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HOW TO INSULT AND COMPLIMENT A TESTIFIER

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ABSTRACT

Do we insult or slight a speaker when we reject her testimony? Do we compliment or commend her when we accept her testimony? This paper argues that the answer to both of these questions is "yes", but only in some instances, since these respective insults and compliments track the reasons a hearer has for rejecting or accepting testimony. When disbelieving a speaker, a hearer may insult her because she judges the speaker to be either incompetent as a knower or insincere as a teller. By outlining the predominant reasons we have for rejecting testimony, I show how not every instance of rejecting testimony embodies this negative evaluation of the speaker. By contrast, testimonial compliments are fewer in number, and are not constitutive of "everyday" testimonial exchanges, since speakers who are competent as knowers and sincere as tellers are merely behaving correctly in accordance with the norms of testifying. Nevertheless, deferring to an authority on belief can be complimentary to that speaker if by doing so we judge her to have some mastery in a particular domain. This suggests an asymmetry between rejecting and accepting testimony. Testimonial insults and compliments also have important moral applications, particularly regarding epistemic injustice and therapeutic trust.

1. INTRODUCTION

In a remark which has begun to attract some attention in the philosophy of testimony, G.E.M. Anscombe once claimed that 'It is an insult and it may be an injury not to be believed' (1979: 150). Her topic was the nature of believing another person, which she rightly claimed, at the time, was 'a neglected topic in philosophical discussion'. Although the nature and epistemology of testimony has received a great deal of philosophical attention over the last few decades, still very little has been said concerning Anscombe's remark about insult, outside of a few limited discussions.[1] In this paper I defend a moderate position on Anscombe's claim, according to which, I propose, there *is*

1 For instance, Zagzebski (2012: 123–4) points to this remark of Anscombe's, and also draws our attention to a similar claim by J. L. Austin: 'If I have said I know or I promise, you insult me in a special way by refusing to accept it' (Austin 1946: 171). Wanderer (2012) ties the concept of testimonial insult to epistemic injustice, and Hinchman (2005) argues that a speaker is 'slighted' if a hearer does not take herself to acquire a reason to believe p having been told p. Testimonial insult is also important for Goldberg's (2015) discussion of the ethics of assertion, whilst Hazlett's (Forthcoming) account addresses the issue directly.

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such a phenomenon as a *testimonial insult*, but whether a hearer pays a speaker this insult with her lack of belief depends on the *reasons* one has for rejecting the testimony. A speaker is insulted when the reasons for a hearer's refusal are constituted by a negative judgment concerning the speaker's competence as a *knower*, and/or her sincerity as a *teller*. Moreover, such insults will vary by degree, and it may be more appropriate to label some rejections of testimony as a *slight* or *mild offense* against the speaker, depending on the hearer's negative evaluation.

As a corollary of this account, a question remains over the symmetry of *accepting* testimony. Do we in some way compliment, commend or extol a speaker by *believing* her? In my brief assessment of this issue, I argue that this lacks the same intuitive pull that Anscombe's claim about insult does because speakers involved in testimony are subject to certain norms which oblige them to speak the truth. To make a positive judgment of a speaker in this sense is merely to regard the speaker as having acted as she is expected to act – to have fulfilled her obligations as a speaker. It isn't complimentary to judge someone as merely having fulfilled her obligations. Given this claim, we can see one way in which accepting and rejecting testimony are *asymmetric* to one another. Although this means that everyday instances of accepting testimony do not involve paying compliments, there are some exceptions, such as deference to a speaker as an authority in a way that regards her as having mastery in a particular domain.

My account begins with a brief discussion of the nature and value of testimonially acquired knowledge (§2), before directly discussing the nature of testimonial insult (§3). I then put this account to work by looking at the reasons we have for rejecting testimony, and which reasons manifest a negative, and hence insulting judgment of the speaker (§4). Finally, I provide a brief discussion of *testimonial compliment* (§5).

2. KNOWLEDGE FROM TESTIMONY

Knowledge has instrumental value to us both as individuals and as a collective society.[2] Indeed, many now say that we live in a *knowledge economy*. The more we know, the further we can advance the enterprises that make up our societies, and knowledge is valued at least to this extent. Now, it seems fair to say that most of what we know individually is acquired from testimony – from what other people tell us. Just note how many propositions you believe on the basis of another person's testimony. Propositions about what's happening in another part of the world, of history, scientific discovery, the contents of other minds, and your friends' recent activities. Testimonial knowledge and belief is, then, *ubiquitous* (Coady 1992). Given that we allow ourselves to believe many of the propositions that people tell us, this suggests that we generally find speakers to reliably report what they know, otherwise we would be less disposed to believe them. Perhaps an appropriate analogy to capture both the value of knowledge and the ubiquity of testimonial exchange is that of being given the correct change in a shop by the cashier. We often hand over our money when shopping, but generally find that cashiers do not short change us, so we're disposed to trust them with our money. The importance of this disposition to believe

2 I am putting aside the interesting question of whether knowledge is more valuable than mere true belief (see Kvanvig 2003). Ultimately, if true belief is valuable, and knowledge is constituted by true belief, then knowledge is valuable – at least on parity of value with true belief.

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testimony will be made clear presently. First, though, to understand how knowledge transmission functions we need to look briefly at the speech act of *assertion*.

When we believe some proposition *p*, the primary means we have for expressing this belief to others is by asserting *p*. Assertion is one means we have for outwardly communicating those propositions that we inwardly judge to be true. Some accounts of assertion interpret this in terms of a *commitment* a speaker makes to the truth of *p*. For instance, John Searle says that the 'purpose of the members of the assertive class is to commit the speaker (in varying degrees) to something's being the case, to the truth of the expressed proposition' (Searle 1979: 12). Recognising the important role that assertion plays in the formation of beliefs in others, some argue that assertion should be understood to be governed by a particular rule which outlines when it is correct to make an assertion. Perhaps the most popular of these is the 'knowledge norm' of assertion (Williamson 2000), which states that one must assert *p* only if one knows *p*. Other attempts to formulate a norm of assertion have opted for a weaker epistemological constraint, namely, where knowledge may be substituted for either 'justification' (Lackey 2007; Kvanvig 2009), or 'truth' (Whiting 2015). These norms of assertion, like rules in a game, are *constitutive*, in that they define what it is to play that game. For instance, 'the rule of chess that says you can't castle if the king is in check is partially constitutive of the move of castling. A move that was not subject to this rule would not be castling' (Macfarlane 2012: 84). As with rules in a game, we can *satisfy* a norm of assertion by, say, only asserting what we have sufficient justification to believe (on the justification norm), or *break* it, by asserting without sufficient justification.

I don't intend to take a stand on what is the correct norm governing assertion, but to point out two things from these accounts that are relevant to my discussion here. First, if my earlier claim that hearers generally find speaker's assertions to be true is accurate, then it should also be standard practice in our linguistic communication that speakers satisfy something like one of these assertion norms: speakers, on the whole, tend to satisfy these norms, and hearers expect speakers, all things being equal, to satisfy them. Thinking back to our cashier, we might equally expect her to satisfy some relevant norm to only give the correct change, which explains why her doing so is commonplace. The relevance of this observation will be made clear in §5 when we consider its application to our intuitions behind insult and compliment. Suffice it to say for now, though, that since it is commonplace, standard, or generally usual for speakers to satisfy one of these norms, and for hearers to accept speaker testimony, then it is *to be expected* that hearers accept speaker testimony, and *unexpected* that the hearers reject speaker testimony. This claim will play an important role in determining where hearers insult or compliment testifiers with their response to the testimony.

The second point to highlight is that assertion fulfils the function of transmitting knowledge in which a speaker offers something (knowledge) she perceives to be of value to a hearer.[3] We still need, however, a specific subset of assertion to best capture the interpersonal relation of an offer of asset from one person to another. The problem with assertion *in general* is that, when asserting, a speaker need not have the intention to transmit her knowledge to a hearer. A person could go around making assertions

3 The speaker need not know the proposition for herself for it to be recognised as valuable. Lackey (2007) gives several examples of 'selfless assertion' where a speaker recognises that it's 'reasonable to believe' *p* without herself believing *p*, and so asserts *p* given *p*'s potential value to the hearer(s).

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without caring one bit whether anyone actually comes to believe her. To capture the notion of an offer of knowledge between persons, we need a specific *kind* of assertion that some writers have labelled 'telling'. With a telling, a speaker not only asserts *p*, but asserts *p with the intention that* her audience come to believe *p*. Elizabeth Fricker offers the following account of 'assertoric tellings':[4]

> In a paradigm and *felicitous* telling, the teller rightly takes herself to know that P, and seeks to share her knowledge with her intended audience, whom she believes ignorant, or possibly ignorant, as to whether P. Telling is the proprietary linguistic means … of letting someone else know what one already knows oneself … [and] is a social institution for the spreading of knowledge, enabling it to be possessed at second-hand. (Fricker 2006: 596)

From this account we can see how telling borrows features from the general class of assertion, in that a teller takes herself to know (or have sufficient justification to believe) *p*. Importantly, too, telling is able to capture the exchange between speaker and hearer whereby a valuable item is offered from one person to another. Note that in Fricker's description of a telling, the speaker assumes the ignorance of the hearer with respect to *p*, and hence her offer of *p* is to contribute an item to the hearer that she thinks he doesn't already possess – an item of value, albeit one that is commonly exchanged.

We now have a basic framework for understanding how knowledge – a valuable item – is transmitted from speaker to hearer through the assertoric speech act of telling, which I assume is governed by a constitutive norm that informs speakers of when it is permissible to perform the speech act. So, when a hearer rejects or accepts this testimony, does she imply any kind of insult or compliment, respectively, to the speaker? To answer this question, let's begin by taking the issue of insulting by rejecting first.

3. TESTIMONIAL INSULT

In this section I will argue that a testimonial insult is paid from a hearer to a speaker when the hearer's rejection of the speaker's testimony embodies a negative evaluation of the speaker as either epistemically incompetent, insincere, or both. As such, this insult *is not* paid every time a speaker is disbelieved; rather, our negative judgments of speakers depend on the reasons we have for regarding the testimony to be false. It will be the task of §4 to show which reasons tend to be tracked by our testimonial insults. For now, I will explain in what two possible ways a testimonial insult can be paid. First, a hearer insults a speaker if she treats him as though he has failed to get to the truth of the proposition he takes himself to know, and has done so because he lacks credibility as an epistemic agent. When the hearer does this, we can say that she treats the speaker as an *incompetent knower*. Second, a hearer insults a speaker if she treats him as though his telling is insincere – that he is *lying* for some reason, usually either to deceive the hearer, or to make himself sound more knowledgeable than he really is. When the hearer does

4 Tellings can be a subset of other speech act types too. For instance, we can invent a fiction by telling fictional stories, reprimand by telling-off, make a promise by telling someone what we are committed to doing, and command by telling others what to do. I am only considering here those tellings that are assertoric.

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this, we can say that she treats the speaker as an *insincere teller*. Taking each of these at a time, I will explain why it is an insult to be treated in either of these two ways.

3.1 Incompetence as a Knower

I argued in §2 that knowledge is a valuable asset we offer to others through testimony. Of course, in order to offer an item of value to another person, we must first possess the item, otherwise we offer something that doesn't belong to us, or something we take to be of value, but that's actually valueless. In the case of testimony, one specific reason *why* the hearer rejects what has been offered is due to the fact that the hearer does not believe the testimony qualifies as an item of knowledge, and hence, that she doesn't ascribe the value to it that the hearer ascribes. But why should the speaker be troubled by this view that the hearer has of his testimony? Well, if the speaker believes himself to possess knowledge, then he takes himself to not only believe something that is true, but to have some form of *justification* for his belief. It is the justification that licenses the speaker to regard his testimony as not merely a belief, but as knowledge, and hence, to be of value to other people. If a hearer rejects the testimony because she believes that the speaker has acquired his belief in an unjustified way, then this has implications for her view of the speaker's ability to acquire epistemic goods – to get to the truth of the matter with some justification for his belief. Therein, I propose, an insult is paid to the speaker. The hearer implies that the speaker lacks competence in a fundamental area of human intellectual life. She implies that he has failed to attain knowledge with respect to his belief, and since the speaker takes himself to have knowledge – to have acquired his belief in a justified way – it is an insult to treat him as though he has not. To do so is to imply that he is incompetent as a knower with respect to this testimony – that the justification he takes his belief to have is no justification at all.

It is crucial to recognise that the insult is paid not merely in the rejection of something valuable, but in the *reasons* one has for rejecting the item. I can walk into a jewellery shop and be offered an expensive watch, but if I reject it because it's too expensive, my rejection doesn't imply that I think it's valueless. Rather, my reasons for rejecting the watch are completely disconnected from my judgments concerning its value. Even when I am offered something for free, which is a closer analogy to testimony, my reasons still might not reflect my judgment concerning the item's value. Suppose a friend offers me his advice and I reject it, not because I think his advice is valueless, but because I simply don't have the time to hear him out properly. I don't intend to imply that the advice has no value. However, if this had been my reason, then it might be considered a little insulting to him that I won't hear him out. The same principle applies for testimony. If I see no value in the testimony because I think the testifier's belief is not really knowledge, this has implications for my view of the testifier's justification for her belief. If I see value in the testimony but just, for whatever reason, am not in the mood to hear it today, or am too busy to listen, this needn't have negative implications for my judgment of the speaker.

A further contrast with a non-testimonial example will illustrate this point more clearly. Suppose you are a patient being treated in hospital (you represent the hearer). A doctor comes to your bedside to begin your treatment (he represents the speaker). He is offering you his medical expertise as a means to help you regain your health (this represents the testimony – the valuable item offered to you). If you reject the doctor's medical support

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because you think he is incompetent as a doctor, you appear to insult the doctor. This will be the case because doctors undergo extensive training to prepare themselves to be doctors, and their ability to practice and thrive in the profession depends upon their competence in applying this training effectively. Likewise, our ability to thrive in society depends on how well we hone our competence in forming beliefs with proper justification. If we fail in this respect, other people are not going to consider us credible testifiers, and we are not going to be able to make appropriately informed decisions. Just as the doctor is insulted when we refuse his help because we take him to be incompetent as a doctor, so the speaker is insulted when we imply his lack of competence as a knower. Now, if you reject *my* medical expertise because you regard *me* incompetent as a doctor you won't have insulted me even one bit since I don't take myself to have any medical expertise, and nor does my getting by in the world require me to have all that much. I do, though, rely heavily on my epistemic faculties, in which I must have confidence. In §4 I will introduce further examples to show where one's reasons for taking the speaker to lack justification are insulting for the speaker.

I have described two separate, but connected aspects to the insult paid when treated as an incompetent knower: one *social*, the other *personal*. As I have been arguing, the sharing of knowledge through testimony is an interpersonal activity, and marks an important means by which we make social contributions. In his work on this issue, Allan Hazlett also connects it to insulting by refusing testimony. He says,

> Refusing someone's testimony can manifest doubt about her credibility, which credibility she presupposed by telling you something in the first place. By refusing her testimony, in such a case, you reject her invitation to engage in a collective activity on the basis of doubt about her competence to engage in that activity. (Hazlett, Forthcoming)

Note that on this account it is the collective activity of knowledge sharing that we enter into, and desire to be effective in when we testify to others. I agree entirely with this description of the social aspect of testimonial insult. However, there is still a further issue, more personal to our ability to acquire knowledge, which is also relevant. We need true beliefs to get around in the world, and we must rely on our epistemic faculties to form beliefs that are true, with or without further reflection upon them. As Linda Zagzebski has claimed, we have 'a natural desire for the truth' and 'a natural trust in the suitability of [our] faculties for getting the truth' (2012: 36). If our faculties cannot be trusted, this would lead to bad consequences for us individually, in the same way as when a doctor cannot trust her skills as a doctor, negative results will follow. We certainly wouldn't want to be told that what we take ourselves to be skilled at – what we *need* to have some ability in – we are in fact incompetent at, since then we cannot trust ourselves in that way. So, it is an insult to be treated as an incompetent knower since it both undermines our ability to contribute in a socially constructive way, and implies that we cannot trust our faculties to attain the truth with respect to the domain of testimony we take ourselves to be knowledgeable in.

3.2 *Insincerity as a Teller*

What of those instances in which a hearer treats a speaker as an insincere teller? The structure of the insult is slightly different to the foregoing case since the hearer implies no lack

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of competence to the speaker in *attaining* truth, but rather in *speaking* truth. Since true beliefs are instrumentally valuable in guiding our practical decision making, they form an integral part of directing our actions according to our desires and intentions. However, if our beliefs are false, then they can mislead us into acting in a way counter to these desires and intentions. This can be damaging for individuals to varying degrees, and given this consequence, it looks like there can be something morally wrong about intentionally leading people to believe a falsehood.[5] For instance, telling someone the wrong directions to the train station so that he will miss his train, or giving a political decision maker incorrect information so that she will action a policy that she wouldn't have if the information had been accurate. In each case, the speaker deceives the hearer into believing something that isn't true, and the hearer acts on the basis of this belief in a way that can be damaging for herself and for others.

The insult here is fairly simple to identify. If a hearer treats a speaker as though he is attempting to intentionally deceive her – as though he is *lying* with his testimony – she may insult him by implying that he is performing a morally objectionable action. As with other immoral acts, it is offensive to accuse someone of performing one. So, it would be offensive to suggest that someone is a thief, or abusive, or racist, or a liar, even if it turns out that she is none of these things. As such, when we reject a speaker's testimony, and do so because we take the speaker to be lying, we can insult the speaker by implying that she has acted immorally. This is what it means to insult the speaker by treating her as an insincere teller.

If my rejection of testimony embodies a negative judgment of the speaker in either of these two respects of epistemic incompetence or insincerity, must the speaker *feel* insulted, offended or slighted for the insult to take place? Providing that testimonial insults are sufficiently similar to other kinds of insult, then this doesn't seem required. Consider, for example, members of a crowd at a sports event shouting racial epithets at one of the players. The player need not even hear the pejorative term for it to be used as an insult, and hence, the player needn't *feel* insulted to have *been* insulted. Imagine, too, someone using offensive terms against you in a language you don't understand. The language barrier will prevent you from feeling offended, and yet the insult has still been paid. I propose that testimonial insults work in the same way. They are purely the result of the hearer's negative judgment on the speaker, and do not depend on the speaker's awareness of the judgment. Of course, and as with other insults, if the recipient becomes aware of the insult, he or she may well be offended by it.

With this account of testimonial insult in place, let's move now to look at how the insult is guided by the reasons we have for rejecting the testimony.

4. WHEN IS IT INSULTING TO REJECT TESTIMONY?

In this section I will put my account of testimonial insult to work by looking at three broad classes of reason we have for rejecting an item of testimony. I will refer to these three classes as *defeater, inductive* and *prejudgement* reasons. I begin with defeater

5 Though there are a few exceptions to this. For example, it may be morally right to intentionally mislead a murderer with wrong information.

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reasons, which I propose are the main class of reasons that *do not always* involve paying an insult to the speaker.

4.1 Defeater Reasons

A testimonial rejection on the basis of defeater reasons occurs when a speaker S believes himself to know *p*, but where a hearer H possesses a defeater *D* for *p* – that is, H possesses a proposition that she justifiably believes – which conflicts with S's testified proposition. The structure of a defeater reason, then, is this: S tells H that *p*, but H justifiably believes *D* which conflicts with *p*, and because of this, H rejects S's testimony that *p*. Consider the following mundane example. Suppose you and a friend are planning to book tickets to see your favourite team play in a sporting event. He tells you, ⟨*p*⟩ 'They are playing on the 7th September'. Your friend believes this because he went on the website yesterday and that was the date stated for when your team are playing at home. Unbeknown to him, though, they have since changed the date from the 7th to 8th September, and announced this on the website this morning. Having visited the site since the announcement, you have a defeater for your friend's testimony, and refuse the testimony and tell him that he is wrong, and offer him this as your reason. Does your rejection amount to an insult in this case? Intuitively, it seems as though it doesn't, since you would acknowledge that the speaker has not shown himself to be incompetent as a knower – he acquired his belief in a justified and responsible way. Nor is your friend intentionally trying to deceive you. In both regards, he has fulfilled his obligations as a testifier. In fact, at one point your friend did actually know *p*, but now things have changed and he no longer knows *p*. The problem for the speaker is just that you happen to have a defeater for his proposition that he is not aware of, and can hardly be blamed for not being aware of. As such, even though you reject his testimony, you pay him no insult since you don't regard him as either an insincere teller or an incompetent knower.[6]

This same conclusion also carries over to less direct cases of testimony, such as scientific research. For instance, consider a nutritionist researching whether vitamin D2 or D3 is more beneficial for healthy bones. She conducts her research with a sample size of 100, finds that D2 is more effective, and sends a paper with these results off to a nutrition journal. Concurrently, another study has been conducted that the nutritionist was not permitted access to for intellectual property reasons. The other study produces results from a sample size of 1000 and finds, to the contrary, that D3 is more effective. The journal received the results from the two studies at the same time, and rejects the first nutritionist's paper because of the conflicting results from this other study. The journal doesn't insult the nutritionist by rejecting her testimony – she wasn't permitted access to the other study, and she has conducted her research to the best of her ability. She has met her obligations to research responsibly, and isn't attempting to mislead people. It just so happens that the journal has a defeating reason against her paper – that another study found a different result with stronger justification – and they reject the scientific testimony for that reason.

Within this category of defeater reasons are an important class of cases in which we reject testimony due to the high stakes that it brings. For instance, a married man

6 Although there are no data available to tell us which reasons people have for not believing speakers, I suggest that many, if not most reasons are due to these kinds of defeaters. The upshot of this, if it were true, is that many or most instances of testimonial rejection do not involve paying an insult to a speaker.

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might reject the testimony of a friend which suggests that his wife is having an affair. Moreover, he might reject it because he insists that his friend is mistaken. Due to what is at stake here, it doesn't seem plausible to insist that he is insulting his friend with his lack of belief. This is because the husband believes a conflicting proposition, say, 'my wife would never cheat on me', that works against the friend's testimony,[7] and hence, he needn't make a negative judgment of his friend's competence or sincerity. So, high-stakes cases can be accounted for within defeater reasons.

Are there cases of defeater reasons where an insult *is* paid to the speaker? Plausibly yes. Imagine a friend who sides with a political party whose leader is a disingenuous and shifty character. Even though you are both aware of this, and as such you have a defeater for the leader's testimony, your friend is taken in by the things he says, gullibly believing many of the claims he makes to support his policies. Now your friend is reeling off "facts" and "statistics" to you, telling you to believe her testimony about them so that you will vote differently. You refuse to believe her, insisting that you think she's been deceived. Your reasoning behind this is that she's got her judgments all wrong on this politician, and he's clearly just fabricating the facts for political gain. You imply that she's failed to distinguish truth from lie, perhaps under the influence of persuasion and manipulation, and has displayed culpable failure of epistemic competence. Since she has a defeater for her beliefs – the evident dishonesty of the politician – you judge that your friend has self-deceptively put this aside to the point of irrationality, and this sounds offensive to some degree. And similar defeater cases apply too with other examples, say, with religious belief, in which religious testimony is rejected because the hearer takes herself and the speaker to possess a defeater for the testimony but one that the speaker has irrationally disregarded. This, too, sounds like an insult to the religious believer.

Defeater cases like these also look insulting in the scientist example. Supposing that the nutrition journal rejects the nutritionist's paper, not because they received a conflicting report from a different paper, but either because they think she has fabricated her results to be misleading, or because her methodology is poor, and so it's likely to yield false results. This intuitively seems to be an insult paid from journal to scientist, and the reason why, I propose, is because it's an insult to her to imply that she is flouting her obligation *as a scientist* to only publish what she has researched in a competent and responsible way, and to not lie about her findings.

To summarise, my claim is that many instances of defeater reasons do not look to be insulting to the speaker. This is the case when the hearer recognises that the speaker is genuinely attempting to speak from knowledge. Where it looks like he isn't, the hearer tacitly treats the speaker as though he has in some way violated his obligations to only assert what he knows, or has justification for, and does so through either insincerity or incompetence. Where a hearer treats a speaker in this way, she pays the speaker an insult.

4.2 *Inductive Reasons*

The account of testimonial insult is able to explain our intuitions about cases involving other sorts of reasons for rejection as well. Where defeaters track reasons for rejecting

7 This example only properly qualifies as a defeater as I am using the term if he has justification for believing it, which we could imagine that he does, say, from her previous behaviour and honesty.

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the testimony p, other kinds of reasons trace our rejection of *p* to our judgment of *the testifier*.[8] Notably, when our reasons are inductively grounded – when they are based on our prior experience of the speaker – whether a testimonial insult is paid appears to be a much clearer issue. The structure of a testimonial rejection for inductive reasons is this: S tells H that *p*, but H rejects *p* because she has inductive grounds for believing S's testimony to be false.

There appears to me to be only two inductive reasons H would have for rejecting S's testimony, and they each correlate to the two ways in which we can pay a testimonial insult. The first involves having inductive grounds for believing S to be an insincere testifier, and the second with being an incompetent knower. Let's consider these in order with a few examples. Suppose your friend tells you that Einsteinium is a synthetic element, and this is not something you currently hold a belief about. You have previously been around him, though, when he has clearly made up certain claims to sound more intelligent, and not knowing whether this chemistry fact is true or false, you wonder whether he's doing the same thing here. After all, Einsteinium does sound like it could be made up! You're sceptical about your friend's sincerity as a teller and so you reject his testimony. You don't believe him, and instead decide to make up your own mind about this proposition. Your rejection marks a clear challenge to your friend's sincerity, and he is insulted when you treat him this way. Even though what he says is *true*, you have some inductive grounds for thinking that he is lying in this instance, and your lack of belief reflects your view of him as an insincere teller.

What this implies, then, is that rejecting testimony for inductive reasons relating to a speaker's sincerity is constituted by a testimonial insult. Perhaps, though, there are some cases where this claim seems too strong. What about 'boy who cried wolf' cases, or, say, an unreliable journalist who has a reputation for fabricating the truth to attract more attention. Isn't there less intuitive pull to the claim that you insult these people by refusing to believe them? Well, if there is, two explanations for why are forthcoming. The first is to consider whether these people are even involved in the speech act of telling. Remember, the teller believes herself to rightly know *p*, or at least to have a good reason to believe *p*, but this might not be true for our two cases at hand. However, this strategy could be countered by simply replying that although the speaker does perform a telling, this speech act is *infelicitous*. She still testifies, and thus assertorically tells, but in an improper way, perhaps because she breaks some norm of assertion.

A second approach, which I find to be more appealing, is to accept that it seems we don't pay the same degree of insult to the journalist or the boy who cried wolf, but that we simply pay an insult to a *lesser* degree. In these cases, it may be more appropriate to say that we *slight* these testifiers by rejecting their testimony out of hand because it comes from a source commonly thought of as unreliable given the speaker's prior insincerities. In effect, the testimonial insult remains the same in kind, but varies by degree. Other more moderate terms than outright insult might also be more appropriate to apply to one's rejection of the testimony, varying by degree given the hearer's negative judgment. For instance, *mild offense*, *disrespect*, or *impudence* may be acceptable for more moderate degrees of insult. At the near-negligible end, one's rejection of testimony

8 See Wanderer (2012: 165) for more on this distinction between believing a speaker and believing what the speaker says.

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may even be termed a *testimonial discourtesy* when still embodying a negative evaluation, but an especially mild one.

What about when our inductive reasons reflect on the speaker as an incompetent knower? Considering the Einsteinium example again, let's suppose that your experience of the speaker is that he's a sincere teller, but that his chemistry skills have much to be desired. You know he consistently scores low in chemistry and doesn't really grasp many of the basic concepts. In virtue of these facts, you, again, decide not to believe the speaker, and to go away to make up your own mind. In this case, the hearer treats the speaker as though he's failed to be a competent knower. Now, for all you are aware, your friend might be trying extremely hard to rectify his poor chemistry scores, and would be upset to find out that you won't accept his testimony, even in spite of the fact that you are justified in rejecting it. The testimonial insult paid to the speaker here is clearly related to his perceived incompetence to obtain chemistry facts. Again, it may be too strong to term the negative evaluation of your friend an outright insult, but it certainly seems a little offensive or disrespectful.

4.3 Prejudgement Reasons

There is a third class of reasons for rejecting what we're told that are worth considering which, like inductive reasons, are directed against *the testifier*, rather than simply at *the testimony*. I have in mind those instances in which a hearer rejects the testimony because of a prejudgment she has made about the speaker *which is not* based on any inductive evidence. This can involve negative prejudices, such as when the testimony of someone of a particular race, gender or other social identity is not believed *because of* their social identity. Although this is commonly linked with unjust prejudice, I avoid classifying all judgments of these kinds as prejudicial. This is because prejudice is a morally inflected term, and not all of these judgments are immoral, as will be shown in the ensuing. Due to this, I prefer the broader term, *prejudgment*, to mark this class of reasons.

To explain how these judgments work, I want to look at some of the leading work in this field developed by Miranda Fricker. She notes, first, that without any prior evidence of the testifier's credibility, we must utilise stereotypical generalisations of the speaker as heuristic devices to determine the speaker's trustworthiness:

> Barring a wealth of personal knowledge of the speaker as an individual … [a hearer's] judgement of [the speaker's] credibility must reflect some kind of social generalization about the epistemic trustworthiness – the competence and sincerity – of people of the speaker's social type, so that it is inevitable (and desirable) that the hearer should spontaneously avail himself of the relevant generalizations in the shorthand form of (reliable) stereotypes. (Fricker 2007: 32)

These stereotypes do not always work *against* the speaker. Fricker suggests the example of the family doctor, who, without having received her advice before, we are more likely to prejudge as a reliable testifier. What about where a negative stereotype *does* work against a speaker's credibility? According to Fricker:

> [I]f the stereotype embodies a prejudice that works against the speaker, then two things follow: there is an epistemic dysfunction in the exchange – the hearer makes an unduly deflated judgement of the speaker's credibility, perhaps missing out on knowledge as a result; and the hearer does

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> something ethically bad – the speaker is wrongfully undermined in her capacity as a knower. (Fricker 2007: 17)

When a hearer rejects testimony because of an unduly deflated judgment on the basis of the social identity of the speaker, Fricker refers to this as 'epistemic injustice'. I propose that this also involves an insult to the speaker for, not only is the speaker undermined in her capacity as a knower, as Fricker suggests, but also as someone who only tells what she knows – as someone who is sincere and does not seek to intentionally mislead. When prejudiced against in this way, the speaker is not only treated as an incompetent knower, but may also be regarded as an insincere teller, depending on the view the hearer has of the speaker as a testifier. Any case involving social identity prejudice appears to treat the speaker in one or both of these ways when the testimony is rejected for these reasons.

It's worth highlighting that Fricker's account connects the rejection of testimony to a missed opportunity to acquire a valuable item of knowledge, which is not only problematic for the hearer, but isolating for the speaker. In §2 and §3 I argued that testifying has an important social function since it is through testimony that we can make a valuable contribution of knowledge to society. When a speaker is undermined in this regard due to prejudice it suggests that what they take to be of value is in fact of no real value. This is an insult to the speaker and one that marks a clear case of epistemic injustice (see Wanderer 2012).

Within this category of prejudgment also belong cases where we reject testimony out of hand, not for prejudicial reasons relating to social identity, but because of a particular view we have concerning the cognitive capacity of the testifier. Such examples include the testimony of young children, people with mental disorders and those who are heavily inebriated. Should we consider it insulting to a young child or toddler when we reject what they tell us? With these kinds of prejudgments, as with those of the inebriate and the mentally unwell, I suggest that, intuitively, they do not appear to involve an insult. As might be suspected by now, my explanation for this is because our rejection of this testimony is not constituted by a negative evaluation of the speaker as either insincere or incompetent. Rather, it seems that we simply aren't disposed to treat speakers in these kinds of cases as sources of knowledge. In this sense, hearing the testimony of one of these speakers is often much like reading a fictional work. We don't tend to take ourselves to be acquiring knowledge about the world when reading fiction, and as such, don't take the author to be lying, or to be incompetent with her ability to form true beliefs. Since the author in a fiction is not involved in an assertoric telling, she is not under the same constraints as those who are, and in particular, her discourse is not governed by something akin to a knowledge norm of assertion. Plausibly, this same explanation can extend to our cases where the testifier has some form of cognitive capacity deficit. The speaker here is not thought to be a source of knowledge, and so is not, generally speaking, thought to be under any obligation to tell only what she knows. Perhaps the child or the inebriate *is* telling what she or he knows. However, if we simply reject the testimony out of hand because we don't see the speaker in these instances to be a source of knowledge, in much the same way as we regard the fiction writer, then we don't imply anything negative about the speaker, and so, too, we don't insult her.

This concludes my account of the predominant reasons we have for rejecting testimony, which has demonstrated in which instances we insult a speaker when not believing her. In

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this final section, I will consider the outstanding question concerning testimonial compliments.

5. COMPLIMENTING BY *ACCEPTING* TESTIMONY?

The overall framework I have given in addressing the issue of testimonial insult provides a basis for determining whether some form of compliment or commendation is paid to a speaker when we believe by accepting what she tells us. This claim appears to have less intuitive appeal to it than does the claim about insult. I will attempt to explain why this is the case, and defend the view that everyday instances of testimonial acceptance do not involve a compliment paid to a speaker, but offer some examples of where they do.

I argued in §2 that our general disposition is to believe what speakers tell us since we find that speakers generally assert what they at least take themselves to know. Speakers tend to satisfy the norms governing testifying in much the same way as two players in a chess match tend to follow the rules of that game. Now, when players in a game break the rules it becomes clear that something has gone wrong, and the same is true when speakers break the norms of assertion. As such, when we refuse testimony, it indicates our belief that something has gone out of joint in the testimonial exchange – somewhere along the way, the speaker has done something unexpected by acting contrary to what ought to be done in these sorts of interactions. I have accounted for this in terms of a hearer's judgment that a speaker does not really speak from knowledge. This response of the hearer *sticks out* to us, in a way, since the speaker, being involved in telling something she takes herself to know, has some underlying expectation that the hearer will believe her. Why shouldn't she? After all, by asserting, the speaker takes herself to engage in an activity in which both hearer and speaker take the speaker to be asserting from presumed knowledge. So, even when the speaker is being deceptive, she may at least anticipate the hearer will believe her. Returning to one analogy I drew earlier from a medical setting, it would seem odd or unusual for a patient to refuse the treatment of a particular doctor. Since we ought to trust medically qualified doctors, rejecting the doctor's advice or support suggests something that's out of place.

This is perhaps why there is more intuitive pull to the idea that rejecting testimony involves some degree of insult than there is to the claim that accepting testimony involves paying a compliment. Our intuitions gravitate towards the former view because there appears to be something unusual, and therefore more explicit about refusing to believe someone. But when the converse circumstances hold, the intuition is nowhere near as strong. Do we compliment a person when we believe what he tells us? The analogies with testimony I have considered thus far advise against this claim. For instance, when we *allow* the doctor to treat us in hospital, it doesn't appear that we pay the doctor some kind of compliment. Nor do we pay the chess player a compliment when we acknowledge that our opponent has made a correct move by using the pieces according to the rules of the game. This is explained by the fact that it is commonplace, or, *to be expected*, that we allow the doctor to treat us, so nothing really sticks out in the exchange to suggest that our allowing this is complimentary. Furthermore, we allow him to treat us because we expect that he is qualified and able to treat us effectively. If he wasn't then he wouldn't have the job. He is merely fulfilling a requirement that he ought to fulfil anyway. This is also true of testimony: we are expected to satisfy certain normative requirements

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according to the norms of assertion. It sounds at least mildly condescending to be congratulated for doing something we are expected to achieve anyway. For instance, when moving the chess piece correctly, it would be quite unusual for one player to applaud the other for her ability to move the pieces according to the rules. She has simply done what it is required of her by the rules of the game. So, it doesn't look like any compliment to a person to believe what she tells you – she is merely doing what is required of her to do. The converse is true of insult. It *does* look like an insult (in some cases) to refuse to believe someone – it implies that the speaker has failed to do what she is required to do.

But that isn't the end of the story for testimonial compliment. There do appear to be some rare instances in which we pay a compliment to a person with our belief. Suppose you regard someone as such a leading authority on a particular matter that you will only believe what she tells you concerning it. Although it might seem against common sense, for instance, to take seriously the possibility of multiverse theory, the very fact that Stephen Hawking is willing to entertain it would give many people reason to believe that it is true. Acknowledging someone as an authority in this way appears to be complimentary since it implies that the individual is not merely involved in fulfilling her obligations as an asserter, but has some mastery when it comes to a particular domain of inquiry. I suggest this is not unlike being only willing to receive medical treatment from a *particular* doctor because you think that *she* is the best at what she does. By requesting her specifically, she is complimented in the fact that you regard her as not merely adequate at her work, but to have a significant degree of expertise.

I propose, then, that a testimonial compliment is paid when a hearer believes the testimony of a particular individual because she is an authority in a domain in which a high degree of expertise is required, and she is regarded to have mastery in it. This can have a positive impact on the speaker since our deference to another's authority might inspire that person to *live up to* her position of influence. If we are willing to place our trust in a speaker in this way, then hopefully the person will respond with heightened trustworthiness. This idea is related to the concept of 'therapeutic trust', which Karen Jones described as 'trust undertaken with the aim of bringing about trustworthiness' (Jones 2004: 5). She gives an example of a mother who entrusts her house to her daughter for the weekend with this particular aim in mind: 'The mother might think that by displaying her trust and not arranging to have the daughter stay at a friend's house or to have the neighbours keep an eye on the place, she can elicit trust-responsiveness in her daughter.' With respect to testimony, in deferring to someone's authority, we can hopefully encourage the cultivation of her trustworthiness as a reliable source of knowledge. Providing our deference to authorities can elicit trustworthiness therapeutically, this gives us a reason to endorse such a practice.

6. CONCLUSION

I have suggested one positive consequence that might follow if our deference to authority is complimentary for a speaker. This should give us some motivation to believe the testimony of certain people. I leave it open as to whether the fact that we pay testimonial insults with our lack of belief should motivate us to want to believe or disbelieve certain people. I expect that this issue will have implications for a number of interpersonal relationships, especially among friends and spouses. However, this ethical question will need

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to be explored elsewhere. My purposes here were simply to articulate the nature of testimonial insult and compliment, and see where these interactions are paid. Identifying all of the relevant applications of this account remains a further task.[9]

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