

DAVID OWENS

TESTIMONY AND ASSERTION

A number of writers have recently questioned the idea that an assertion can transmit knowledge only by serving as *evidence* for the truth of the proposition asserted. Instead they maintain that successful testimony does its work by getting the audience to believe what the speaker asserts whilst putting the responsibility of justifying that belief onto the speaker.¹ Like many fruitful ideas, this line of thought has been developed in rather different ways by different authors. In this paper, I shan't attempt to defend non-evidentialist views of testimony against their opponents. Rather I shall compare two different forms of non-evidentialism with a view to discovering the best version of this approach to testimony.

I am concerned with a distinctive way in which language users transmit information: they assert things. To accept testimony is take someone else's word for it. Thus any epistemology of testimony presupposes some account of assertion and of the role that it plays in testimony. According to the *Assurance* model, we can learn that p when someone *tells us* that p; telling someone that p involves asserting that p with a view to providing them with an assurance that p is true. Assurance theorists maintain that the audience is usually entitled to accept these assurances, thereby acquiring a belief which it is up to the speaker to justify. When all goes well, the audience thereby learns that p.

According to the *Belief Expression* model of testimony, we can learn that p when we hear someone assert that p. On this view, to sincerely assert that p is to express (in a distinctive way) your belief in p, where *expressing* a belief differs both from indicating to others than you have it and from giving them an assurance that it is true. When such an expression of belief has an audience, and that audience believes what the speaker says, that audience may acquire a belief with the same justificational status. And when the belief expressed constitutes knowledge, they may thereby learn what the speaker knows. I shall begin by developing the notion of assertion implicit in the Belief Expression model.

1. EXPRESSING BELIEF AND INDICATING BELIEF

I start from the hypothesis that to sincerely assert that *p* is one way of expressing belief in *p*. Many writers would endorse this general idea but there are various ways of understanding the notion of expression. In this section, I shall develop my own model of expression by contrasting *expressing* one's belief with *indicating* that one has this belief. I use 'indication' here to mean 'provide evidence for' as in 'the wet sidewalk indicates that it has rained'. I shall then characterise sincere assertion as an expression of belief.

Some philosophers influenced by Grice have treated belief expression as a matter of deliberately indicating one's state of mind to an audience (hoping then to explain assertion in terms of belief expression so understood).² For them, to express belief in *p* is to intentionally indicate to a given audience that one believes that *p*. I shall develop my own notion of expression by contrasting it with this notion but my aim here is not to refute indication models of belief expression. Rather I want to raise some difficulties for them, difficulties which suggest that an alternative notion of expression may be required.

One can express a belief to one's audience without aiming to convince them that it is so or even that one believes it to be so. For example, you can sensibly make assertions which you are quite confident will not affect your audience's beliefs, either because they have the relevant beliefs already or because they won't trust you on this matter, or are insufficiently interested in it (Grice 1989: 106-12; Williams 2002: 71-2; Watson 2004: 63 and 70-1). If your audience doubts your sincerity, they may not even accept that you believe what you are saying. In these circumstances, it would be foolish to aim at affecting their beliefs but a good many reasons for expressing your belief remain: to register your disagreement, to show you know the answer, or just to let off steam.

Given this, our Griceans allow that one can intentionally indicate that one believes that *p* without intending thereby to inform one's audience either of *p* or of one's belief in it. 'Indicating' belief in *p* here is a matter of furnishing your audience with evidence that you believe it, something you could do for many reasons. They also acknowledge that there are lots of ways of deliberately indicating to an audience that one believes that *p* other than by expressing a belief in *p* to that audience. For example, one can leave evidence of one's belief in *p* where you know they will find it.

To deal with this some have stipulated that when expressing a belief to an audience, one's intention to indicate this belief must be overt.

But even with these qualifications in place problems remain, for I can with perfect frankness intentionally indicate to my audience that I believe that *p* - namely by asserting that I believe that *p* - without thereby expressing a belief in *p*. Suppose my analyst convinces me that I hate my brother because I believe he drove my father to an early grave. I don't feel inclined to avow or internally assent to the proposition that he drove my father to an early grave but my analyst persuades me that this is the best explanation for the fraternal resentment which I do feel.³ A third party now asks me whether I believe that my brother drove my father to an early grave. I answer as follows: 'my analyst has convinced me that I do believe this'. I am thereby intentionally indicating that I have this belief, an indication which is perfectly sincere. But even if the analyst is correct, I am not expressing the belief that my brother drove my father to an early grave.⁴ Expressing a belief in *p* and indicating that one believes that *p* are two quite different things even in a case like this where both deeds are performed overtly by using language in the standard way.

One might attempt to avoid these difficulties by observing that I do not take myself to *know* that my brother drove my father to an early grave. Perhaps an expression of belief must be an indication that one knows the proposition believed. But once it is allowed that being disposed to assert *p* is not decisive evidence of belief in *p*, the problem re-emerges. Consider someone whose behaviour makes it clear that he believes that university degrees from different institutions are of unequal value but who is quite convinced that he believes, in fact knows, the opposite (Peacocke 1998: 90). In this case, when faced with a direct question, he will reply that all university degrees are of equal value and will think himself sincere in saying this. Here he presents himself as expressing what he believes. But the rest of us can marshal evidence of his behaviour, both verbal and non-verbal, which shows that he does not believe this and so is not perfectly sincere in what he says. Yet he would have been perfectly sincere had he been telling us what he *takes* himself to both believe and know. Hence these are different actions with different sincerity conditions.⁵

I doubt that either assertion or belief expression can be explained in terms of belief indication but I shan't pursue that question any further here.⁶ In this section and the next I develop an alternative notion of expressive action.

One can express a belief in action by making an assertion or one can do it by behaving in a way which constitutes a natural sign of belief (sounds, gestures etc.). One thing these actions have in common is that they are directly motivated by the belief rather than by the belief that one has it (a higher-order belief which may be true or false). To put it another way, expressing a belief in action is one way of *acting on* that belief and one can't act on a belief which one does not have. So, as I use the term, an expression of belief may be poor or inadequate but it can't be insincere: you can't express beliefs you don't have.

There is a broad sense of 'expression' on which you give expression to a belief whenever you act on it. In this sense when you act on the belief that Red Rum is likely to win by laying your bets at the race course, your bet expresses your belief. But I shall be employing 'expression' in a much narrower sense to denote actions intended to express - i.e. to display or manifest - a belief and to achieve any further objectives they may have by means of that expression. Clearly you often act on a belief without aiming to express it in that sense.

On a widely held view of intentional action, if such expressive action is to be a form of intentional action then there must be some apparent good, some desirable objective which the agent is seeking to promote by expressing his belief. And this might tempt us to look for a wider goal which all belief expressers share (communicating information, giving an assurance etc.) and to suppose that what makes their behaviour an expression of belief is the fact that it has that goal. But if there is a goal which all believers have in common, why can't it be the goal of expressing their belief? Doesn't it make perfect sense that one who believes something should wish to assert it, whether or not they have any further purpose in mind?⁷ When you express your belief, you act on the desire to express it, a desire you have simply in virtue of believing it (as you are inclined to act on the assumption that it is true simply in virtue of believing it). This action may serve various goals and may be performed for that reason also but it counts an expressive action only if the expression itself is amongst these goals and not just an undesired means to some desirable end.

Consider the expression of mental states other than belief. Expressing one's anger in action involves performing some action directly motivated by anger. Those who smash the china don't generally do so because they believe they are angry and desire to inform their audience of this fact, nor because they anticipate enjoying the

pleasures of release. Perhaps they don't intend to express their anger at all (only to smash the china). But where they do intend to express their anger, it is not required that there be any further purpose which expressing their anger is thought to serve: what is required is that they feel like displaying their anger, a feeling they have simply in virtue of being angry. Of course, when and how you express your anger will be influenced by things other than the anger itself (e.g. by your belief that this vase is owned by the object of your wrath and your aversion to attacking him directly) but it is one's anger and not one's belief that one is angry which gets expressed here. Similarly, how you express a belief – the words and occasions you choose – will be influenced by all sorts of things other than the belief but what gets expressed is the thing you aim to express, namely the belief itself.

The fact that sincere assertion is intelligible simply as an expression of belief gives it a spontaneity lacking in insincere assertion (Reid 1997: 193-4). As Williams says 'sincerity at the most basic level is simply openness, a lack of inhibition. Insincerity requires me to adjust the content of what I say' (Williams 2002: 75).⁸ Such adjustment makes sense only when it appears to serve some further purpose. But, as Williams also notes, we should not conclude that sincere assertion is any less voluntary or under our control than insincere assertion. Sincere assertion isn't like giggling, something we can (often) suppress but never initiate. Rather we initiate an assertion in order to express our belief.

So why does a sincere person decide on occasion not to express their belief but rather to indicate it? Again it helps to think about states other than belief. I can let someone know that I am angry by having my secretary cancel an appointment with him. I mean him to infer that he is the object of my wrath from the cancellation (and perhaps also that I have this very intention). But I here let him know that I am angry without *expressing* my anger, at least in one good sense of that term. Calmly cancelling the appointment may communicate the fact that I am angry but it does not display or manifest my anger to him (or anyone else).

Why might I choose to signal my anger without expressing it? There are many possibilities (caution, a sense of one's own dignity etc.) but we should focus on one in particular: displaying the force of my anger might provoke certain emotional reactions which I don't wish to provoke, at least in that fashion. Even if I want him to feel shameful or apprehensive and others to feel indignant on my behalf, I may prefer these emotions to be engendered by reflection on the information that I am angry

rather than by a display of my fury. The expression of emotion influences the emotions of others in a more direct way.

We can draw a similar distinction with regard to beliefs. I may let a colleague know that I think them dishonest (and do so quite overtly) by closely scrutinising their expenses claims, asking other people to handle the petty cash etc. But to do this is not to express the force of my conviction. Others may infer my doubts and come to share these doubts themselves and I may intend this to happen. But when I *assert* that our colleague is dishonest with a view to ensuring that they believe this on my say so, I am employing a rather different mechanism for influencing their beliefs. I mean them to acquire this belief, not by reflecting on the information that I myself believe it (and intend to inform them of this etc.) but rather by ‘catching’ the belief from me, together with its judgemental force. And I needn't be present for this to happen: letters and books are filled with sentences which seek to convince their readers in just this way.

To sum up, the expression of a belief is directly motivated by the belief expressed and directly motivates the adoption of that belief by others. I hope I have said enough to distinguish my notion of expression from belief indication. I shall now say more about assertion.

2. ASSERTION AS EXPRESSION

So far we have it that to sincerely assert that *p* is at least to intend to express the belief that *p*. One thing which seems to distinguish assertion from other ways of expressing belief is that the assertor makes use of language. This raises certain questions: how does the public meaning of the words used in making the assertion relate to the content of the belief expressed? How much of what is communicated by the speaker to his hearers is part of what he literally asserts and how much is something else (e.g. an implication or a presupposition of what is said)? These are issues which confront any model of assertion. Putting such shared difficulties to one side, I shall address a concern which bears particularly on my own view: how is the belief expression model to accommodate insincere assertion, given that expression can't be insincere?

Williams also sets out to explain assertion in terms of belief expression. Williams agrees that someone ‘can express his belief that *p* only if he has that belief, that is to say, if he is sincere’ (Williams 2002: 73) but he rightly allows that an

insincere assertion is a genuine assertion. A liar does not merely pretend to make assertions - he is no actor. Still, what the liar is doing may be parasitic on what the sincere assertor is doing. To capture this idea, Williams proposes a disjunctive theory of assertion

A asserts that p where A utters a sentence S which means that p, in doing which either he expresses his belief that p, or he intends the person addressed to take it that he believes that p. (Williams 2002: 74)⁹

Williams comments that:

sincere assertions do not necessarily have the aim of informing the hearer; but insincere assertions do have the aim of misinforming the hearer. In the primary case, they aim to misinform the hearer about the state of things, the truth of what the speaker asserts. Derivatively, they may aim to misinform the hearer merely about the speaker's beliefs; the speaker may know that the hearer will not believe what he falsely asserts but he wants her to believe that he himself believes it (Williams 2002: 73-4).

I think this formulation is along the right lines but Williams appears to assume that insincere assertions are intended to mislead. This isn't so.

Recall our man who asserts that all university degrees are of equal value. His assertion is not sincere yet he means to mislead us neither about the facts nor about his own beliefs. His aim is simply to express what he believes on the point. And even those who are intentionally insincere in what they say need not be aiming to mislead anyone about what they actually believe (Moran 2005: 346). One might be speaking insincerely in obedience an order, to avoid the embarrassment of an open admission of what everyone already knows or for many other reasons without any expectation of being taken to be sincere.¹⁰ The real asymmetry here is the one noted earlier: sincere assertions can be made simply to express the relevant belief but you must have some further motive for deciding to *present* yourself as expressing a belief i.e. for making an insincere assertion.

To accommodate these points, we should amend Williams's second clause. Let us say that whilst a sincere assertor is expressing the belief that p (and doing so intentionally), one whose assertion is insincere merely intends to express their belief in p (when the insincerity is unintentional), or intends to present themselves as expressing belief in p (when the insincerity is intentional). 'Present themselves' here should not be taken to imply the intention to deceive but nor should it be confused with mere pretence: as already noted, insincere assertions differ from the mock-

assertions made by actors or game players. As Williams remarks, ‘formulations of this kind take for granted the notion of “an expression of belief” and return us to acknowledging the fact that this idea has to be understood first, and that insincerity is parasitic on it’ (Williams 2002: 75).

I should highlight an implication of this expressive model of assertion which will matter to the epistemology of testimony. An intentionally insincere assertion is reasonable if it is reasonable to present oneself as expressing the belief in question. By contrast an expression of belief is reasonable only if it is reasonable to actually express the belief in question and this depends, in part, on the standing of the state of mind expressed. It cannot be reasonable to express an unreasonable belief. This is an instance of the general truth that it is unreasonable to *act on* unreasonable belief. No such thing is true of actions intended to indicate to others that you have the relevant belief. It may be perfectly rational for me to indicate that I doubt my colleague’s honesty whether or not these doubts are themselves reasonable (and whether or not I actually feel them).

This normative fact has an important psychological consequence: I can’t express a belief I think to be unreasonable at will. As already urged, it makes perfect sense for someone to set out to express a conviction without their having any further objective in mind. But this claim needs to be qualified. This makes perfect sense only when the attitude in question strikes its possessor as a reasonable one. If the attitude seems unreasonable, if it makes no sense to he who has it, then it also makes no sense for him to express it simply for the sake of expressing it. Of course he might wish to express it with a view to the relief this will bring or to communicate a message to others. But an action directly motivated by the desire for relief or the desire to communicate the attitude rather than by that attitude itself is not an expression of that attitude.

Clearly there are circumstances in which it makes sense for me to get myself to express a belief (or to allow myself to express it) even if I think that belief to be unreasonable. But here I do need to *get* myself or *allow* myself to express this belief. For example, my psychoanalyst might need me to express an obviously unreasonable conviction as part of the treatment. Were he asking me to (sincerely) indicate that I had the belief or to make an insincere assertion of it, that would be easy. But such an utterance would not have the required therapeutic effect. Here I might know some

way of *getting* myself to express the belief, to sincerely assert what I now think I have no reason to believe, perhaps by bringing certain past incidents to mind etc. On the other hand, if I know no such way, I might wait until these past incidents (or some other trigger) come to mind spontaneously and then *allow* myself to express the conviction I feel. In these cases it is reasonable for me to get or allow myself to express a groundless conviction but this is not something I can do at will.¹¹

These points will be crucial to the epistemology of testimony but before exploring the epistemological implications of this expressive model of assertion, let's consider an alternative which points us in a rather different direction.

3. ASSERTION AS ASSURANCE

Assertions contribute in various ways to the transmission of knowledge. An assertion *can* serve as evidence e.g. where the speaker infers the truth of the proposition from the fact that it is asserted together with other background knowledge about the speaker. Assertions can also be made in the course of an argument for a proposition, as when a mathematician takes us through a proof. But I am interested in a third sort of case where the audience simply accepts what the speaker says, cases in which they believe or trust the speaker (Moran 2005: 347).¹²

Ross argues that a proper account of such cases cannot treat the speaker's assertion as evidence for the proposition asserted:

The main problem with the idea that the hearer views the speaker's words as evidence arises from the fact that, unlike the examples of natural signs which spring most readily to mind, saying something is a deliberate act under the speaker's conscious control and the hearer is aware that this is the case. The problem is not that of whether the hearer can in these circumstances see the speaker's words as *good* evidence; it is a question of whether the notion of evidence is appropriate here at all. There is, of course, nothing odd about the idea of deliberately presenting an audience with evidence in order to get them to draw a desired conclusion, as when a photograph is produced in court. But in such a case, what is presented is, or is presented as being, evidence independently of the fact of the speaker having chosen to present it. If a speaker's words are evidence of anything, they have that status only because he has chosen to use them. Speaking is not like allowing someone to see that you are blushing. (Ross 1986: 72)

What alternative does Ross have in mind here? What sort of reason for belief *is* constituted by the fact that the speaker has chosen to present it as such? A little later on, Ross suggests that

The speaker, in taking responsibility for the truth of what he is saying, is offering his hearer not evidence but a *guarantee* that it is true, and in believing what he is told the hearer accepts the guarantee. (Ross 1986: 79-80)

Fried expresses a similar idea:

To make an assertion is to give an assurance that the statement is true. The analogy to promising is very close. An assertion may be seen as a kind of very general promise; it is a promise or assurance that the statement is true. It is offered not as evidence of the speaker's state of mind but as a deliberate act on the speaker's part on which the hearer is intended to rely. (Fried 1978: 56-7)

In testimony, the speaker gives the hearer his word that p; he promises that p is true.¹³

Without this guarantee, the hearer would not be entitled to believe that p unless he had evidence which established the truth of p. The effect of the guarantee is to shift the responsibility for having established p's truth onto the speaker: the hearer is entitled to believe that p without himself establishing p's truth because, in accepting the speaker's guarantee, he has transferred this responsibility to the speaker.

The assurance theorist may allow that certain assertions are not intended to offer anyone a guarantee of their own truth (e.g. those made when expounding a proof from premises taken to be self-evident). But, he will say, for assertions to facilitate the acquisition of testimonial knowledge, the speaker must intend to provide his audience with such a guarantee. Indeed, this intention must lie behind any assertion which poses as a source of testimony, whether or not it is sincere, just as the intention to undertake an obligation must lie behind every genuine promise whether or not the promise is sincere (i.e. whether or not the promisor intends to perform). There is no disjunction.

I agree with the assurance theorist that the effect of testimony is to transfer certain responsibilities involved in having a belief from hearer to speaker. But it is a mistake to take promising as our model here.¹⁴ The promisor intends to take on the responsibility of making a certain proposition true, a duty that is owed to the promisee. By contrast, the kind of epistemic responsibilities at stake in testimony are not duties *owed to* anyone; testimony can be presented quite unintentionally to an audience who thereby learn that it is true because they are entitled to depend on the speaker for justification.¹⁵

Developing these points, let's start from the fact that some assertors have no audience in mind when they make their assertions. Think of a secret diary containing one's most intimate thoughts. It is not just that the author of this diary has no intention

of communicating these thoughts to others by writing them down; he has every intention of not communicating them and is careful to keep his diary secret. Such a diary may be filled with assertions but assertions which lack an intended audience and are not meant to assure anyone of anything.¹⁶

As Moran observes, a speaker can't make a promise to someone inadvertently (Moran 2005: 360). Eavesdropping is not a way of garnering promises. Moran then reads this feature of promise into assertion, telling us that the special epistemic value of an assertion for an audience depends on the fact an assertor is openly engaged in the act of providing this audience with a reason to believe what he says, thereby presenting himself as accountable for the audience's believing what he says (Moran 2005: 355-6). But can't an audience learn from someone's assertions by trusting them even where these assertions were not addressed to that audience?¹⁷

Suppose that, unbeknownst to the speaker, I read his secret diary (or bug his private monologues). Here the diarist may have specifically intended to keep his diary away from me. Still, can't I learn from the author's diary in just the way I learn from his conversation, or his published works? True the diarist may not have told *me* anything, but his diary has and to believe his diary is to believe him, to take his word for it. Yet nothing I read in the diary could constitute a promise made to me. In determining whether we should trust the diary, it *might* be important to know whether the diary was intended for an audience or not and which audience it was intended for. But the discovery that a public document was meant to be private will often leave the basis of our trust in it undisturbed. Though this diarist didn't intend to put himself under an obligation to us, we can learn from what he says just as we could had he been speaking directly to us.

Another feature of valid promises is that they are made voluntarily. An involuntary promise does not commit the promisor to perform. The relevant notion of voluntariness cries out for further elucidation but we can distinguish two elements. Firstly, a promise must be made intentionally; the promisor must be aware that he is making a promise as well as of the audience to whom he is addressing it. Secondly, this promise mustn't be made under duress or induced by trickery or deception. The act of asserting that *p* is indeed intentional under that description. But must a genuine assertion be freely made as valid promises are?

I doubt that the epistemic significance of an assertion depends on whether it was made voluntarily as the moral significance of a promise does. It is unfair to

expect those who promised under duress or because of deception to fulfil their promises. Doubtless the same considerations help to determine whether we are held to account for our assertions. If I give away my confederates' hiding place to the police but do so under pressure, or because of some wily trick, this may well affect my confederates' attitude to what I have done (just as the fact that our diarist intended to keep his diary secret will affect whether he is held responsible for the consequences of its publication). But it need not affect the epistemic significance of what I say. The police may learn of the hiding place by trusting me in just the same way as they could had I freely revealed it. Whether others may take my word for it does not turn on whether my words were uttered voluntarily.

To sum up, the assurance theorist and I agree that there is a range of examples in which people learn things by believing what other people tell them without treating what they hear as evidence for what they are being told. I have made my case against the assurance theorist by highlighting examples which are on the face of it part of this range but to which the assurance theory does not apply. This is a sound *prima facie* objection but my point won't be clinched until I provide an alternative non-evidential model of testimony which covers *both* the examples the assurance theorist takes as paradigmatic *and* those he can't deal with. In the face of a more comprehensive and successful theory, the assurance theorist can't happily set aside my counterexamples as cases requiring a different treatment.¹⁸

4. TESTIMONY

Learning that p by trusting someone's assertion that p is not a matter of learning that p from the fact that they believe p (however known). So much is common ground between myself and the assurance theorist. It is also common ground that the speaker *does* something which the hearer picks up on. I may learn what someone believes from a brain scan but inferring that he is right from the scan is not an instance of learning by trusting him. For the assurance theorist, the act of telling effects a transfer of epistemic responsibility from hearer to speaker because it offers the hearer a guarantee of the belief's truth. Leaving promising behind, I shall develop a partial analogy between testimony and memory.

Memory is what I shall call a *rationality preserving mechanism for belief*.¹⁹ Suppose I prove a certain mathematical theorem and later recall the theorem without recalling the proof. If all has gone well, I now have the very same belief in the theorem that I had before, a belief which is justified by the proof which I can't now recall. Here memory does not provide some new basis, some new evidence for the belief which replaces the proof; it is a means of conserving the justificational status of the belief without conserving the evidence which originally supported it. Where I overlooked some fairly obvious fallacy in the proof, memory will preserve my belief in the theorem as an unreasonable belief.

Testimony does not literally preserve belief, rather it creates a new belief in another. But, I shall argue, it often creates a belief which matches its original in content and inherits its justificational status. So it too is a rationality preserving mechanism for belief. Suppose Jones has proved another theorem and tells me of it without showing me his proof. If all goes well I can acquire Jones's belief in the theorem (i.e. a belief based on the very grounds on which Jones's belief is based) even though I have never gone through the proof which convinced Jones of its truth. Obviously there are circumstances in which I ought not to credit Jones's word, as there are circumstances in which I should not rely on my own memory. But, in the absence of such grounds for doubt, I can tap into Jones's sources of justification as I tap into those of my earlier self. The testimonial mechanism must be working properly for this transmission to take place successfully - there must be no miscommunication, deception etc.- but it is equally true that the subject's memory must be working properly for it to preserve rational belief. In neither case is the proper working of the mechanism part of the justification for the inherited belief.

I have defended the view that memory is a rationality preserving mechanism elsewhere.²⁰ In particular, I have argued that it is not at all obvious how else memory could facilitate the justification of belief, for memory beliefs cannot (in general) be justified by reference to the fact that they are remembered. Here I want to suggest that since testimony is a rationality preserving mechanism, it can effect a transfer of responsibility for belief from hearer to speaker without the speaker's needing to offer the hearer a guarantee of the belief's truth.

It is significant that whilst speaker and hearer are different people, memory is an intra-personal affair. This fact generates various disanalogies between testimony and memory. Firstly, memory involves only the belief already acquired, usually

stripped of the material which was originally used to support it. By contrast, testimony requires an action - assertion - intended to express the belief in question, an action which creates a belief in the hearer distinct from the belief the speaker expresses. Furthermore, the notion of sincerity has a clear point of application in the case of testimony - namely to the act of assertion - but no obvious point of application in memory. Can one acknowledge these disanalogies whilst holding onto the idea that testimony, like memory, is a rationality preserving mechanism?

I'll first ask why the testifier must express his belief at all and then consider why he must intend to express his belief before moving onto the issue of sincerity. Since memory is an intra-personal affair there is no need for the person who remembers to be made aware of the fact that he has the belief remembered. All memory need do is to preserve the belief in question. A normal person will know that he has this belief but it is not by knowing this fact that he remembers the thing believed. Since testimony is an inter-personal affair, the recipient does need to be made aware of the belief by the believer. But 'being made aware of the belief' here can't just be a matter of acquiring the knowledge that the speaker has it. Testimony no more involves an inference from the fact of belief than memory does. Rather the belief must be *expressed* to the hearer. Only in this way can the force of the speaker's conviction - and not mere knowledge of his belief - be transmitted to the hearer.

But why must the speaker *intend* to express his belief? Why isn't it enough that he express his belief and that this expression induce a similar belief in another? Wouldn't this be a rationality preserving mechanism for belief? After all memory preserves the rationality of belief regardless of the subject's intentions. I will now argue that testimony is rationality preserving only because assertion is intentional.

Remembering that p involves a prior belief in p and such conviction requires at least the appearance of evidential support. One can't simply decide to install a belief in one's memory. And it is because our memory is constrained in this way that memory is a rationality preserving mechanism. When it works normally, memory fixes belief in place by tapping into the force of the reasons, good or bad, which convinced us of it in the first place. Contrast someone who wishes to retain a belief and visits the hypnotist to ensure that it sticks. Here the justificational status of the initial belief is not inherited by a hypnotically induced belief unless the efficacy of the hypnosis depends on the apparent rationality of the initial belief (Owens 2000: 154-5).

To make testimony a rationality preserving mechanism, we need to ensure that the rationality of the belief which the hearer ends up with reflects the rationality of the quite distinct belief the speaker expresses. Clearly this link won't be established unless the speaker believes what he says. But more is required than mere sincerity. Suppose a speaker finds himself expressing or lets himself express a belief which he thinks to be irrational. Whether or not the speaker is right about this belief's irrationality²¹ a hearer cannot acquire a rational belief by crediting this expression of it. You can't come to know something by taking the word of a speaker who thinks there are no adequate grounds for believing what he says (though you may infer its truth from the fact that he believes it), any more than by taking the word of a speaker who thinks that there are adequate grounds for believing what he says but doesn't himself believe it (though you may infer its truth from the fact that he thinks he ought to believe it).

If testimony is to preserve the rationality of the belief expressed, the expression of belief involved must be constrained by the speaker's view of the rationality of the state expressed. But, as we saw earlier, it is so constrained precisely when he speaks with the intention of expressing his belief. A speaker can no more easily get himself to sincerely assert something for which he now thinks there is very little evidence (i.e. to express a belief that seems unreasonable) than he can install in memory a proposition which strikes him as dubious. True, one *finds* oneself expressing (or *allows* oneself to express) all sorts of beliefs (and emotions) one regards as unreasonable. But apparent irrationality is a block to acting with the intention of expressing the state in question. That is why an expression of belief must be intentional to be part of a rationality preserving mechanism.

If I am right, a sincere assertion reflects the rationality (good or bad) of the belief it expresses and it transmits a belief with those epistemic credentials to an audience who are convinced by it. Trusting an expression of belief by accepting what a speaker says involves entering a state of mind which gets its rationality from the rationality of the belief expressed. This state's rationality depends on the speaker's justification for the belief he expresses, not his justification for the action of expressing it. And to hear a speaker as making a sincere assertion, as expressing a belief, is *ceteris paribus* to feel able to tap into *that* justification (whether or not his assertion was directed at you) by accepting what he says. The assertion may be

irrelevant, impolite, imprudent and unreasonable in all sorts of other ways but if it is well founded, we can learn that it is true by trusting the speaker.

Only an action expressive of belief could pull this trick off. Should someone merely indicate that they believe that *p*, that indication may be taken as evidence for the truth of *p*. But his audience won't feel able to learn that *p* simply by trusting the speaker, by sharing the speaker's conviction because they know that the speaker could be perfectly entitled to indicate that they have that belief (perhaps sincerely) without having any title to the belief itself. If we are to believe what the speaker indicates he believes, either the speaker must justify this belief to us, or we must supply some justification of our own (which may or may not involve the fact that he believes it). The same applies to the action of offering a guarantee of *p*'s truth: it could be reasonable for someone to guarantee *p*'s truth though they had no reason to believe *p*. Neither act can be part of a rationality preserving mechanism for belief.

I have suggested that testimony is, like memory, a mechanism for preserving the rationality of belief. Yet whilst there is no such thing as insincere recollection, insincere assertion is all too common. And the points just made about sincere assertion do not apply to assertion as such. The rationality of an insincere assertion does not depend on the rationality of some expressed belief and so there is no psychological obstacle to insincerely asserting something for which you think you have no evidence. All this must be admitted but does it follow that memory and testimony require different epistemologies?

I maintain that 'insincere assertion' is not an *epistemologically* significant category. The significant category is a broader one, that of 'illusory transfers of epistemic responsibility' of which memory and testimony furnish us with parallel instances. Illusory transfers are cases in which the receiver of the belief is entitled to depend on the source of the belief for its justification but the source of the belief is not in fact responsible for the epistemic status of the belief. (Such illusory transfers are to be distinguished from cases in which the transfer was successful and the groundlessness of the receiver's belief can be traced to the irrationality of the source's belief.)²²

One way in which illusory transfer happens in testimony is when the audience mishears the speaker, perhaps through no fault of their own. Here the audience may be entitled to depend on the speaker for justification of their belief in *p* but the speaker is not irrational if they possess no such justification. Illusory transfers happen

in memory when the content of a perfectly justified memory is corrupted by the preservation mechanism. Here my later self may be entitled to depend on my earlier self for justification of this belief even though the fact that I lacked such a justification does not show up any flaw in my earlier beliefs. Insincere assertion also falls into the category of illusory transfers of epistemic responsibility: the hearer may be entitled to depend on the speaker for justification but the speaker is not, so far as their beliefs go, unreasonable if they can't provide it. (Owens 2000: 171-2)

The assurance theorist will agree that in cases of misunderstanding there is an illusory transfer of responsibility. But, for him, what is crucial in effecting a genuine transfer is the intentions expressed by the parties to the conversation. In his eyes, the convincing liar should be grouped with the sincere assertor and not with the speaker who is misunderstood because both the convincing liar and the sincere assertor express the intention to guarantee the truth of the relevant belief and they thereby accept responsibility for this belief. Someone whose assertion is misunderstood expresses no such intention and so fails to take on any responsibility.

On my belief expression model of assertion, the situation is more complex. From the speaker's perspective, sincere assertion is like misunderstood assertion in that both are genuine expressions of belief. But from the hearer's perspective assertions misunderstood are more like lies (and other insincere assertions) in that they appear to do what sincere assertion actually does, namely transfer responsibility for the belief (apparently) expressed. They merely appear to do this because the speaker does not actually give expression to the belief which the hearer picks up. On my account, what is crucial to the transfer of responsibility is not what intention the speaker expresses but rather what belief he (intentionally) expresses. Since both the insincere and the misunderstood fail to give expression to the belief their hearer acquires, they can't transmit it to the hearer (as opposed to inducing it in him) and so can't assume a believer's responsibility for it.

When considering the ethical relations between speaker and hearer, it may indeed be inappropriate to classify insincere assertion with genuine misunderstanding. For example, by asserting something he knows to be false, the liar makes himself responsible for the audience's acquisition of a false belief and/or other consequences which may ensue. And this usually differentiates him from the person who is misunderstood. But the liar's responsibility here is a moral responsibility for the

foreseeable consequences of his actions, not a believer's responsibility for what is believed.

5. CONCLUSION

For the evidentialist about testimony, the act of assertion is a fallible indicator of the speaker's belief. Would we could know of this belief directly without the mediation of this act. The assurance theorist responds that the act of assertion provides the hearer with something which he could never get simply from knowledge of the speaker's beliefs. But the assurance theorist mischaracterizes this something as a guarantee or promise, tracing the special epistemic significance of assertion to the addressive relation it establishes with the hearer. I have proposed that the act of assertion expresses belief and thereby enables its audience to acquire not knowledge of the speaker's belief but a belief with the same content and epistemic credentials and thus knowledge of the fact testified to.²³

NOTES

¹ For example, see Brandom (1983), Ross (1986), McDowell (1998: 438), Burge (1998: 269), Owens (2000: Chapter 12) and Moran (forthcoming).

² For one recent example of this approach, see Davis (2003: Chapter 7).

³ Some writers—e.g., Shoemaker (2003: 392-5)—argue that a person can't believe that they believe something which they are not inclined to assert. For a persuasive response to Shoemaker, see Moran (2003: 406-8).

⁴ Were I to assert that my brother drove my father to an early grave, this assertion would not be sincere because it would not be connected to my belief in such a way as to constitute an expression of that belief.

⁵ Moran (2005: 356-7) maintains that his assertion would be sincere. I agree that it is not a lie, for the speaker is not intending to misrepresent either the facts or the beliefs he holds. But it is hard to maintain that it is fully sincere either. As Moran notes (2005: 346-7), lying is not the only form of insincerity.

⁶ For a critique of Gricean accounts of assertion along different but related lines, see Pagin (2004: 842-4).

⁷ Though she rejects the view that all intentional action must be aimed at some apparently desirable objective Hursthouse (1991: 61) implies that action intended to express anger must

be thought to serve some further end (such as informing others of one's anger, relieving one's anger etc.)

⁸ One may get into the habit of misrepresenting one's age and so lie readily but this habit was not formed spontaneously.

⁹ As already indicated, I shall not pursue issues raised by the phrase 'a sentence which means that p'.

¹⁰ Thanks to Seana Shiffrin for discussion of this point. Williams (2002: 96-7) also adopts the widespread view that lying must involve the intent to deceive, at least about the speaker's own state of mind. I have my doubts about this but shall not pursue them here.

¹¹ Both of these things may be impossible, in which case it will be impossible for me to sincerely assert something that I believe and know I believe.

¹² I may learn that p from someone who says to me that p but who does not present themselves as expressing the belief that p, provided they represent themselves as repeating what someone else has asserted to them. Perhaps this is a case of 'proxy assertion', of expressing someone else's belief. In any case, it counts as testimony because I am invited to trust the source's assertions.

¹³ Searle (1969: 66) tells us that an assertion of p "counts as an undertaking to the effect that p represents an actual state of affairs". See also Van Fraassen (1984: 252-5) and Brandom (1983). Harman (1986: 50-1) compares claims to knowledge with promises or guarantees but does not discuss assertion. For an alternative critique of such views, see Pagin (2004: 838-42).

¹⁴ Here I focus on those differences between promising and testifying which bear on the epistemology of testimony. For discussion of how the moral obligations generated by testimony differ from those generated by a promise, see (Owens forthcoming).

¹⁵ Moran (forthcoming) presses the analogy with promise even further by maintaining that assertions must be actively accepted or refused. See also Ross (1986: 80). In my view, what makes the speaker responsible for his audience's belief is the fact that he has convinced them of its truth and I doubt that becoming convinced of something is an activity.

¹⁶ In these cases, is the speaker giving *himself* an assurance of the truth of what he says (Van Fraassen 1984: 254)? Is he the intended audience of his own words? Grice (1989: 112-3) mentions this possibility when considering an analogous objection to his theory of utterance meaning. Moran (forthcoming) rules this out, maintaining that one cannot give oneself an assurance. And even if one could (by means of some sort of vow) the diarist may not be making any vow in that he may have no intention of reading his own diary.

¹⁷ A related point: one can understand many assertions (i.e. those without indexicals) without knowing the identity of either speaker or audience but one can't understand any promise, order etc., without knowing from whom it came and to whom it was given (Pagin 2004: 835-6).

¹⁸ Williams (2002: 82) observes that assertion is not simply a means of expressing a pre-existing belief. Rather we often decide what to believe about a given matter by working out what we are prepared to say about it. That seems right but, as Williams notes, it does not tell against the belief expression model. Nor does it tell in favour of the assurance model. Our diarist could be engaged in working out what to think about a certain matter by trying to commit himself on paper.

¹⁹ I borrow this notion of a rationality preserving mechanism from Pink's discussion of intention. See Pink (1996: 93-9).

²⁰ See Part III of (Owens 2000). Much of what I say there about memory and testimony was inspired by reading (Burge 1993), though the view I arrived at may not be the same as his.

²¹ The mere fact that you think a certain belief of yours to be irrational does not make it irrational for you to believe it (Owens 2000: 108).

²² For discussion of what should be said about the rationality of the recipient in such cases, see Owens (2000: 138-9).

²³ Many thanks to Paul Faulkner, Robert Hopkins, Jennifer Saul, Andy McGonigal, Peter Pagin, Seana Shiffrin, Fabian Freyenhagen, Michael Martin, Christopher Hookway, Richard Moran, Duncan Prichard and Michael Brady for comments. My work on this paper was supported by the Arts and Humanities Research Council.

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