

## TESTIMONY AS EVIDENCE

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### ABSTRACT

Regarding testimony as evidence fails to predict the sort of epistemic support testimony provides for testimonial belief. As a result, testimony-based belief should not be assimilated into the category of epistemically inferential, evidence-based belief.

### 1. Reasons, Evidence, and Inference

Holmes is trying to determine who committed the murder. His evidence consists of  $E_1$ ,  $E_2$ , and  $E_3$ . It occurs to him that he would have these pieces of evidence only if Mustard did it. He concludes that Mustard committed the murder. Here, the basis of Holmes' conclusion is (a) his belief that his evidence consists of  $E_1$ ,  $E_2$ , and  $E_3$ , (b) his belief that he would have these pieces of evidence only if Mustard committed the murder, (c) whatever it is that supports these beliefs, and (d) whatever it is that bears on Holmes' entitlement to draw the relevant inference from (a) and (b) to the conclusion that Mustard committed the murder.

Smith is suffering from some condition that she would like diagnosed. The doctor notes the manifesting symptoms,  $S_1$ ,  $S_2$ , and  $S_3$ . On the basis of observing these symptoms, and having good reason to think that a patient manifests  $S_1$ ,  $S_2$ , and  $S_3$  only if she is suffering from disease D, the doctor diagnoses Smith as suffering from D. Here, the basis of the doctor's diagnosis is (e) his belief that Smith manifests  $S_1$ ,  $S_2$ , and  $S_3$ , (f) his belief that one manifests  $S_1$ ,  $S_2$ , and  $S_3$  only if one is suffering from disease D, (g) whatever it is that supports these beliefs, and (h) whatever it is that bears on the doctor's entitlement to draw the

relevant inference from (e) and (f) to the conclusion that Smith suffers from D.

My description of these two cases is meant to bring out what I regard as an obvious parallel – one that goes to the heart of the epistemic account of inferential, evidence-based belief. In both case, the materials relevant to an epistemic assessment of the conclusion/diagnosis are the same. They consist of (i) the belief(s) that constitute(s) the subject's evidence, (ii) the belief(s) that constitute(s) the generalization that links this evidence to the target conclusion/diagnosis, (iii) the epistemic support for all of these beliefs, and (iv) the subject's entitlement to make the transition from these beliefs to the target conclusion/diagnosis itself. If the evidence-involving inference through which the subject acquired the belief is the *only* source of support for the belief in question, then (i)-(iv) are the *only* materials that are relevant to the epistemic assessment of the belief: these *exhaust* the belief's epistemic support. I will call beliefs of this sort Evidence-based beliefs, or E-beliefs for short. *E-beliefs are only as epistemically good as the evidence on which they are based, the generalization(s) applied to that evidence, and the subject-drawn inference(s) to the E-belief itself.*

We can capture the foregoing idea in terms of the notion of supervenience, as follows:

(Spv) The epistemic goodness of an E-belief supervenes on considerations (i)-(iv).

According to (Spv), there could not be two E-beliefs alike as to (i)-(iv), but different as to the amount of epistemic support they enjoy.

Perhaps Gettier considerations will lead one to doubt (Spv). Such a doubt would be based on the idea that there could be two subjects, alike as to (i)-(iv), but differing as to the epistemic goodness enjoyed by their respective E-beliefs, owing to 'external' factors regarding which they were non-culpably ignorant. This issue is vexed; a final verdict will depend on the relevant notion of epistemic goodness as well as the nature of Gettier cases. I will return to these topics, briefly, below. Here, however, I propose to circumvent the matter by conditionalizing (Spv), as follows:

(Spv1) In cases *not involving Gettierization*, the epistemic goodness of an E-belief supervenes on considerations (i)-(iv).

The claim is that, given an E-belief, so long as the case is not a Gettier case, the belief's epistemic goodness is exhaustively determined by conditions (i)-(iv) of (Spv).

We can see the plausibility of (Spv1) by considering the Holmes case above. Suppose that the beliefs that constitute Holmes' evidence ( $E_1$ ,  $E_2$ , and  $E_3$ ), as well as the belief that constitutes the linking generalization,<sup>1</sup> are all in excellent epistemic shape, and that the inference (which is not only valid but sound) is one which Holmes is entitled to make. This will ensure that Holmes' conclusion, that Mustard committed the crime, enjoys a good deal of epistemic support.<sup>2</sup> To be sure, this belief may not amount to knowledge – perhaps one of the premises is justifiedly believed but not known, having been Gettiered. But if we bracket such a possibility, then we can say that Holmes' conclusion is epistemically well-off.

Now take an alternative scenario. Suppose that Holmes' conclusion (that Mustard committed the crime) is not epistemically well-off. Given that this conclusion was inferentially acquired, there would seem to be only a limited number of things that might account for its impoverished epistemic status: perhaps one (or more) of the beliefs constituting Holmes' evidence or reasons was/were in poor epistemic shape; or perhaps the belief constituting his linking generalization was in poor epistemic shape; or perhaps there was some epistemically-relevant flaw in the inference he made<sup>3</sup>; or perhaps the case was a Gettier case (a belief which was otherwise well-off, epistemically speaking, is not

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<sup>1</sup> This is the belief that evidence  $E_1$ ,  $E_2$ , and  $E_3$ , would obtain only if Mustard committed the crime.

<sup>2</sup> See Goldberg (2007b) where I discuss the epistemology of inferential belief at length.

<sup>3</sup> In this category I include the possibilities of flaws in his reasoning, or malfunctioning in his preservative memory (or one of the other cognitive faculties relevant to this piece of reasoning; see Burge 1992). In Goldberg (2007c) I discuss the ways in which inferential belief might introduce an element of unreliability into the belief-fixing process.

suitably linked to the fact believed<sup>4</sup>). But – and this is the important point – on the assumption that the belief is an E-belief, these would appear to be the *only* things that could account for the low epistemic evaluation of Holmes' conclusion.

The foregoing two paragraphs suggest that the epistemic goodness of Holmes' inference-based belief in the conclusion varies with the epistemic goodness of the beliefs in (i) and (ii), together with his entitlement to make the inference in question. This suggests a supervenience thesis: the epistemic goodness of Holmes' conclusion supervenes on the latter materials. (Spv1) captures this supervenience. In addition, (Spv1) gives us a way to determine whether a belief ought to be assimilated into the category of an E-belief. We can do so by putting the supervenience thesis to the test. Given a subject *S* whose belief is a candidate for counting as acquired through inference from evidence or reasons, we ask whether it is possible for there to be a doppelgänger of *S* – call this subject *S\** – who is just like *S* in terms of (i)-(iv), yet whose target belief differs from *S*'s in its epistemic goodness. If no such doppelgänger is possible – if any subject who is like *S* with respect to (i)-(iv) is *ipso facto* like *S* with respect to the epistemic goodness of her target belief – then we can conclude that the epistemic goodness of *S*'s belief supervenes on (i)-(iv), and so is a candidate for being an E-belief. But if there *could be* such a doppelgänger – one who is like *S* with respect to (i)-(iv), but who is unlike *S* with respect to the epistemic goodness of her target belief – then we can conclude that there can be differences in epistemic goodness without differences in (i)-(iv). In that case the supervenience thesis would be false, and *S*'s belief would be ruled out as a candidate for an E-belief.

(Spv1) is formulated as a thesis regarding E-beliefs, which are taken to be beliefs acquired through an evidence-invoking inference. However, few of our beliefs are the result of explicit reasoning from premises. And it would seem that the category of *beliefs based on evidence* should be able to accommodate cases in which a belief depends for its epistemic status on a given evidence-invoking inference even though the subject herself did not explicitly (consciously) draw the

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<sup>4</sup> In Goldberg (2007c) I argue that, if anti-individualism is true, then even the process of drawing an inference can be Gettiered.

inference in question in the course of belief-fixation. Examples are easy to come by. You see the tell-tale mud tracks in your kitchen yet again, and immediately (without going through any conscious inference) form the belief that the kids have forgotten to take off their shoes. It would be good to have a version of (Spv1) that applied to such cases.

To get what is wanted, let us speak of a belief as being “rationalized” by an inference when the complete epistemic assessment of the belief will require regarding the belief as depending for its epistemic goodness on some inference – *whether or not* the inference in question was consciously drawn by the subject in the course of her acquisition of the belief. The point of the rationalizing inference, then, is to identify the claim or claims whose epistemic status(es) affect(s) the epistemic status of the target belief. To return to our example, your belief that the kids have forgotten to take off their shoes depends for its epistemic status on the generalization linking the muddy footprints to the kids’ having made those footprints with their muddy shoes. In this way we can say that your belief is rationalized by an inference involving this generalization, even if you yourself did not consciously employ any explicit reasoning in the process by which you came to acquire that belief. I will call such beliefs that depend for their epistemic support on a rationalizing inference, whether or not the subject explicitly drew the inference, *Epistemically Evidence-based beliefs* (or EE-beliefs for short). Such a formulation is neutral on whether the belief is *exclusively* rationalized by the evidence-invoking inference(s) in question: a belief that depends for its epistemic goodness on some rationalizing inference might also epistemically depend on some more direct source of support – perception, for example. However, in what follows I will restrict the label “EE-belief” to beliefs that are rationalized by nothing beyond the relevant evidence-invoking inference(s). We can then formulate the following supervenience thesis for EE-belief so understood:

- (Spv2)      Bracketing Gettier considerations, the epistemic goodness of an EE-belief supervenes on (i) the beliefs constituting one’s reasons or evidence, (ii) the belief(s) constituting the generalization(s) that link one’s reasons or evidence to one’s conclusion, (iii) the support one has for the beliefs in (i) and (ii), and (iv) whatever it is that bears on one’s entitlement to

draw the relevant inference from (i) and (ii) to one's conclusion.

(Spv2) implies that (bracketing Gettier considerations) two subjects who are alike as to (i)-(iv) will be alike as to the epistemic goodness of their respective EE-beliefs. Regarding such beliefs, there can be no difference in epistemic goodness without a difference in one or more of (i)-(iv). As with (Spv1) above, (Spv2) also gives us a way to test whether a given candidate belief ought to be regarded as epistemically evidence-based: we can employ the *doppelgänger* method. In what follows I will be using this method to argue that testimonial belief is not EE-belief in the sense defined above.

## 2. The Epistemic Goodness of Testimonial Belief

Let us say that a subject *S*'s belief that *p* is *testimonially acquired* if and only if (1) *S* enters a cognitive state of (apparent) comprehension of an (apparent) speech act in which the proposition *p* was attested to, and (2) *S* acquired the belief that *p* (3) on the basis of that (apparent and apparently-comprehended) attestation. More generally, we can say that *S*'s belief that *p* is *testimonially-based* when it is testimonially acquired and it has been sustained in memory without further epistemic supplementation from other sources. (This characterization is meant to be both narrow and broad: narrow, in that it picks out the 'pure' case, where the testimonial basis is the only basis for the belief; and broad, both in that it allows one to conceive of testimony-constituting speech and the basing relation as one pleases, and in that it allows for the possibility of illusions of testimony giving rise to testimonial belief.) Our question is this: is testimonial belief a case of EE-belief? In this section, I will use the *doppelgänger* method, together with (Spv2) from section 1, to argue for the negative answer.

It will be helpful to have a testimony case before us. Take the case of Jones. Jones is listening to McSorley talk about cars. The two interlocutors know each other quite well; in particular, Jones knows that McSorley is an expert on matters automotive, and that McSorley is extremely reliable in what he says about cars. So when Jones hears McSorley assert that the new minivan by company Y gets more than 35

miles to the gallon, Jones immediately forms the belief that the new minivan by company Y gets more than 35 miles to the gallon. Supposing that McSorley knew whereof he spoke, we can say that Jones' belief amounts to knowledge too. And it should be patent that Jones' belief (and knowledge<sup>5</sup>) that Company Y's minivan gets more than 35 miles to the gallon is testimonial.

In order to determine whether Jones' testimonial belief is epistemically evidence-based (in the sense of EE-belief; I will leave this off in what follows), we need to know about the inference that would rationalize it. I submit that it would be something like this (let 'the New Minivan' be shorthand for 'the new minivan by company Y'):

- (1) McSorley asserted/testified that the New Minivan gets more than 35 miles to the gallon.
- (2) If McSorley asserted/testified that the New Minivan gets more than 35 miles to the gallon, then the New Minivan gets more than 35 miles to the gallon. Therefore,
- (3) The New Minivan gets more than 35 miles to the gallon.

Jones' belief in premise (2) needs further expansion. It can be rationalized as follows.

- (2.1) McSorley is an expert on (and a reliable testifier regarding) cars. Therefore,
- (2.2) If  $p$  is a proposition regarding cars, then if McSorley asserted/testified that  $p$ , then  $p$ .
- (2.3) The proposition that the New Minivan gets more than 35 miles to the gallon is a proposition regarding cars. Therefore,

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<sup>5</sup> Let us say that a piece of knowledge is testimonial if and only if it amounts to a testimonial belief whose status as knowledge depends on the epistemic goodness of the very features that made the belief testimonial. (That is, its status as knowledge depends on the epistemic goodness of the testimony, and of the hearer's acceptance of that testimony.) See Goldberg (2006) for a more detailed characterization of testimonial knowledge.

- (2) If McSorley asserted/testified that the New Minivan gets more than 35 miles to the gallon, then the New Minivan gets more than 35 miles to the gallon.

Then it would seem that the inference from (1) and (2.1)-(2.3) to (3) constitutes the rationalizing inference for Jones' testimonial belief regarding the gas mileage of the New Minivan. If this testimonial belief is an EE-belief, then its epistemic goodness will supervene on (i) Jones' belief in (1), which is the premise constituting his reasons or evidence for believing that the New Minivan gets more than 35 miles to the gallon; (ii) Jones believes in (2.1)-(2.3), which constitute the generalization(s) that link his reasons or evidence to his conclusion; (iii) the support he has for the beliefs in (i) and (ii); and (iv) whatever it is that bears on his entitlement to draw the relevant inference from (i) and (ii) to the conclusion that the New Minivan gets more than 35 miles to the gallon. On the other hand, if we can imagine a case in which there is a doppelgänger exactly like Jones with respect to (i)-(iv), but where the doppelgänger's target belief differs in epistemic goodness (in ways not to be chalked up to Gettier considerations), then we can conclude that the epistemic goodness of Jones' target belief does not supervene on (i)-(iv) – in which case it is not epistemically evidence-based in the sense relevant to EE-belief.

The following case would appear to be a case involving a doppelgänger of Jones whose target belief differs in epistemic goodness. The case involves Jones\*, who is just like Jones with the following two exceptions: where Jones observed McSorley's speech, Jones\* observed McSorley\*'s speech; and, where McSorley spoke from knowledge, McSorley\* had well-hidden ulterior motives for speaking as he did (whether or not it was true, McSorley\* wanted to get Jones\* to believe that the New Minivan gets more than 35 miles per gallon). Aware that Jones\* would take his word for it, McSorley\* asserted the claim in question with his normal confident tone, albeit without having any idea whatsoever what the gas mileage of the New Minivan is. (McSorley\* has never done this before in his life.) Lo and behold, though, McSorley\* happened to get it right: the New Minivan *does* get more than 35 miles to the gallon. Now Jones\* stands to McSorley\* as Jones stands to McSorley: in both cases the hearer knows that his interlocutor is generally reliable, especially regarding cars; both know that the topic of

the testimony fell within his interlocutor's expertise; neither saw anything remiss in the present testimony; and so both accepted the respective testimonies on this basis. For this reason, it would seem that Jones and Jones\* are alike with respect to (i)-(iv).<sup>6</sup> Yet it is clear that their respective target-beliefs do not enjoy the same degree of epistemic goodness: Jones' testimonial belief is much better off, epistemically speaking, than is Jones\*'s.

Those who favor internalist approaches to epistemic matters might think to resist the conclusion that the respective beliefs of Jones and Jones\* differ in their epistemic quality.<sup>7</sup> At least such folks will think to resist this conclusion if it is meant to establish something about a difference in the *justification* of Jones' and Jones\*'s respective beliefs. But here I am not aiming to make any claim about justification *per se*. My claim is only that the beliefs differ in their epistemic quality, where "epistemic quality" is a catch-all phrase intending to denote the set of any and all belief-fixing features relevant to an assessment of a belief *vis-à-vis* the subject's aim at acquiring (interesting) truths and avoiding falsehoods. If the justification-internalist dismisses some of these features as not relevant to the issue of justification, so be it; my point can then be characterized as pertaining to epistemic assessments that go beyond fixing the facts of justification. What is more, these features are relevant to (what most epistemologists should agree is) the aim that structures epistemological assessments: even internalists such as Bonjour make clear that epistemic justification has to do with a subject's aim at truth (see his comments at the outset of Bonjour 2003). Consequently, any adequate epistemological account of testimonial belief ought to accommodate these features. But I emphasize that this point need not be antagonistic to internalists: they might argue that, insofar as they go beyond considerations relevant to fixing the facts of justification, the features in question can be accommodated within some other epistemic category – perhaps that of *warrant*. (Internalism regarding justification need not require one to hold that there are no interesting epistemic categories other than justification and knowledge.)

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<sup>6</sup> I will defend this claim below.

<sup>7</sup> I thank an anonymous referee for suggesting that I take up this point.

I just argued that internalist scruples need not and should not prevent one from endorsing the conclusion I sought to draw from the comparison of Jones and Jones\*, to the effect that their respective testimonial beliefs differ in epistemic quality. Now, as the cases have been described above, Jones *knows* what Jones\* *merely truly believes*, namely, that the New Minivan gets more than 35 miles per gallon. This might tempt one to think that the relevant difference between cases can be captured at the level of knowledge. But it is worth noting that the desired conclusion – that Jones’ belief is better off, epistemically speaking, than is Jones\*’s – can be illustrated in cases in which there is no difference at the level of knowledge. Suppose that McSorley had good reasons for asserting that the New Minivan gets more than 35 miles per gallon, but that, despite these reasons, he still did not count as *knowing* this. And suppose that McSorley\* did not just make it up, but had some reasons, albeit not very strong ones, for thinking that the New Minivan gets more than 35 miles per gallon. Presumably this difference, which (at a minimum) amounts to a difference in the epistemic quality of their respective testimonies, affects the epistemic quality of the testimonial beliefs formed by their respective audiences. If that is so, then we have the same conclusion as above: there is a difference in the epistemic goodness of Jones’ and Jones\*’s testimonial beliefs, despite the fact that they are alike with respect to (i)-(iv). Only in this case the difference is not brought out in terms of one’s *knowing* what the other *merely truly believes*; it is rather a difference in the relative epistemic quality of their beliefs, reflecting the relative epistemic quality of the reports each consumed. (Or, if it is preferred that the point be made with some term other than “epistemic quality”, we might do so in terms of the notion of *reliability*: the difference between the two testimonial beliefs in this case is a difference in their comparative reliability, reflecting a corresponding difference in the comparative reliability of the testimony each consumed.<sup>8</sup>)

Suppose, then, that our conclusion stands: Jones’ and Jones\*’s respective testimonial beliefs differ in epistemic quality, in a way that is not to be accounted for merely at the level of knowledge. On the further

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<sup>8</sup> For a discussion of the mechanisms underwriting the transmission of reliability from source’s report to audience’s belief, see Goldberg (2007d).

assumptions, first, that neither case involves Gettier considerations, and second, that the cases are alike with regard to (i)-(iv), we would then get the desired conclusion: the epistemic goodness of Jones' testimonial belief does not supervene on (i)-(iv), and so does not count as epistemically evidence-based.<sup>9</sup> Below I will defend both of these assumptions. Before doing so, however, it is worth noting that, if our result is left to stand, we could conclude that *no* testimonial belief is epistemically evidence-based. This is because nothing in our argument so far hangs on any of the details of this particular case. On the contrary, given any scenario involving an audience's testimonial belief, it would be easy to construct a doppelgänger, exactly like our audience with respect to (i)-(iv), but unlike our audience in the epistemic goodness of the respective testimonial beliefs. To do so, we need only introduce elements of e.g. unreliability 'upstream' in the chain of communication, elements that are not registered by the audiences themselves, and where the audiences' failure to register these elements of unreliability does not reflect any epistemic irresponsibility on their part or flaw in their cognitive functioning. The take-home point is simply that, when it comes to testimonial belief, epistemic goodness involves more than the hearer's reasons for accepting the testimony and the facts regarding the proper functioning of the implicated belief-fixing processes.

### 3. Possible reactions

I have been pursuing the conclusion that testimonial belief should not be treated as a kind of inference from evidence, in the manner of EE-beliefs. This is because, whereas the epistemic goodness of an EE-belief is exhaustively a matter of the epistemic goodness of the relevant rationalizing inference, the epistemic goodness of testimonial belief is not exhaustively a matter of the epistemic goodness of the relevant

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<sup>9</sup> Again, this is not to deny that Jones' belief might get some of its epistemic goodness from a rationalizing inference (or inferences); only that it cannot get *all* of its epistemic goodness from such an inference or inferences.

rationalizing inference (but instead involves the epistemic goodness of features ‘upstream’ in the chain of communication).<sup>10</sup>

Some might want to resist this conclusion. One potential worry might be that the foregoing line of reasoning construes the epistemology of testimony as being too ‘social’. Or perhaps the source of resistance will be a commitment to a strong form of epistemic internalism, according to which the epistemic goodness of one’s (non-Gettiered) belief must supervene on factors that are accessible to the subject’s searching reflection.

Whatever its source, resistance to the foregoing result can be sustained only in one of three ways.<sup>11</sup> We can bring out my opponent’s dialectical burden as follows. Suppose that there is a difference in the epistemic goodness of Jones’ and Jones\*’s testimonial beliefs, a difference that cannot be explained away as the effect of Gettier considerations nor understood as a difference in conditions (i)-(iv). In that case, the epistemic goodness of these beliefs does not supervene on (i)-(iv), and so (given (Spv2)) our conclusion would be intact: these beliefs themselves are not EE-beliefs. To resist this conclusion, then, one must either (3.1) deny the central datum (the claim that Jones’ and Jones\*’s testimonial beliefs differ in their epistemic goodness), (3.2) explain this datum away as the effect of Gettier considerations, or else (3.3) accommodate the central datum in terms of some other relevant epistemic difference between Jones and Jones\* (regarding one or more of (i)-(iv) in (Spv2)). In this section I will examine these reactions and find each of them wanting.

**3.1** It is hard to see how the central datum can plausibly be denied. Even the most scrupulous among us sometimes accepts less-than-ideal testimony. Short of deciding to accept no testimony whatsoever, nothing that a hearer herself can do will ensure that she accepts only testimony

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<sup>10</sup> In saying that the epistemic goodness of testimonial belief is not exhaustively a matter of the epistemic goodness of the relevant rationalizing inference, I leave open the possibility — which some epistemologists of testimony might want to endorse — that testimony-based beliefs get *none* of their epistemic support from the rationalizing inference.

<sup>11</sup> There is a fourth way, which I will not consider here: deny (Spv2).

that is epistemically ideal. But for this reason, given any case involving one's acquiring a testimonial belief, it is easy to imagine cases *just like the present one* except where the testimony one consumes is better- or worse-off, epistemically speaking, than was the testimony one actually consumed. In fact, it should be possible to imagine cases where the difference in testimony quality (between the actual situation and a counterfactual one apparently similar to the actual one) is great. Take a case of testimonial belief in which all is in order, epistemically speaking. (Let the case be one of testimonial knowledge.) Now imagine the same 'presenting' conditions – that is, things strike the hearer exactly as before – only in the new case imagine that (unbeknownst to her) the hearer is in a roomful of expert liars.<sup>12</sup> Occasionally, one of the expert liars will accidentally assert something true. In such a case the 'presenting' conditions might be exactly like they are in the actual case (where one's interlocutor speaks from knowledge), yet there would be a clear difference in the epistemic goodness of the respective testimonial beliefs. It would seem, then, that if our result is to be resisted, it must be done in some other way.

**3.2** Can the difference in epistemic goodness between Jones' and Jones\*'s testimonial belief be explained as the effect of Gettier considerations? Such a proposal might initially seem promising. Roughly speaking, a belief that is otherwise in good epistemic order is considered to be "Gettiered" when it is not properly (modally) related to the truth in question. Perhaps this provides a diagnosis for the epistemic inferiority of Jones\*'s testimonial belief in comparison with that of Jones: the former is in good epistemic order but, owing to a feature 'upstream' in the chain of communication, it is not properly (modally) related to the truth in question.

But such an analysis does not sustain scrutiny. For one thing, it is worth bearing in mind that Gettier considerations typically distinguish merely (justified) true belief from knowledge; and yet the difference between Jones\*'s testimonial belief and Jones' testimonial belief need not be a difference between merely (justified) true belief and knowledge. This point was made above, when I noted that the difference in epistemic

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<sup>12</sup> See Part II of Goldberg (2007a) for a detailed discussion.

goodness between Jones' and Jones\*'s testimonial belief might only amount to a difference in their reliability, not a difference in their status as knowledge.

What is more, there would appear to be an additional difficulty facing the Gettier analysis. At this point in our dialectic we have accepted the central datum. As a result, we have accepted that there can be testimonial beliefs alike as to (i)-(iv), but which differ in how well-off they are, epistemically speaking, owing to undetected differences 'upstream' in the chain of communication. In order to generate such cases, it suffices to appeal to two cases that differ only in the reliability of the testimony each subject has consumed. But here it would seem that *any* difference in reliability would do the trick: if *S* and *S\** are exactly alike as to (i)-(iv), then so long as the testimony *S* accepted, and that which *S\** accepted, differ in their degree of reliability, there will be a corresponding difference in the epistemic goodness of their respective testimonial beliefs. The trouble with the proposal, to explain away the central datum as an effect of Gettier considerations, is now apparent. For any subject who has formed a testimonial belief, we can imagine a doppelgänger scenario where the doppelgänger's testimonial belief is slightly better- or worse-supported than is the actual subject's testimonial belief. On the present proposal, any datum of this sort would have to be explained away in terms of Gettierization. But I already noted that data of this sort can be constructed for *any* testimonial belief whatsoever. In effect this reduces the present proposal to absurdity, as such a proposal would have us treat far too many cases as Gettier cases.

We can bring the last point out as follows. Let it be granted that one's testimonial belief has been Gettiered when the testimony one consumed is that of an expert liar who unintentionally spoke the truth. Even so, it is hardly plausible to suppose that one's testimonial belief has been Gettiered when the testimony one consumed is that of an ordinary interlocutor who spoke the truth. Yet this is precisely what the present proposal appears forced to do. For any case involving an ordinary interlocutor one can imagine a case just like that one in respects (i)-(iv), but with an interlocutor who is more reliable, if ever so slightly, than the actual interlocutor. This difference in reliability will make for a difference in epistemic goodness between the testimonial beliefs in the actual and counterfactual case. Since the cases are alike with respect to (i)-(iv), this too will have to be a case that the present proposal "explains

away” by appeal to Gettier considerations. But notice that it is the actual case, rather than the counterfactual one, that involves the testimonial belief that is less well-off, epistemically speaking. For this very reason it is the actual case that will have to be treated as a Gettier case. But this just means treating an ordinary case of testimonial belief as a Gettier case – a very unhappy result. And so we see that the present proposal, to “explain away” the central datum by appeal to Gettier considerations, is unacceptable.

**3.3** This leads us to the final way by which to resist the conclusion of section 2. Here it is granted that Jones’ and Jones\*’s testimonial beliefs differ in their epistemic goodness (owing to epistemic differences in the testimonies they’ve consumed); but this point is accommodated by appeal to some difference between the two cases with respect to one or more of the conditions (i)-(iv) in (Spv2). How plausible is it to suppose that the cases of Jones and Jones\* differ as regards (i)-(iv)?

We can rule out from the start any difference in (i), the beliefs constituting one’s reasons or evidence, or in (ii), the belief(s) constituting the generalization(s) that link one’s reasons or evidence to one’s conclusion. By stipulation these are the same in both cases. In virtue of this similarity, we can also rule out any difference in (iv), whatever it is that bears on one’s entitlement to draw the relevant inference from (i) and (ii) to one’s conclusion: Jones\* is as entitled as Jones to make the relevant inference. This leaves us with (iii), the support one has for the beliefs in (i) and (ii). (Call these beliefs in (i) and (ii) the agent’s *rationalizing beliefs*.) Might Jones and Jones\* differ in the epistemic goodness of their respective rationalizing beliefs?

Given that the cases are otherwise alike with respect to (i), (ii), and (iv), it would seem that there is a relevant difference in epistemic goodness of their respective rationalizing beliefs if, but only if, differences in the epistemic quality of the testimony one consumes make for differences in the epistemic goodness of one’s rationalizing beliefs. Suppose that differences in the epistemic quality of the testimony one consumes make for differences in the epistemic goodness of one’s rationalizing beliefs. Then, since there is a difference in the epistemic quality of the respective testimonies each accepts, there would be a corresponding difference in the support for their respective rationalizing beliefs. Suppose on the other hand that differences in the epistemic

quality of the testimony one consumes *do not* make for differences in the epistemic goodness of one's rationalizing beliefs. In that case, given that the cases are otherwise alike, there would appear to be no further ground to differentiate the epistemic goodness of their respective rationalizing beliefs. Our question, then, is whether differences in the quality of the testimony hearers consume make for differences in the epistemic goodness of their rationalizing beliefs.

To address this question we do well to recall the sorts of rationalizing beliefs that pertain to testimonial belief-fixation. The structure of a rationalizing inference in cases of testimonial belief was given by (1) and (2) from section 2 above. For our purposes here, however, we might simplify matters by representing the rationalizing inference in testimony cases as follows:

- (1\*) Testimony  $t$  (to the effect that  $p$ ) has property  $\varphi$ .
- (2\*) Any testimony that has  $\varphi$  is trustworthy (reliable; credible).  
Therefore,
- (3\*) Testimony  $t$  (to the effect that  $p$ ) is trustworthy (reliable; credible).  
Therefore,
- (4\*)  $p$ .

$\varphi$  may be any property whose presence the hearer takes to render a piece of testimony trustworthy (reliable; credible): it may be the property of *being offered by a testifier known (justifiably believed?) to be reliable*, or *having a subject-matter regarding which the testifier is known (justifiably believed?) to be knowledgeable*, or *having a subject-matter regarding which ordinary persons can be assumed to be reliable*, or ... . So long as  $\varphi$  is a property whose presence *in fact* renders a piece of testimony trustworthy etc., (2\*) is unproblematic. Moreover, (3\*) is a trivial inference from (1\*) and (2\*), and (4\*) is a more-or-less trivial inference from the notion of testimonial trustworthiness (reliability; credibility). So now our question boils down to this: do differences in the quality of the testimony hearers consume make for differences in the epistemic goodness of rationalizing beliefs in (1\*) and/or (2\*)? For example, might the epistemic goodness of a hearer's beliefs regarding the trustworthiness of a piece of observed testimony vary according to the epistemic quality of the testimony itself? I will call the affirmative

answer to this the *Transmission of the Epistemic Quality of the Testimony* thesis, or TEQT for short.<sup>13</sup>

At first TEQT might seem crazy. How can the epistemic quality of a piece of testimony affect the epistemic goodness of the hearer's belief that the testimony is of high quality (trustworthy; credible; reliable)? It would seem that it is not the actual quality of the testimony itself, so much as it is the *hearer's reasons* for thinking that the testimony is of high quality, that affects the epistemic goodness of the hearer's belief that the testimony is credible. Suppose that Smith is a credulous soul who takes all testimony to be belief-worthy. So, listening to a piece of testimony, Smith believes what he is told (out of credulity). Surely Smith does not acquire support for his belief (to the effect that the particular piece of testimony he just observed is trustworthy) merely because the piece of testimony in question happens to be of high epistemic quality.<sup>14</sup> (If this is not immediately apparent, imagine that Smith happens upon the only truth-teller in a room full of inveterate liars.) This case would seem to show that it is not the actual quality of the testimony, so much as the hearer's reasons for thinking that the testimony is of high quality, that provides the epistemic support for the hearer's beliefs in (1\*) and (2\*). For this reason TEQT seems a non-starter.

However, one might think to defend TEQT by appeal to the following idea:<sup>15</sup> to the extent that there are good reasons behind the testimony one hears, to just that extent there is a bump in the epistemic goodness of one's belief that the testimony in question is trustworthy (or reliable etc.). The idea behind this defense of TEQT is a certain conception of testimony. The conception is one in which a speaker

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<sup>13</sup> TEQT should not be confused with *other* epistemic transmission theses. When I go on to say that at first TEQT might seem crazy, this should not be understood to imply that *any* epistemic transmission thesis regarding testimony might initially seem crazy. For example, it is plausible that, subject to certain qualifications, testimony transmits reliability; see Goldberg (2007d) for a discussion.

<sup>14</sup> See Goldberg & Henderson (2006), and Goldberg (2007a) for discussion.

<sup>15</sup> The view I am about to describe has some affinities with the position defended in Schmitt (2007).

transmits to her audience not only the content attested, but also the reasons that she has in support of her attestation of that content – or, if not the reasons themselves, then at least the epistemic goodness provided by those reasons. If the speaker’s reasons (or at least the epistemic goodness provided by those reasons) are (is) transmitted to the hearer, then it would seem that the better these reasons are, the better-off (epistemically speaking) is the hearer’s belief that the transmitting testimony is credible (reliable; what-have-you). And in that case, TEQT is true.

The following is meant to clarify the position on offer.<sup>16</sup> In the first instance, the reasons that support a hearer’s testimonial belief are her reasons for accepting the testimony – reasons that pertain to the (hearer’s belief in the) reliability (credibility) of the testimony. Call these the hearer’s *personal reasons*. (Personal reasons need not be propositions that a hearer presently believes; it suffices that they be propositions the hearer is disposed to believe.)<sup>17</sup> However, these are not the only reasons that support the hearer’s testimonial belief. In particular, the reasons supporting the testimony she consumed are themselves reasons that support her testimonial belief. If a hearer relies on a speaker’s word under conditions in which that word was backed by (the source speaker’s possessing) excellent reasons, then those reasons continue to support the belief that the hearer formed through accepting that word. Call these reasons *transindividual reasons* (after Schmitt 2007). The cases of Jones and Jones\* can then be analysed as being alike with respect to their respective *personal* reasons; but as differing with respect to their *transindividual* reasons. So long as this difference in their respective transindividual reasons can be seen as a difference in (iii) – that is, is a difference in the epistemic goodness of their respective rationalizing beliefs – then this difference in transindividual reasons can be cited as a way to accommodate the difference in epistemic goodness of their respective testimonial beliefs, in a way that is consistent with regarding their testimonial beliefs as epistemically evidence-based.

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<sup>16</sup> This version of the view is not meant to capture Schmitt’s version of the view, though it is meant to have strong affinities with that version.

<sup>17</sup> The distinction at play here is owed to Audi (1994).

Let us be clear about what needs to be shown. Everyone should agree that a hearer's testimonial belief is better off, epistemically speaking, when it was formed through the acceptance of testimony which itself was well-off, epistemically speaking. That is not in question. What is in question is whether the differential epistemic goodness of the testimonial belief – the difference in epistemic goodness that comes from the testimony itself, as opposed to that which comes from the hearer's personal reasons – is always a matter of (transindividual) reasons. (Recall what we saw above: it is only if the differential epistemic goodness of the testimonial belief is always a matter of the quality of the transindividual reasons, that we can preserve the thesis that testimonial belief is epistemically evidence-based in the sense of EE-belief.) What a proponent of the present position needs to show, then, is that testimony's contribution to the epistemic goodness of testimonial belief is always a matter of the presence and quality of the transindividual reasons made available by the testimony. I will call this the *transindividual reasons thesis*.

There are grounds for doubting the transindividual reasons thesis. For one thing, there would appear to be pairs of cases of testimonial belief that are alike with respect to both their personal and their transindividual reasons, but different in their respective degrees of epistemic goodness. Take cases where the hearers are relying on eyewitness testimony, where the two testifiers each have the same generic reasons for relying on vision, but where in point of fact one of the testifiers has vision that is a bit better (more discriminating; more reliable) than the other testifier. (Let both testifiers be non-culpably ignorant of the relevant visual acuity facts.) On the assumption that better (more discriminating and reliable) vision makes for better (more reliable) testimony, we would appear to have a case in which the respective hearers acquire testimonial beliefs alike as to the relevant personal and transindividual reasons, but differing as to their epistemic goodness. It might be replied that the differences in the testifiers' respective visual acuity affect the reasons supporting their respective testimonies, and so affect the transindividual reasons made available by these testimonies. But this seems implausible: since the testifiers themselves were non-culpably ignorant of the visual acuity facts, it would not seem plausible to say that these facts count as "reasons" that support their respective

testimonies.<sup>18</sup> It would seem, then, that differences in the support testimony provides to testimonial belief cannot always be chalked up to differences in the transindividual reasons the testimony makes available.

No doubt, there are other options available for defending the transindividual reasons thesis. Rather than address these individually, however, I want to suggest why I doubt any of them will be able to succeed at undermining my case against the thesis. The problem with the transindividual reasons thesis is that it supposes that the epistemic support testimony provides to testimonial belief is always a matter of the presence and quality of *reasons*. This is dubious. In fact, such a claim is at least as dubious as the claim that *all* epistemically well-off belief is belief based on good reasons. And there can be little doubt that the latter claim is dubious: there would appear to be many epistemically well-off beliefs whose status as such is not to be accounted for in terms of being based on high-quality reasons. Arguably, perceptual belief is an illustrative example. The epistemic goodness of one's perceptual beliefs is not a matter of the goodness of the reasons one has for forming such beliefs. Rather, it is a matter of the proper functioning of one's visual system, together with the lack of any reasons *not* to trust one's system in the case at hand. Or, to take another example, it is arguable that the epistemic goodness of one's beliefs regarding one's own standing propositional attitudes is not a matter of these beliefs being based on well-supported reasons. On the contrary, it is widely acknowledged that such beliefs are typically groundless.<sup>19</sup> So it is dubious whether all cases of epistemically well-off belief are cases of belief based on well-supported reasons. But then we can apply this same point to the case of testimonial belief. After all, one can acquire testimonial belief from testimony that expresses a perceptual belief, or from testimony that expresses a belief regarding the source's own standing attitudes. Since the epistemic goodness of the source's beliefs in these cases is not a matter of their being based on good reasons, it would appear that the

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<sup>18</sup> This is *not* to say that these facts are not relevant to the epistemic goodness of the testimonies. What I am questioning, rather, is how these facts contribute to the epistemic goodness of the testimonies: I am denying that they do so by counting as "reasons" that support these testimonies.

<sup>19</sup> The point is made in Wright (1989) and developed in Goldberg (1999; 2002).

epistemic goodness of the hearer's corresponding testimonial beliefs is not to be accounted for in terms of its being based on good transindividual reasons. In this way the transindividual reasons thesis would appear to be subject to all of the objections to a more generic exclusively reasons-based epistemology. At the very least, then, one cannot endorse the transindividual reasons thesis without also endorsing a more exclusively reasons-based epistemology across the board; this should dampen the enthusiasm for the former, at least in the minds of those not already committed to the latter.

#### 4. Significance of the Result

In section 2 of this paper I argued that testimonial belief is not to be assimilated into the category of belief that is epistemically evidence-based. And in section 3 I bolstered this argument by presenting objections against three attempts to resist this conclusion. In this final section, I want to spell out the significance of our result.

Formally, my claim has been that the epistemic goodness of testimonial belief does not supervene on the epistemic goodness of the corresponding rationalizing inference: there can be differences in the former without corresponding differences in the latter. This does *not* imply that testimonial belief gets *none* of its epistemic goodness from any rationalizing inference; nor does it imply that testimonial belief is never formed on the basis of an inference. My claim is much more limited: it is only that, however it is formed – whether through explicit inference or more directly – testimonial belief cannot get *all* of its epistemic goodness from a rationalizing inference. Perhaps this is not surprising: after all, one's hope in accepting another's testimony is to acquire a belief whose epistemic goodness outstrips one's own reasons for accepting the testimony, and extends to include the epistemic goodness of the testimony one has accepted. This much is right with the transindividual reasons thesis: in taking your word for something, I am depending on you to have had your own epistemic house in order. But the transindividual reasons thesis goes further: it assimilates the epistemic goodness testimony provides to testimonial belief, to support provided by reasons. I have argued that this is overly restrictive.

Indeed, it is here, in connection with the notions of reasons and evidence, that we find the significance of the present result. Those who regard the epistemology of testimonial belief as a species of the epistemology of evidence-invoking inferential belief err right off the bat in regarding testimony as a kind of evidence. Testimony should not be considered evidence in the way that, say, muddy prints on the kitchen floor are evidence that the kids forgot to take off their shoes. One who, on the basis of having observed muddy prints in the kitchen, comes to believe that the kids failed to take off their shoes, acquires a belief that is only as epistemically good as her belief regarding the evidence, the belief that links her evidence to her conclusion, and the inference she draws from these beliefs to her conclusion. We have seen that testimonial belief is not like this. In this respect testimonial belief would appear more akin to perceptual belief. The parallel here is most easily brought out in terms of reliability. One who forms a perceptual belief relies on the reliability of her visual system. She might have reasons for so relying; but in any case these reasons do not exhaust the epistemic goodness of her resulting belief. That goodness reflects the degree of *de facto* reliability of the system on which she is relying. As a result, there could be two perceivers, each of whom forms a belief through reliance on her own visual system, and each of whom has the same reasons for so relying, but where the epistemic goodness of their respective perceptual beliefs differs, owing to differences in the *de facto* reliability of their respective visual systems. The intended parallel with the case of testimony should be clear.<sup>20</sup>

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