may or may not be p) and is directed to those who are in need of evidence on the matter. (1997, p. 227)

Graham, however, advocates the following conditions instead:

- G1. S's stating that p is offered as evidence that p
- G2. S intends that his audience believe that he has the relevant competence, authority or credentials to state truly that p
- G3. S's statement that p is believed by S to be relevant to some question that he believes is disputed or unresolved (which may or may not be p) and is directed at those whom he believes to be in need of evidence on the matter. (1997, p. 227)

That is, Graham argues that each of his claims G1–G3 is to be preferred to the corresponding claim of Coady's. Like Graham I am inclined to reject Coady's view of testimony as embodied in C1–C3; nevertheless, I have some reservations about Graham's own necessary and sufficient conditions as stated in G1–G3.

Consider first the claim C2. Since knowledge is the norm of assertion, S represents himself as knowing that p when he asserts that p. But then S represents himself as having the relevant competence, authority, or credentials to state truly that p. However, it seems clear that one can testify that p even though one is *not* an authority on the question whether p. Consider Joey the underling mobster. He tells the court that Tony "the boss" was not at the scene of the crime. In fact, Joey was not with Tony at the crucial moment at all, nor was he at the crime-scene. He therefore does not know whether the boss was at the space-time location of the crime, and is accordingly not an authority on this question; but he testifies nevertheless. C2 does not provide a necessary condition for testimony.

<sup>3</sup> Coady himself gives these same conditions, word for word, as "the conventions governing the speech act of testifying" (1992: 42). (As we have seen, there are problems with the claim that speech acts are constitutively governed by conventions. Coady is aware that the issue is controversial, and suggests that he need not take a stance on it (1992, p. 25); but he does nevertheless.) I quote Graham since his labels ("C1" etc.) are convenient to use.

Still, for reasons that are familiar from the literature on Grice's (1957) account of meaning, it is clear that we should not accept G2 exactly as stated. Recall that according to Grice,

‘[S] meant something by  $x$ ’ is (roughly) equivalent to ‘[S] intended the utterance of  $x$  to produce some effect in an audience by means of the recognition of this intention’. (1957, p. 385)

As Dan Sperber and Deirdre Wilson (1995: 21) point out, Peter Strawson (1964) reformulated this analysis, separating out three sub-intentions. Thus, for  $S$  to mean something by  $x$ ,  $S$  must intend that (a)  $S$ 's utterance of  $x$  will produce a certain response  $r$  in a certain audience  $A$ ; (b) that  $A$  will recognize  $S$ 's intention (a); and (c) that  $A$ 's recognition of  $S$ 's intention (a) will serve as a reason for  $A$  to form the response  $r$ .<sup>4</sup> Sperber and Wilson call the intention (a) the informative intention, and the intention (b) the communicative intention. The first of these labels is perhaps only appropriate when the response  $r$  is a belief; but since this is the case we are here concerned with I will retain the current terminology.

Grice's analysis is insightful, but nevertheless incorrect: in particular, it is not necessary, in order to mean something, that one have all of the intentions (a)–(c).<sup>5</sup> One can, for instance, assert that  $p$  (and so mean that  $p$ ), although one has no reason to think one's audience will believe what one says, and hence no (informative) intention that they will form a belief that  $p$ . Similarly, then, we can rule out the requirement G2, that in order to testify one must intend that one's audience believe that one has the relevant competence, authority or credentials to state truly that  $p$ . For Joey, our low level mobster, might testify that  $p$ , knowing full well that his audience — the jurors — won't believe he has the authority to tell whether  $p$ . Maybe he does it because he knows that Vito, the second in command, will put a hit on him if he doesn't provide an alibi. The boss is old and senile; and Vito, being more concerned with putting on a display of loyalty than he is with the outcome of the trial, doesn't require a *convincing* alibi. But one can't intend what one knows won't occur; so Joey doesn't intend his audience to believe he has the relevant authority. Perhaps Graham will be happy with the claim that in testifying one presents oneself as having the credentials to state truly that  $p$ .

What about G3 and C3? Again, C3 appears to be too strong. Surely one might testify that  $p$  whilst everyone relevant already knows that  $p$  (and thus

<sup>4</sup> I have here reformulated slightly again, so that the failure to fulfil intention (a) does not guarantee the failure to fulfil intention (c).

<sup>5</sup> Sperber and Wilson (1995: 30–31) claim that it is not sufficient either: it can't adequately account for what they call the "overtness" of communication.

stands in no need of evidence on the matter)! Can't one preach to the converted? Graham argues, to my mind convincingly, that one can: for instance, he suggests (1997, p. 231) the converted might feign ignorance just to flatter the preacher. On the other hand, G3 does not seem to be a necessary condition on testimony either. One might argue that it is on the grounds that one cannot preach to those one knows to be the converted. Testifying, let us suppose, is, at least in paradigm cases, a matter of telling someone something. This view is advocated by Elizabeth Fricker, who characterizes telling (and thereby paradigmatic testifying) thus:

The illocutionary act of telling is achieved when there is uptake: the intended audience correctly grasps the content and force of the speech act, recognizing that she is being told that P. It is consummated when the audience trusts the teller, forming belief that P on her say-so. (2006: 596)

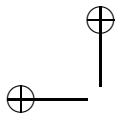
One way to spell out this thought is that because testifying, in these paradigm cases, is an illocutionary act — which, incidentally, is a claim which Coady (1992: 25), as well as the proponent of the simple view, accepts — it is successful when the speaker's communicative intention (b) is satisfied; it is not required that the audience of the telling form the belief that p, thereby satisfying the teller's informative intention (a).<sup>6</sup> (When this further condition is met we might say that the speaker *informed* her audience that p — thus informing, so understood, is a perlocutionary act.) Nevertheless, our objector might argue, one cannot form the communicative intention if one knows the informative intention will not be satisfied; thus, one can't tell someone something one knows they already know.

This argument, however, fails to establish G3 as a necessary condition on testifying for at least two reasons. First, it assumes that performing an illocutionary act (or at least the illocutionary act of telling/testifying) is simply *attempting* to perform a perlocutionary act (in this case, the act of informing).<sup>7</sup> Yet Austin (1975) has argued that this is not the case — performing an illocutionary act is not, in general, failing to perform a perlocutionary act. But second, even if Austin were wrong about this, so that telling just is trying to inform, the argument still does not show that G3 is correct. For a person can try to inform an audience that p, and thereby testify, if that person does *not* believe that the audience knows that p — if, for instance, the speaker is unsure, or agnostic, on the question whether their audience knows that p, or indeed if this issue simply hasn't occurred to her. It is not required that the

<sup>6</sup>This is not the only way of explicating Fricker's account of telling, and it may not be the one she endorses.

<sup>7</sup>Again, it is not clear that Fricker herself makes this assumption.





speaker believe his or her audience to be ignorant on the matter at hand; so G3, though preferable to C3, is also too strong.

In order to adjudicate between C1 and G1 we need some additional theoretical machinery. According to Williamson, evidence is propositional (2000, p. 195). Indeed, there is a relation between, on the one hand, a set of propositions, and on the other a single proposition, which we may call “confirmation”. It is a relation of evidential probability, which obviously comes in degrees (between 0 and 1 inclusive). In light of this, we can say that the proposition  $e$  is evidence for the proposition  $p$  when there is a (salient) set  $\Gamma$  of propositions such that the evidential probability of  $p$  given  $\Gamma$  together with  $e$  is higher than that of  $p$  given just  $\Gamma$ .<sup>8</sup>

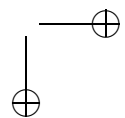
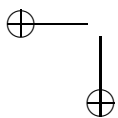
Williamson also argues that one’s knowledge is one’s evidence — that is, that the propositions which constitute one’s evidence are all and only the propositions that one knows (2000, pp. 200–207). If  $\Gamma$  is the set of propositions one knows (other than that  $S$  asserted that  $p$ ), then it seems there might be cases in which the probability of  $p$  given  $\Gamma$  is 0, and remains 0 when  $e$  (in our case, the proposition that  $S$  asserted that  $p$ ) is added to  $\Gamma$ . Take, for instance, Graham’s case<sup>9</sup> (1997, p. 228) in which someone tells me that there are cookies in the cookie jar while at the same time I know, because I looked, that there aren’t any cookies in the jar. It seems that the probability that there are cookies in the jar is no higher given that there are no cookies in the jar and someone tells me there are than it is given simply that there are no cookies in the jar. The problem here, clearly, is that the probability of  $p$  given  $E$  is 0 when  $E$  includes not- $p$ . So it appears that G1 is preferable to C1 — for it abandons a false conjunct.

On the other hand, it is the proposition that  $p$ , and not the proposition that  $S$  states that  $p$ , that is presented by  $S$  as evidence when  $S$  asserts that  $p$ . For it is  $p$  which is presented as known — and one’s knowledge is one’s evidence. Indeed, it is more natural to describe someone as presenting the fact that they assert that  $p$  as evidence that  $p$  when the speaker is trying to deceive his or her audience than it is when he or she is telling the truth. So G1, like Graham’s other clauses, is not quite right as stated.

For these reasons I am inclined to prefer a weaker view of testimony than Coady’s; yet I do not wish to endorse Graham’s account. The simple view seems like a natural resting place.

<sup>8</sup> Strictly speaking there is no such thing as a conditional probability where one of the terms is a set of propositions rather than an individual proposition. But we can imagine that propositions are just sets of possible worlds; in which case there is the generalized intersection of the members of  $\Gamma$ , and that proposition will do the required job.

<sup>9</sup> In fact, Graham attributes the case to Dretske.



### 5. *The Strict View*

One might be concerned that my preference for the simple view over a stronger account like Coady's is due merely to a feature of the dialect of English that I speak. And indeed, there may well be uses of "testify" that are factive in the sense that one can't testify that *p* unless *p*. So, for instance, in a southern Baptist church (such as those depicted in the film *The Apostle* starring Robert Duvall) we might expect a preacher to issue the imperative "Testify!" meaning that one should say it (for example, *that Jesus saves*) because one knows it. Moreover, the verb "to attest" seems factive — one can't attest that *p* unless *p* — and "testimony" would seem to be etymologically related to "attest". Let's call this factive use of the word "testify" *the religious use*. Of course, there is also what we might call *the legal use* of it, in which one can testify without expressing one's knowledge.<sup>10</sup>

We can, within a Williamsonian framework, account for these two uses of "testimony". For on the Williamsonian view there will be a special subclass of assertions which are produced in accordance with the constitutive norm governing that speech act. These correct assertions will be expressions of knowledge — and since knowledge is factive, it follows that if a speaker correctly asserted then the proposition asserted is true. According to the simple view, testimony is simply assertion. This captures the legal use of "testimony". According to what we might call "the strict view", testimony is correct, i.e. knowledgeable assertion. This captures the religious use.

When someone correctly asserts that *p* — in the sense that they speak from knowledge — we might say that they *disclose* that *p*. In this case, the Williamsonian might hold that an assertion which is not produced in accordance with its constitutive norm is a kind of defective disclosure; just as, for Williamson (2000, p. 47), a mere belief is the defective residue of a failed attempt at knowledge. This in turn might be thought to explain the fact that knowledge is the norm of assertion, just as the fact that belief is defective knowledge explains why one ought to believe that *p* only if one knows that *p*. Assertion is a speech act which aims at, or ought to be, disclosure.

The failure to recognize that these two kinds of acts exist — or to adequately distinguish between them — may explain some otherwise puzzling claims of Coady's. Thus, he says, "one who testifies must have a certain sort of competence" (1992: 28), which we have been construing as the requirement

<sup>10</sup> This might be compared to two uses of "confess": one in which you can't confess that *p* unless *p*, and another in which you count as confessing that *p* if you say that *p* while in the confessional booth. Clearly the latter notion is derivative, meaning a kind of institutionalized version of the former; though that does not, of course, make the latter use any less legitimate.

that the testifier have knowledge; but he also claims that bearing false witness is an abuse of testimony, not a misfire (1992: 33) — that is, it is not a failure to testify! Since knowledge is factive these claims appear to be inconsistent. The inconsistency can be avoided, however, if the “must” quoted above is regarded as expressing deontic, rather than alethic, necessity — and the Williamsonian can agree with the resulting claims. Alternatively, though relatedly, one might suspect that Coady simply equivocates, first employing “testifies” in the strict sense, then relaxing and using it and its cognates in the looser sense of the simple view.<sup>11</sup>

Despite recognizing the existence of these two classes of speech action, and these two uses of “testify”, I advocate the simple view of testimony. In doing so, I am not merely making a terminological decision on how to use the word “testimony”. I think this hypothesis accords with ordinary usage in my dialect of English. Even if it should not, however, the simple view will allow the interesting epistemological issues surrounding the practice of relying on the word of others to come to the fore:<sup>12</sup> we can ask, for instance, whether a speaker must know that p if a hearer is to come to know that p on the basis of her testimony. The objective, recall, was to delimit the area of our inquiry, not to capture the intricacies of ordinary language.

#### 6. Conclusion: the Univocality of the Concept of Testimony

I have argued that there are two closely related, though distinct, uses of the word “testimony”, picking out related but distinct classes of acts, namely the assertions and the disclosures. Lackey (2006) has argued for a similar, though importantly different, conclusion, and it will be useful to distinguish my view from hers.

Lackey notes that accounts of the nature of testimony present in the philosophical literature typically fall into one of two kinds, which she calls “broad”

<sup>11</sup> Of course, Coady does distinguish between “formal” and “natural” testimony (1992, p. 26); and this might be thought to mimic, in some ways, the distinction drawn here between assertion and disclosure. Note first, though, that Coady purports to be talking about formal testimony in both of the passages cited above — so he really is, on the face of it, committed to an inconsistency. Moreover, while Coady’s distinction is in some ways like ours — formal testimony takes place within an institutional setting, in perhaps a similar sense in which assertion is a social practice (i.e. an activity constitutively governed by norms); natural testimony requires having a certain authority, just as disclosure requires the possession of knowledge — the Williamsonian distinction defended here is more accurate. For instance, Coady claims that his natural testimony is an illocutionary act (1992, p. 25), but it is assertion, and not disclosure, which is the illocutionary act.

<sup>12</sup> See Fricker (1995, pp. 396–397) for this desideratum on an account of testimony.

and “narrow”.<sup>13</sup> She complains that Coady’s narrow view confuses metaphysical and epistemological aspects of testimony; in particular, it confounds conditions on communicative action with conditions on the acquisition of knowledge. At the same time, the broad view — according to which one testifies that *p* if and only if one expresses one’s thought that *p* — doesn’t have the resources to rule out e.g. actors uttering a sentence which means that *p*, which are clearly not cases of testimony.

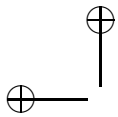
Lackey concludes that “our concept of testimony is not univocal” (2006, p. 186); she accordingly articulates a disjunctive theory of the nature of testimony, according to which

S testifies that *p* by making an act of communication *a* if and only if (in part) in virtue of *a*’s communicable content, (1) S reasonably intends to convey the information that *p*, or (2) *a* is reasonably taken as conveying the information that *p*. (2006, p. 193)

However, the best explanation of the facts Lackey cites — namely, that “[o]n the one hand, testimony is often thought of as an intentional activity on the part of the speaker” (2006, p. 187) while “[o]n the other hand, however, testimony is often thought of simply as a source of belief or knowledge for the hearer or audience” (2006, p. 187) — is not that our concept of testimony is equivocal, but rather that one and the same thing often fills both of these roles. That is, acts of communication often serve as epistemic sources of information.

Many of Lackey’s arguments to the contrary are better regarded as reasons to worry about certain understandings or analyses of the communicative acts in question. For instance, Lackey simply assumes that a nod of the head can’t be a “statement” (2006, p. 186); yet in the right context — say, in response to the yes/no question whether *p* — one can assert that *p* just by nodding. (Assertion is not a locutionary act, and therefore need not involve the production of words.) Similarly, as we have seen, one can sometimes perform the communicative, illocutionary act of assertion without the attendant informative intention. Yet, if Lackey’s second clause is there to catch such cases of testimony, it fails: whenever, as a matter of fact, no one who hears the speaker reasonably takes them to have “conveyed the information” that *p* — for example, if the audience perversely assumes that the speaker is using some kind of code — the disjunctive theory falsely predicts that the speaker has not testified. The solution to such difficulties is not to introduce a second,

<sup>13</sup> She classes Graham’s view, however, as “moderate” (2006, p. 184).



epistemic disjunct into one’s account of testimony — rather, it is to provide a better account of communicative acts.<sup>14</sup>

The Williamsonian approach to the nature of testimony advocated here recognizes both disclosures and assertions as classes of speech actions which might serve as eligible referents for the expression “testimony”. However, the narrower of these notions — disclosure — does not suffer from a confusion of the epistemic and the metaphysical conditions of testimony; rather, it encompasses actions which, as it turns out (or so at least we may suppose), are good sources of knowledge. It should be equally clear that the broader notion defended here — that of assertion — is not subject to the criticism raised against the broad view Lackey discusses. Even actors who are thinking that *p* while uttering a declarative sentence which means that *p* do not perform an action which is correct only if they speak from knowledge — thus, they are not asserting that *p* on the Williamsonian view.

I have granted that “testimony” exhibits variation across dialects. But this is not to say that the concept of testimony is disjunctive; it is simply to recognize that there are two (overlapping) classes of linguistic phenomena which can serve as eligible referents for our word. Moreover, I have urged that for epistemological purposes it is the simple view of testimony that ought to be endorsed.<sup>15</sup>

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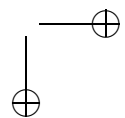
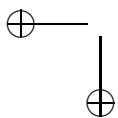
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<sup>14</sup>If further proof is wanted, note that Lackey’s second clause includes cases which intuitively should not be classed as testimony that *p*. If I ask my friend whether *p*, while unbeknownst to me she is on the phone being asked whether *q*, then when she says “yes” to that other question I might reasonably take her to have conveyed the information that *p* on the basis of the content of her communicative act. But she has not; nor, therefore, has she testified that *p*.

<sup>15</sup>This paper benefitted enormously from fruitful philosophical interaction, at the VAF conference and afterwards, with both Elizabeth Fricker and Kourken Michaelian. Thanks to both of them for their input.



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